

STATEMENT BY

HER EXCELLENCY MRS. JULIA DOLLY JOINER
COMMISSIONER FOR POLITICAL AFFAIRS
AFRICAN UNION COMMISSION

AT THE

OPENING SESSION OF THE 47TH ORDINARY SESSION OF THE
AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS

12TH MAY 2010: BANJUL, THE GAMBIA

Honourable Edward Gomez, Attorney General and Minister of Justice of the Republic of the Gambia.

Mrs Reine Alapini Gansou, Chairperson of the African Commission on Human and Peoples' Rights

Deputy Chairperson and members of the African Commission on Human and Peoples' Rights

Distinguished Delegates of State Parties to the African Charter on Human and Peoples' Rights

Members of the Diplomatic and Consular Corps

Representatives of National Human Rights Institutions and Civil Society Organizations

Ladies and Gentlemen,

As we move into the second decade of the Twenty-first century, we stand witness to a simple and irreversible reality – Africans are establishing, expressing and asserting their human rights now, more than has ever been the case in the past; a certainty that by all accounts is attributable to the expressed commitment of our Heads of State and Government, the positive efforts of our institutions and the activism of African civil society. Through various pronouncements and actions, member States and all other stakeholders have demonstrated and continue to demonstrate that human rights are a priority that needs to be delivered in a collective and responsible manner. No matter what our differences or contestations of content might be, I am certain that there is amongst us a recognition that we are on a positive and sustainable path into the future. Even whilst we grapple with the continuing human rights challenges and the intricacies of reports presented to this august body, we need to take a step back and look at the journey traveled and the progress registered. As we do this, we need to turn the tide of negativity which has characterized many past interactions on challenges, toward expressions of optimism which are coupled with realistic and honest assessments of progress.

Now, more than ever, we need to be articulate on our achievements and need to move beyond the foundations that have been established for us in our efforts to promote and protect the human rights of all Africans. Herein resides the significance of my presence and indeed that of the African Union Commission at this Opening Session of the African Commission on Human and People Rights, but it also serves as a basis for motivating collective efforts as we grapple with a new order of challenge and opportunity.

On the outset and before I articulate some of the opportunities and challenges that emanate from the African Union Commission's day-to-day interactions with Member States, allow me to express my deepest appreciation for the opportunity accorded to me to address this Opening Ceremony of the 47th Ordinary Session of the African Commission on Human and Peoples' Rights. It is, as I have indicated, an important opportunity for us at the African Union Commission. Beyond expressions of appreciation to the Commission for the invitation accorded to me, allow me also to reaffirm our gratitude to the Government and people of the Gambia for hosting the Commission and for the kind hospitality that it continues to demonstrate to all who visit and participate in events in and around the Sessions of the Commission.

Excellencies, Distinguished Ladies and Gentlemen

As we Africans continue to grapple with challenges and as we seek to build a more consolidated human rights path into the future, it is imperative that we build on that which we have succeeded in putting in place, the most significant of which are, the African Commission on Human and Peoples' Rights and the African Court on Human and Peoples' Rights. African Union member States have, at all times, been mindful of the significance of these institutions and the importance of ensuring that they are able to act with impartiality and integrity. In so doing, Member States always sought to ensure that the elected officials are people of high moral standing and who are able to reflect on progress and advise the Executive Council and Assembly of Heads of State and Government of the Union in a responsive and responsible manner.

It is with this in mind, and having the opportunity at the 46th Ordinary Session, that I would like to express the African Union Commission's warm welcome and congratulations to the newly-appointed Commissioners. Although belated, I am certain that you will all accept my congratulations and assurances of the African Union Commission's support, as you serve our Continent in your noble duties. It also stands with me to express an added word of gratitude for the services of those Commissioners who have recently completed their terms. We are confident that they will all continue to be good friends of the Commission and will promote its work in their pursuit of other equally important areas of engagement.

Excellencies, Distinguished Ladies and Gentlemen

As this Session of the Commission correctly reflects on matters of detail on the state of Human rights in our continent, it also, would urge, stands with it to think of the larger context within which its work is located. In particular, I would like to draw this august gathering's attention to the adopted strategic Plan of the African Union Commission. The Plan emerges from a collective process of reflection and analysis and represents a determination on the part of the African Union Commission to demonstrate continuity and at the same time embrace changes in action that are needed in an ever evolving world. At the centre of this Plan is a continuing commitment to shared Values as a Strategic Pillar of the Union we are seeking to establish.

Within the framework of the Shared Values Pillar, the Commission has restated the commitment to the Human Rights mandate and has, in response to Member State utterances, also placed an added emphasis on the promotion and protecting of social-economic rights of the peoples of this Continent. In the exercise of protecting individual human rights, we are increasingly called upon to establish the link between the exercise of such rights and global engagements on unequal trade relations, disproportionate environmental protection burdens and the fundamentally unjust system of global peace and security.

