



**STATEMENT FROM THE NETWORK OF AFRICAN NHRIs DURING THE OPENING OF THE 56TH
ORDINARY SESSION OF THE ACHPR**

21 APRIL 7 MAY 2015 - BANJUL, THE GAMBIA

By Mr. GILBERT SEBIHOGO, EXECUTIVE DIRECTOR

Your Excellency Minister for Justice of the Republic of Gambia
Honorable Chairperson of the African Commission on Human and Peoples' Rights
Honorable Commissioner for Political Affairs of the African Union Commission
Honorable Justice, President of the African Court on Human and Peoples' Rights
Honorable Representative of the United Nations High Commissioner for Human Rights
Distinguished friends from the NGO Community
Distinguished Representatives of National Human Rights Institutions
Dear Colleagues, friends all protocol observed

I consider this once again a great privilege and honour to be here and to stand before you all on this 56th Ordinary session of the African Commission on Human and Peoples' Rights on behalf of The Network of African National Human rights Institutions (NANHRI). Our sincerest gratitude goes out the Gambians for their willingness to host us yet again. We for sure cannot take your hospitality for granted.

I also congratulate the African Commission on Human and Peoples' Rights for the great work it continues to undertake despite many challenges.

I would like to also express solidarity with our brothers and sisters from the West and central African countries who are still struggling to contain the Ebola virus and those affected by the atrocities committed by Boko Haram as well as victims of Al-Shabab attacks in Kenya. We therefore pray for the deceased to rest in eternal peace and for the survivors to fully and quickly recover; that time will heal their wounded emotions and give them strength to move on.

Your Excellencies,

Ladies and Gentlemen

The Ebola epidemic represents not only a public health emergency but also a crisis of human rights and governance. The outbreak also threatens the political stability of affected countries which are recovering from years of conflict and political turmoil as governments in the region have resorted to using the military to enforce quarantined zones and impose curfews and lockdowns which can lead to human rights violations. The outbreak has also led to serious stigmatization of individuals and whole communities suspected or confirmed to be infected or to have survived Ebola, and with women and children bear the bigger brunt.

Whereas, we acknowledge the immediate response to contain the Ebola disease as key, equally important work starts after the end of the outbreak. This includes supporting those working to challenge stigmatization and promoting community reintegration of survivors, strengthening the capacity of local communities, especially women, to respond to emergencies and natural disasters, strengthening transparency and accountability mechanisms, and advocating for increased government investment in health, education, and social services.

Your Excellencies

Ladies and Gentlemen

I would also like to congratulate the President elect, the outgoing President and the people of the Federal Republic of Nigeria for conducting the most peaceful and least violent elections in Nigeria's history. As we are all aware, Nigerians went into this election amid uncertainties occasioned by the Boko Haram terrorist's attacks and a few indications of technical glitches during voting. Nigerians nonetheless expressed their democratic will via the ballot and it is our hope that the democratic transition will be conducted peacefully and with respect for human rights of all Nigerian citizens. A peaceful transition in Nigeria will be a big step for democracy and human rights on the continent.

In spite of this good development from Nigeria, the network of African National Human Rights Institutions is concerned by recent events in some countries where there is a trend of unconstitutional change of governments and popular uprisings. This is an affront and a threat to democracy, rule of law and constitutionalism that could easily trigger civil conflicts despite the various initiatives and normative frameworks available for strengthening democracy and constitutionalism on the continent. Given this worrying trend and in view of the increased recognition of the important role of NHRIs in conflict management and peace building, the network organized a Peer to peer exchange for East African Community (EAC) NHRIs on their role in electoral process given that the mismanagement of elections is increasingly a trigger for conflict and human rights violations on the continent as witnessed in a number of countries.

In order to ensure sustained efforts in this regard, we call upon the African Commission to support the work of NHRIs in setting up early warning mechanisms to prevent conflict arising from electoral processes and to encourage governments to ratify and implement the African Charter on Democracy, Election and Governance in order to uphold peace, rule of law and human rights culture on the continent.

Your Excellencies,

Ladies and Gentlemen,

Allow me to now highlight to you some of the strides we have made in fostering the engagement and collaboration with the African human rights mechanisms and to consequently set the tone for the future.

Today I am delighted to report to you that we have a new strategic plan for the period 2015-2019 lays more emphasis on the importance of nurturing and strengthening partnerships and collaboration between National Human Rights Institutions (NHRIs) and international and regional human rights mechanisms.

We also acknowledge the important role that Ombudsman institutions can play in the promotion and protection of human rights and that a closer cooperation between NHRIs and Ombudsman institutions at domestic level may be to the benefit of all.

As a network, we fully recognize the fact that closer collaboration between the African Commission and NHRIs will bring about effective human rights protection in Africa and ensure that the efforts of the African Commission trickle down to the citizenry. The strategic plan considered the 2012-2016 Action Plan for the Human Rights Strategy for Africa, which calls for the strengthening of collaboration on the implementation of decisions of African human rights bodies.

