

NETWORK OF AFRICAN NATIONAL HUMAN RIGHTS INSTITUTIONS

**Your Excellency Chairperson of the ACHPR,
Dear Members of the African Commission on Human and
Peoples' Rights,
Your Excellencies Diplomats accredited to The Gambia,
Invited Guests
Dear Colleagues**

It is with great honour and real pleasure, on behalf of the Network of National Human Rights Institutions, to be able to address you on this occasion of the August Assembly present here at the 46th Ordinary Session of the ACHPR.

Allow me to express my sincere gratitude to the authorities of the Republic of The Gambia and the Gambian People for the warm welcome that they have accorded to us.

My appreciation is equally addressed to the African Commission on Human and Peoples Rights for the endless effort undertaken to give human rights a reality on the continent despite the multiple challenges that they are confronted with. We congratulate the new elected commissioners and wish them well. For the outgoing, we hope the continent will find you a resource person. My thanks are equally addressed to all courageous and tireless human rights defenders who are organized and have not ceased to act to concretely improve the

human rights situation in the whole continent despite the difficulties and the menaces that they continue to be subjected to.

The question of human rights defenders is also in the hearts of national institutions. They have just ended a workshop, and in the role of national institutions in the protection of human rights defenders and the inquiry systems and methods of protection defenders organized during the 7th Conference of NHRIs.

**Ladies and Gentlemen,
Distinguished Guests,
Dear Colleagues,**

This 46th Ordinary Session of the African Commission is taking place at a time when there are a number of challenges that are facing our continent during a period where consolidation of peace, democracy and human rights is fundamental to Africa, and its absolute achievement continues to remain a great challenge.

Democracy is a prerequisite for good governance, especially with the respect of civil and political liberty that is guaranteed, it is a fact that nearly all African countries claim to be governed by democracy.

Good governance strengthened in Africa may only be determined by the achievement of fundamental rights and liberty of Africans but also as by the implication of people in the making of decisions that reflect their interests of the less fortunate people.

Numerous elections that have taken place throughout the continent give a clear indication that Africa has started an irreversible trend towards political liberalization that is driven to the participation and the choice of the people. But the process and the legitimacy of the results of certain elections is sometimes in question. In the majority of the cases, elections end with a peaceful transfer of power while in others, where the legitimacy and credibility of the election results are questioned by the citizens, there has been a trend to establish coalition governments. It remains to be seen whether these forms of governments function well.

However, given this scenario, the concept of democracy is often abused by out political leaders. The role of NHRIs in strengthening the human rights infrastructure, promoting the rule of law and monitoring governance structures to ensure that the rights of all citizens are protected becomes very significant during these times and must be reinforced in order to preserve what has been achieved over the years.

It is without doubt that when the process towards the participation and the free choice and democracy does not succeed, security and peace suffer and that causes numerous conflicts and wars that are basis of loss of human lives, and have a devastating impact on the fundamental structures of the society like justice and others.

The conflicts in our continent have led to more that 17 million of displaced persons in our countries and more than 3 million refugees. It is here where the national institutions and other actors on human rights

must have a role to play as a watch dog for human rights before such situations happen in their respective countries.

Despite the challenges, and difficulties that cut across Africa, there is still hope. The hope to be based on the progress accomplished at the African Union level, normative and institutional action of the African Union that allows the reinforcement of human rights principles on its agenda that condemns and rejects change of governments by an unconstitutional process.

The Network of NHRIs welcomes the adoption and signature by the Head of States Summit and Governments, the African Charter for the protection assistance to internally displaced persons in Africa. This demonstrates the recognition that the African Union is conscious of the gravity of the situation of the internally displaced persons as constant instability and tension for African States.

This Convention is the first one in the world to offer a legal framework that will promote and reinforce national and regional measures to warn or reduce the causes of internal displacements as well as offer a durable solution.

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There is no doubt that peace, security and human rights are interdependent and constitute necessary ingredients for the enjoyment of rights of African People, who are very much often victims of violations of human rights.

National institutions understand this and have already begun to focus themselves on peace and security as the base of enjoyment of fundamental citizen rights and liberties.

This was expressed by the NHRIs during the 7th Conference that was held last week in Rabat, 3 – 5 November 2009 and the Rabat Declaration was adopted on the role of NHRIs in the consolidation of justice and peace, this conference that is registered in the framework of biannual conferences of the Network of NHRIs was also an occasion to examine the report on the state of cooperation between NHRIs and the African Commission and the role that the NHRIs can play in the accomplishment of the mission of the African Commission as a privileged partner and intent to improve its relationship with it with the goal of better promoting and protecting human rights on the continent.

The work of NHRIs at the international, regional and national levels is linked to the African Commission. This is why we must find a good collaboration framework defined to attain our common objectives.

We hope that the recommendation contained in the report will translate in a resolution that will give energy to the collaboration between the two

institutions, once adopted. A copy of the report has already been sent to the Commission,

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The Network will reinforce this collaboration this collaboration at the regional and sub-regional level by the reinforcement of capacities of national institutions having affiliate status with the ACHPR in order to put more effort effectively in the activities of the ACHPR. On the same occasion , underline the importance of encouraging the NHRIs who have not attained an affiliate status with the Commission to do so, and further strengthen collaboration with civil societies for better promotion and protection of human rights on the continent.

Thank you for your kind attention.