Looking in earnest at the opportunities that stand before us, it incumbent upon us to recognize that Shared Values is fundamentally about our shared responsibility. Whilst

there is a propensity to emphasize the role responsibilities of state Parties in human rights protection and promotion, we should not forget that our success hinges on building wider ownership and ensuring that the burden of responsibility and action is shared across all sector of our society. In exercising our responsibilities, we do build upon a framework of commitments from our Heads of State and Government. History however will judge us on the extent to which we are able to work together in consolidating the commitment made and delivering the human rights our people are entitled to.

Since the establishment of the African Union (AU) Member States have placed a very strong emphasis in 'African Ownership'. As we reflect on the operational dimensions of this emphasis and principle, we may be drawn to a conclusion that we need to build upon our success and move to higher level of ownership by demonstrating our leadership on human rights in Africa. In so doing, we need to confront the reality that, at times, globally determined values and institutions often crowd out efforts to establish and promote African Shared Values. The availability of resources could be one explanation for this reality but the simple truth is that we might at times be failing to assert the leadership role of our institutions and have also not fully asserted the principle of 'subsidiarity', where African action and solution would precede global intervention. It thus stands as most important that we move beyond rhetoric and we assert the role of our institutions as we reflect on the future.

In a world where individual human rights are linked to wider systems of governance, we are increasingly, called upon, to act as a collective. However, common and collective approaches and the need for coordination more often remain as intention, rather than action. It is in recognition of this reality that our Member State have, through the current Strategic Plan of the African Union Commission called on us to work towards establishing an appropriate Architecture on Governance. We are also called upon to establish a common platform for articulating African positions and perspectives in shaping the Architecture and its relationship with the evolving Human Rights Strategy. I must congratulate the African Commission on Human and Peoples' Rights for the leadership it has demonstrated in the meetings on the Governance Architecture and the Human Rights Strategy for Africa. I am optimistic that we will, through continuing commitment soon begin to reap the benefits derived from enhanced coordination in the wider space of Governance and Human Rights.

Excellencies, Ladies and Gentlemen

The imperative of working as a collective is becoming even more apparent as we recognize some of the opportunities for consolidation that stand before us. In this respect, I should bring to the attention of this august body that during the February 2010 Summit, the Assembly of Heads of State and Government decided that the summit for early 2011 be centred on Shared Values as a focus for the 2011 summit, our Heads of State and Government have reaffirmed their commitment to a common set of standards as a catalyst for integration. As such, it is imperative for us to reflect individually and collectively on the opportunities this Summit presents. In the lead up to the summit, it is also imperative that we work together to find ways on how this particular Summit could

be instrumental in shaping the direction and content of our Shared Values Agenda for years to come.

As we express our support for the work of the African Commission on Human and Peoples' Rights, it is important that we also recognize with appreciation the efforts of all who are active in the terrain of Human Rights in Africa. We urge Member State to ratify all Human Rights Instruments and encourage all of the governmental and non-governmental organizations that continue to promote our shared values based instruments in human rights and governance. We appreciate the invaluable support of our partners and do hope that they will continue to ensure that this support reflects itself in all areas of human rights development, promotion and monitoring. The provision of such resources and the technical assistance provided will, I am confident, help us to help ourselves and will be most relevant to efforts to establish sustainable ownership and responsibility for our actions and institutions.

The promotion and protection of human rights in Africa is a collective effort. Whilst we have a propensity to emphasize the role and responsibilities of State Parties, we cannot and should not forget to remind ourselves that our success hinges on building wider ownership and ensuring that the burden of responsibility and actions is shared across all sectors of our societies. Building a culture of human rights and establishing the respect for human rights as a natural element of people to people engagements, requires that the human rights we all talk about be internalized by each individual. It is after all, most often, at the level of individual interactions that rights are infringed. In as much as our humanism is best reflected in our interactions with others, our exercise of rights must also be predicated on our respect for the rights of others. This might go a long way in building the rights culture all our instruments and mechanisms are seeking to establish.

Excellencies, Distinguished Ladies and Gentlemen

In concluding this statement of support and guidance from the perspective of the African Union Commission, allow me to build upon my word of optimism by indicating that there is much that suggests that we are moving to a higher level of success in our human rights promotion and protection efforts. Whilst in the past we struggled with the basics of establishing frameworks and institutions, we are now comfortably able to talk about fighting for higher order socio-economic rights and are, with confidence, able to engage other regions of the world on differences we might have and no asserting African perspectives on global positions. As we take forward our efforts at consolidating actions and in establishing a more focused orientation to human rights in Africa, I am certain that we are on a positive trajectory in our preparations for planned Shared Values Summit and beyond with all the opportunities that it affords each every one of us.

On a final note, allow me to recognize that whilst the burden of responsibility for this august body is wide, we are all reassured of brighter future by the quality of the Commissioners that we have in place and the ever positive strides that have been made by the African Commission on human and Peoples' Rights. We all remain most confident

with the efforts, wish the Commission well with its deliberations and look forward to the conclusion of the 47th Session.