Your Excellencies,

Ladies and Gentlemen

Last year we started implementing a capacity building project for our members in monitoring implementation of decisions on communications of the African human rights bodies. The project aims at building strong African NHRIs to contribute to active monitoring of states' implementation of decisions of regional Human Rights Mechanisms as part of the process of implementing the Human Rights Strategy for Africa. The project has been implemented since last year and the last phase has just concluded yesterday on 20th April 2015 with the development of guidelines on monitoring the implementation of decisions of the African Commission on Human and Peoples' Rights. One of the main recommendations adopted was to draft a resolution on strengthening the collaboration between NHRIs and the African Commission that the African Commission will adopt in this regard.

These efforts are a clear indication of our commitment to fostering robust cooperation and collaboration with the African Commission.

Your Excellencies,

Ladies and gentlemen,

Amid these successes, challenges are still abound as many NHRIs struggle with the scale and breadth of issues that need to be addressed. Lack of political support; government influence

in the appointment of members of NHRIs, in its activities or in its resource allocation and delays in reappointment of NHRIs leadership have all had adverse effects on human rights promotion and protection at national levels. A weak legal framework and a narrow mandate continue to inhibit action of some NHRIs on core protection issues such as the prevention of torture, arbitrary detention, summary executions and the protection of human rights defenders and vulnerable groups. We therefore urge the African Commission to join in the calls to African States to actively work towards creating NHRIs where they do not exist and strengthening NHRIs where they are weak.

Your Excellencies

Ladies and Gentlemen

Concerning the human rights situation around the continent, Significant challenges to promoting human rights norms in the continent still remain. The Network continues to be greatly concerned about the emerging and continuously worrying trends of human rights violations in the continent.

We are holding this session at a time when thousands of people in the continent are losing their lives to terrorism activities. The most recent killings happened in Kenya where Al - Shabaab terrorists stormed a learning institution and killed up to 147 students. In Nigeria, the Boko Haram's activities have killed thousands and created thousands of internally displaced persons and refugees with schools and health services badly affected and other gross human rights violations with devastating impact on women, children and young people who have been traumatized by violence.

I therefore urge the affected countries including their neighbors to institute large-scale security sector reforms along with the political and economic integration of marginalized communities and to expand their economic, social and political opportunities to tame the boiling ethnic and sectarian tensions that breed environment conducive for terror militias.

As you are all aware, a set of Sustainable Development Goals that is aimed at eradicating poverty and transforming economies are expected to be adopted by the UN General assembly to guide the actions of governments to 2030. These goals are particularly important in this situation because its implementation will go a long way in eradicating extreme poverty. The goals have a clear place for marginalized, disempowered and excluded groups and makes sure that development should aim at removing legal, physical, social, economic, technological or political barriers faced by marginalized people. NHRIs will be very instrumental in translating this universal sustainable development agenda to practical

actions in their own countries. I urge governments to work closely with NHRIs in resolving the economic and political marginalization and social inequalities that are the root cause of radicalization and sectarianism.

Your Excellencies,

Ladies and Gentlemen,

Acts of discrimination and persecution of persons on the basis of their real or imputed sexual orientation and gender identity or expression (SOGI), continue to be a critical human rights issue across the region. In spite of the African Commission's resolution on protection against violence and other human rights violations against persons on the basis of their real or imputed Sexual Orientation or Gender Identity, many experience serious discrimination in relation to employment and access to education, housing, health services and the often state-sanctioned dissolution and intimidation of rights organizations and activists.

Your Excellencies,

Ladies and Gentlemen,

Before I conclude, let me bring to the attention of this august gathering the concerns of NHRIs in the Africa Region on the ongoing Xenophobic attacks that have rocked South Africa for the past two weeks. We urge the Government of South Africa to leave no stone unturned to address Xenophobia which is a threat to human rights and the aspirations of South Africans themselves, the retrogression of the African Union ideals on integration and is a setback to regional economic integration of the SADC region. These attacks are a gross violation of Human rights. The rights to life, dignity, engagement in legal and meaningful economic engagement in the region with duly signed treaties and other legal instruments, are negatively impacted upon. We commend the South African Human Rights Commission for the stand it has taken

I conclude by urging the ACHPR to continue collaborating and supporting the network and its membership especially in implementing its new strategic plan and its effort to have a continent with a culture of respect for human rights. We believe this will be attained through fostering our relationship and advocating for the establishment of strong independent national human rights institutions in Africa, respect for human rights, democracy and the rule of law.

We yet again reaffirm our commitment and that of our members spread across the continent, of collaborating with the African Commission in protecting and promoting human rights in the continent.

I thank you for your kind attention and wish you fruitful deliberation!

By Gilbert SEBIHOGO, Executive Director- NANHRI