



NETWORK OF AFRICAN NATIONAL HUMAN RIGHTS INSTITUTIONS

**Statement at the 64th Ordinary Session of the African
Commission on Human and Peoples' Rights on 24 April 2019,
at Sharm El Sheikh, Egypt**

Delivered on behalf of *NANHRI* by Mr. Elasto Hilarious MUGWADI,

Chairperson of the Zimbabwe Human Rights Commission



The Representative of the Government of the Arab Republic of Egypt

The Chairperson, and Members of the African Commission on Human and Peoples' Rights;

State Representatives;

Representatives of African Union Commission and other AU Organs;

Representatives of Regional Economic Communities;

Representatives of National Human Rights Institutions;

Representatives of Non-governmental Organisations;

Ladies and gentlemen,

All protocols observed

On behalf of the Network of African National Human Rights Institutions (NANHRI), I wish to thank the Chairperson of the African Commission on Human and Peoples Rights for this opportunity to address the 64th Ordinary Session of the Commission. This platform offers stakeholders, as are gathered here today, an opportunity to deliberate on the situation of human rights on the continent with a view to finding practical solutions to tackle the challenges which hinder African citizens from having full enjoyment of their human rights and fundamental freedoms.

I wish to also convey my sincere gratitude to the Government and the people of the Arab Republic of Egypt for hosting the 64th ordinary session of the Commission and for their hospitality

Madam Chairperson, Ladies and Gentlemen,

As we embark on the African Union's theme of the year 2019 on refugees and displaced persons, it is important to take into consideration that Africa hosts over a third of the world's forcibly displaced persons, which includes 6.3 million refugees and 14.5 million internally displaced persons (IDPs). As the African Union commemorates the 50th anniversary of the adoption of the 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa and the 10th anniversary of the adoption of the AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa, African NHRIs expect that Member States will genuinely reflect on progress of implementation and take enhanced efforts for the implementation of the African Union frameworks governing forced displacement, particularly the Common African Position on Humanitarian Effectiveness, which emphasizes addressing root causes and achieving durable solutions, and bolstering the capacity of States and other stakeholders to tackle the challenges of forced displacement on the continent.

In this years' AUC-NANHRI Annual Policy Forum and NANHRI Biennial Conference, African NHRIs will reflect and adopt plan of actions to ensure these commitments including the Global Compact for Safe, Orderly and Regular Migration adopted at the Meeting of the Heads of State and Government and High Representatives in Marrakech, Morocco in December 2018.

Ladies and Gentlemen,

NANHRI also takes this opportunity to acknowledge the increasing appreciation of the role of National Human Rights Institutions, in the implementation of African shared values and commitments on human rights at the national level, demonstrated by the increasing collaboration between the African Union Organs and the National Human Rights Institutions, through the NANHRI.

For instance, the Policy Forum on the State of NHRIs in Africa, organised jointly by the African Union Commission and NANHRI, provides an annual platform for cultivation of strategic collaborations, vital insights, and ambitious goals regarding the strengthening the state of institutions for the promotion and protection of human rights in Africa.

During the last year's Forum, members of the AU Permanent Representatives Committee and representatives of National Human Rights Institutions and Civil Society Organisations deliberated and adopted a joint AU-NANHRI Action Plan for the strengthening the role of African NHRIs in preventing and combating corruption.

The link between corruption and human rights¹ (especially economic, social and cultural rights), particularly in our African countries, is direct and strong; and African NHRIs affirm that the overall effectiveness of Africa's efforts in the fight against corruption depends mainly on the utilisation of the existing African human rights instruments and their implementation mechanisms. Given their human rights mandate, NHRIs are natural and strategic partners of States and Governments in preventing and combating corruption. We therefore call on Member States to cooperate with, and to ensure that National Human Rights Institutions and National Anticorruption Agencies are accorded the resources they require to so their work free from interference and manipulation.

We urge the 17 Member States of the African Union who have not ratified the African Union Convention on Preventing and Combating Corruption to do so; we also challenge those which have ratified to expedite implementation of the Convention.

Ladies and Gentlemen,

As NANHRI, we take this opportunity to strongly condemn the March 2019 xenophobic attacks in South Africa, in which tens of foreigners lost lives and more others were displaced.

While recognising the social, economic and cultural rights of our brothers and sisters in South Africa, attacks against perceived 'foreigners', who are contributing to the country and continent's economy is an affront to humanity and the African 'brotherhood' especially when we are all promoting regional integration. Foreigners are human first, before their state or stateless status. They are thus naturally entitled to human rights and a life of dignity and equal treatment before the law irrespective of their status and origin. As the country prepares for the elections due to be held on May 8, 2019, we urge the Government to take action against individuals or groups that may wish to take advantage

¹ https://carrcenter.hks.harvard.edu/files/cchr/files/corruption_symposium_report.pdf

of the polls to attack migrants and foreigners perceived to be responsible for the economic challenges of the citizens of South Africa.

Further, NANHRI urges the government to work with the South African Human Rights Commission in progressively addressing the economic, social and cultural rights of the jobless youth for sustainable solutions for a South Africa that is home to all.

Distinguished Guests, Ladies and Gentlemen,

NANHRI General Assembly established a Working on Group on Migration, chaired by the National Human Rights Council of Morocco (CNDH), to provide direction in a system-wide context and to promote interests and dialogue on migration and human rights, at the regional level within NANHRI, but also with external stakeholders, particularly regional bodies.

This Working Group on Migration in cooperation with the National Council for Human Rights of Egypt, organized yesterday an event on the Regional Follow-up and Review of the Global Compact for Migration to discuss the modalities of multi-stakeholder cooperation for the implementation of the Global Compact for Migration (GCM) and its ownership at the continental level. It aimed also to strengthen the interaction of NHRIs with the regional human rights system on the implementation of the GCM.

And, we welcome the signing of the Headquarters Agreement between Morocco and the AU for the establishment of the African Migration Observatory as a good practice that will contribute to the monitoring and follow-up of GCM implementation policies. It is tasked with collecting information, promoting exchange of data and facilitating coordination between African countries on migration issues.

Lastly Madam Chairperson,

We call on the African Commission on Human and Peoples' Rights, to advocate for strengthening National Human Rights Institutions to enable them to effectively contribute to good governance, democracy, justice and Rule of law. This will prevent citizens standing and demanding for justice by themselves even through violent means as witnessed in many countries in Africa.

We urge NHRIs to be keen on advising the government and presenting fact-based solutions to avert further human rights violations even before violence erupts, it is important for the government to work with the NHRIs in identifying early warning signs and systematically addressing the root causes of conflicts, before they boil into violent protests.

In conclusion, we urge African States to demonstrate level of implementation of Article 26 of the African Charter on Human and Peoples Rights and Article 15(4) of the African Charter on Democracy Elections and Governance, which obliges states to provide NHRIs with adequate resources to perform their assigned missions effectively.

We wish you fruitful deliberations.

Thank you!