

75th ordinary session of the African Commission on Human and Peoples' Rights

Statement on the human rights situation in Africa

DefendDefenders (East and Horn of Africa Human Rights Defenders Project), Observer Status NO. 359

Honorable Chairperson, Distinguished commissioners, state delegates, ladies, and gentlemen

On behalf of AfricanDefenders and DefendDefenders, we join the rest of Africa to commemorate 20 years anniversary of the Protocol to African Charter on Human and Peoples' Rights on the rights of women in Africa (Maputo Protocol). However, the scale of armed conflicts, political crisis, and natural disasters has damaged considerably the gains made in the protection of the rights of women in Africa.

Similarly, how can we promote the Africa we want when the continent is still met with a high magnitude of violence, atrocities, systemic human rights violations, food insecurity, repression on civic space contrary to aspirations 3 and 4 of Agenda 2063?

The ongoing systemic violations and atrocities in Burkina Faso, Cameroon, DRC, Mali, Nigeria, South Sudan, and Sudan require urgent attention of the African Commission to demand the African Union Peace and Security Council (AU PSC) to efficiently respond to the different crises by activating its early response mechanism. The AU PSC should collaborate with the African Commission to ensure accountability for crimes and massive violations.

Honorable Chairperson,

While we acknowledge efforts of peace in Ethiopia, we reemphasize the need for accountability for the crimes committed and our call to the Ethiopian government is to allow this Commission to visit Ethiopia. We urge the African commission to collaborate with the UN International Commission of Human Rights Experts in Ethiopia.

The current spike of violence in Sudan has claimed lives, displaced people, and created a dire humanitarian crisis. This exposes the weakness of our continental early warning mechanisms. It is therefore urgent for the African Union to bring an end to this conflict by enforcing a sustainable cease fire,

ensuring that hospitals are accessible and functional, and food and water supplied.

There is a need of coordination between the African Commission and the United Nations Human Rights Council in calling for an immediate cessation of hostilities, open humanitarian corridors and establish a sustainable road map of peace.

Prosperous democracies on the continent like Senegal and Tunisia are turning authoritarian and their own leaders who benefited from transparent democratic processes are now staging coups against their own constitutions in total disregard of the African Charter on Democracy Elections and good Governance.

Honorable Chairperson, last year our colleague Thulani Maseko attended the 73rd session in this very room drawing your attention to the political crisis in Eswatini and called for the intervention of this August house. Today he is no more, assassinated in his house and yet investigations into his killing to bring the perpetrators to account is yet to be done. We urge the Commission to request the Eswatini authorities to conduct a thorough independent investigation of his murder.

Hon Chairperson, we acknowledge with high regard the collaboration the government of Zimbabwe with this Commission and request you to ensure that the Private Voluntary Organisation's (PVO) bill recently passed by its parliament is in line with the Commission's guidelines on Freedom of Association and Assembly, and its resolutions calling on African states to adhere by the guidelines in amending and developing regulatory laws on NGOs.

On the continent we continue to document restrictions on citizens exercising their right to assemble peacefully. While here in Banjul last October over 150 protesters in Chad were killed and to date no investigation has been conducted and neither have families of those who lost loved ones had access to just justice for fear of reprisals.

Honorable Chairperson,

For the past 35 years, member states in their large majority have failed to implement the numerous decisions and recommendations or respond to some critical requests of this August house.

We believe therefore that the announced reforms of the African Human Rights System should aim at reinforcing the Commission's mandate as stated in the African Charter and render it totally autonomous.

We urge the African Union to ensure that these reforms are people centered and civil society organisations should be consulted to define the efficiency of the African Human Rights System we want together.

Finally honorable Chairperson,

Applications for observer status for many NGOs have taken over 4 years before this Commission without being reviewed. In addition, the criteria of granting observer status are clearly defined in the Commission's Resolution on the Criteria for Granting and Enjoying Observer Status to Non-Governmental Organizations Working in the field of Human and Peoples' Rights (Res.33)

The decision to deny some organisations at the 73rd ordinary session was not based on the criteria defined in resolution 33. We call on the Commission to facilitate the process of application and render its decision based on existing criterion.

Thank you for your attention.