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*African Commission on Human & Peoples' Rights*

*Commission Africaine des Droits de l'Homme & des Peuples*

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## **Human Rights Day Message**

### **Message of the Honourable Justice Sanji Mmasenono Monageng, Chairperson of the African Commission on Human and Peoples' Rights On Africa Human Rights Day 21 October 2008**

Today, Africa Human Rights Day, the African Commission on Human and Peoples' Rights (the ACHPR) salutes those around Africa, and indeed, the world who struggle to promote, protect and defend the fundamental freedoms that are the birthright of all mankind.

Twenty two years ago, on 21st October 1986, Africa saw the coming into force of the African Charter on Human and Peoples' Rights (the African Charter), which had been adopted earlier by Member States of the Organization of African Unity (now the African Union) on 27th June 1981. The Charter was a solemn undertaking to promote and safeguard freedom, justice, equality and human dignity, in the region. This undertaking was in consonance with a commitment to recognise "... on the one hand, that fundamental human rights stem from the attributes of human beings, which justifies their international protection, and on the other hand that the reality and respect of peoples' rights necessarily guarantee human rights."

The adoption of the African Charter and the establishment of the ACHPR in 1987 signaled a new era in the promotion and protection of human rights on the continent.

The commemoration of Africa Human Rights Day, marks the adoption of this historic document – an instrument which was endorsed by the African Commission at its Fifth Ordinary Session in April 1989, in Benghazi, Libya. The Charter reaffirmed "adherence to the principles of human and peoples rights and freedoms", and aimed to address the multitude of human rights problems that are affecting the lives of millions of men, women and children in the region, including the

challenges of conflicts, disease – especially HIV/AIDS, poverty and discrimination. It was also aimed at protecting basic political social and economic rights.

On 21 October, we commemorate that momentous document, the values it enshrines and our ongoing effort regionally to promote human rights.

Over the years, Africa Human Rights Day has been observed in many countries in the region. Those observations have taken many forms, from symbolic events such as the flying of the AU flag in civic venues, to serious debates and forums about the issues before the AU and the ACHPR, their relevance to ordinary citizens, and suggestions on how to address regional problems through regional and international co-operation.

These observations provide a unique opportunity to engage our peoples in the activities of the ACHPR and to provide an opportunity to promote the actual exercise and enjoyment of human and peoples' rights and basic freedoms. Therefore, States Parties to the African Charter, National Human Rights Institutions, Non-Governmental Organizations, all organizations working in various domains of human rights and the public, are encouraged to celebrate this Day in order to promote, once again, the effective realization of fundamental liberties in Africa.

In the last 20 years, human rights and freedom have seen an unprecedented expansion around Africa. At no point in history have people been freer. Over the past year, the African Union contributed in important ways to advance the march of freedom. In Kenya, Zimbabwe, Angola Madagascar, Equatorial Guinea, Djibouti Mauritania and Democratic Republic of Congo (DRC), democratic governments have been elected. Sadly, in a few of these places, freedom has come at too high a price for some, leaving a bitter taste in the mouth of many.

In Mauritania, the will of the people has actually been upturned. Darfur still remains a scar on the conscience of Africa. As we hope for peace and a political solution to the crisis, we must not lose sight of the sufferings of the people in Darfur as well as people in Eastern DRC. On this day, when the international community pledges its commitment to protect human rights, the ACHPR also wants to remember African peoples in other places where conflicts and man-made tragedies have continued to wreak havoc in the lives of innocent people.

On Africa Human Rights Day, we must also not forget the food crisis that affected hundreds of thousands of people around the continent; nor the recent xenophobic attacks on our brothers and sisters in South Africa, some of whom, unfortunately lost their lives. Recent events between the

Democratic Republic of Congo and Rwanda are ringing alarm bells as relations between Kigali and Kinshasa seem to be worsening by the day. The ACHPR, wishes to state that on this Day it stands with all those who suffer the injustice of brutality and oppression, and is determined to call to account States that are retreating from their commitments.

Governments that have ratified the African Charter do realize that neither the AU nor the ACHPR offers any “quick fix” to human rights problems. By the same token, they acknowledge that the AU is an essential body through which multilateral processes can be brought to bear to contribute to the challenges and solutions facing Africa.

Africa Human Rights Day offers an opportunity to Governments to reflect on the commitments they have made to their own peoples’; and to groups and individuals, it provides an opportunity to acquaint themselves with the mandate and programmes of the ACHPR: to address the challenges we face together, as Africa takes its rightful place in the community of nations as a region dedicated to the observance of human rights.

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