Statement of the Network of African National Human Rights Institutions during the Opening of the 59th Ordinary Session of the African Commission on Human and Peoples Rights on 21st October 2016, Banjul, the Gambia

Your Excellency’s,

Ladies and Gentlemen, All protocols observed,

On behalf of the Network of African National Human Rights Institutions (NANHRI), I wish to thank the African Commission on Human and Peoples Rights (ACHPR) most profoundly for this opportunity to address the 59th Ordinary Session of the African Commission. This Session comes at a time when the continent is taking stock of its human rights achievements and commemorating the Africa day of Human Rights.

I wish to convey my sincere gratitude to the authorities and the people of the Gambia Republic for their acquiescence in hosting us.

The adoption of human instruments which speak to the realities of Africans are a reflection of the desire and commitment of the AU to provide direction to state parties in their efforts to create a human rights culture within their jurisdictions and beyond.

As we celebrate the multiple milestones made in the realm of human rights, with a particular focus on the rights of women, I urge state parties, as the primary duty bearers, to put in place the fundamental structures to work with different actors for the realization of human rights. I wish to make particular reference to national human rights institutions (NHRIs) which champion the human rights agenda but can only do this effectively within an environment which is conducive and with adequate state support.

Your Excellency’s,

Ladies and Gentlemen,
I am deeply humbled by the commitment of the African Union Commission, the African Commission on Human and Peoples Rights and the African Court on Human and Peoples Rights to work with NHRLs in the promotion and protection of human rights in the continent. Since the signing of a Memorandum of Understanding between the African Union Commission and the Network of African National Human Institutions (NANHRI), the level of engagement with NHRLs has deepened and I have no doubt that the relationship will continue to grow.

As we focus on the realization of the rights of women in the continent, I take note of the commitments of the AU and its organs to prioritize the mainstreaming of the participation of women and youth in all the actions of the Union in the Continent.

There is need to focus our energies on interventions that contribute to the realization of women’s rights as provided in the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa (Maputo Protocol) and other similar instruments.

As we celebrate our achievements in the human rights front, both in policy and practice, we cannot forget the many challenges that hinder the realization of human rights in the continent. The issue of governance remains critical and challenging in the continent. While many countries have made notable advances in democratic governance particularly through holding regular and predictable elections, the legitimacy of the governments which assume power has often come into question. In some instances, elections have become superficial processes aimed at legitimizing undemocratic governance, and led to spasms of protracted violent conflict with dire socio-economic and politico-security consequences. The absence of strong institutions to manage and administer elections and repressive practices which hinder political pluralism and tolerance have partly contributed to the situation. This coupled with the existing socio-economic and political cleavages have contributed to electoral instigated conflicts in some of the countries where elections have been conducted recently such as Gabon, Burundi and Uganda.

The realization of African Union’s vision of “an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the global arena” is hinged on the existence of strong institutions which allow citizens to freely participate in the development enterprise, and foster the enjoyment of all fundamental freedoms and human rights.
I encourage the AU to fully utilize its powers to secure member states' commitment to democracy, the rule of law and constitutional government. A more robust process of checking electoral malpractices to manage conflicts whenever they occur and engagement of different stakeholders involved in the process should be instituted throughout the electoral cycle.

Your Excellency's,

Ladies and Gentlemen,

Even as the continent boasts of a reduction in the number of armed conflicts and improved peace and stability, and an elaborate African peace and security architecture, there is untold suffering on the people affected by the ongoing armed conflicts.

I remain optimistic that under the leadership of the AU, we are headed in the right direction. I urge the Union to prioritize implementation of the Human Rights Strategy for Africa which sums up what is needed for the continent to move forward in the realization of human rights. The success of the interventions of other actors in the promotion and protection of human rights in the continent is dependent on how well the AU undertakes its functions particularly by intervening in a member state in respect of grave circumstances of war crimes, genocide and crimes against humanity.

As the bodies mandated to champion the promotion and protection of human rights within their jurisdictions, NHRIs are committed to work with all the AU organs and institutions to address the challenges facing the realization of human rights in the continent. The MoU signed between NANHRI and the African Union Commission this year provides an excellent framework for this engagement. To further provide clarity and direction on the engagement, the Network has jointly worked with the AU organs to develop Guidelines on the role of NHRIs in the implementation of the findings of the African Commission and judgments of the African Court.

The Guidelines provide NHRIs, the regional human rights mechanisms, states and other non-state actors with practical steps to be followed in the implementation of decisions at the national level.

I thank you all for listening to me and look forward to a strong collaboration.

God bless you!