



Statement of the Chairperson

(Network of African National Human Rights Institutions – NANHRI)

Ms Laretta V. Lamptey

54th Ordinary Session

The African Commission on Human and Peoples' Rights (ACHPR)

Banjul, Gambia

22nd October - 5th November, 2013

Your Excellency, Representative of the Government of Gambia;

Your Excellency, Representative of the African Union;

Your Excellency State Delegates;

Your Excellency, Chairperson of the African Commission on Human and Peoples' Rights;

Distinguished Commissioners;

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

Honourable Members of the Diplomatic Corps accredited to The Gambia;

Honourable Representative of National Human Rights Institutions

Honourable Representative of the NGO Forum and dear friends;

Eminent Guests

It is a privilege and great honour to stand in your gracious presence on this auspicious occasion of the 54th Ordinary Session of the African Commission on Human and Peoples' Rights.

Allow me—on behalf of The Network of African National Human Rights Institutions (NANHRI)—to convey my sincere gratitude to the People of Gambia for their spirit of generosity in hosting us yet again after doing so for many years. Accept our appreciation for your gracious hospitality.

Ladies and Gentlemen,

My appreciation also goes to the African Commission on Human and Peoples' Rights for its effort towards realization of human rights on the continent a long journey in which it has had to work with many stakeholders and partners including National Human Rights Institutions (NHRIs).

As you are aware, National Human Rights Institutions (NHRIs) play an essential role in the advancement of the human rights agenda and good governance. Moving towards the realization of the ideal of universal welfare requires an effective national human rights

protection mechanism. Effective NHRIs are at the centre of that architecture watching over both State and non-state actors to uphold human rights and the inherent dignity of the human being.

As much as there have been commendable achievements on matters touching on human rights, there are still some loose ends that need tightening to ensure that human rights are not compromised.

This session is taking place against a backdrop of continuing challenges for the African Continent touching on injustice, poverty and political instability among others.

An example is the case of illegal immigrants from Africa. When there is no transparency, when structures of accountability collapse, the people lose faith in their own countries. They therefore opt to leave their countries; they leave behind enormous wealth for which Africa is known for; hoping to find dignity in another country, in another continent.

Ladies and Gentlemen

In their hundreds of thousands, they make up their minds to take serious risks; they risk dying by drowning in an ocean, rather than accepting to die in the indignity of humiliating conditions. Yet this does not need to happen in the Africa of the twenty-first century. With the continued discoveries of mineral wealth, Africa can and must do better for its people. With the promise of economic growth, Africans must have faith in their own political and social systems to competently manage the discoveries of mineral wealth for the sake of their people.

At this point we should ask ourselves – have the Millennium Development Goals helped the African situation? Have poverty levels gone down significantly in Africa as was envisaged by the MDG objective one of eradicating extreme poverty and hunger? If yes, why would Africans be willing to risk their lives just to get out of Africa? How then will the future of Africa be after the

end of MDGs in 2015? We think the African Commission should consider this as a matter of priority.

What I mean is that as Africans, we need to do more for our people. We need to take our destiny into our own hands and manage our resources more wisely for the social and economic advancement of Africa.

Ladies and gentlemen

I have mentioned the vast natural resources that Africa is endowed with. Good governance can ensure that the resources do not become a source of conflict but rather a foundation for social and economic welfare. To help towards the achievement of this, the African Commission and NHRIs need to engage more actively in the area of Business and Human Rights. They need to guide Corporations and governments towards ensuring that business activities are human rights and people centred.

Whereas conflicts are not only driven by resources there are also, driven by intolerance to divergence of opinion. Egypt is a good example of a country endowed with oil but is currently experiencing political turmoil arising primarily from intolerance. In its current state of conflict, it provides a case study of how intolerance can result in political instability and threaten the enjoyment of human rights.

Currently as matters stand, the Egyptian National Council for Human Rights (Council) does not have the full independence to function effectively, yet the situation of conflict as it currently is exposes Egyptians to serious human rights abuses.

I am therefore calling upon the African Commission to intervene towards strengthening of the National Council for Human Rights enable it function effectively.

This is the time in Egypt when a truly independent NHRI is needed.

Indeed, the NANHRI recommends that the African Commission should join forces with other stakeholders with the view to strengthening African NHRIs to undertake their mandate with the rigorous approach it deserves.

The Resolution on Granting of Affiliate Status to National Human Rights Institutions in very clear terms sets out the criteria to be met for granting of affiliate status. One of the benchmarks is that the national institution should conform to the Principles relating to the Status of National Institutions, also known as the Paris Principles.

Ladies and Gentlemen,

There is a pressing need to adhere to a strict regime of granting affiliate status. A status granted to an NHRI should reflect its true capacity to effectively promote and protect human rights on the continent.

Adherence to a rigorous system of granting status is one credible way of making different NHRIs strive towards true excellence in discharging their duty. This will ensure effective promotion and protection of human rights and in turn strengthen the partnerships between the African Commission and NHRIs.

Another way of strengthening the work of NHRIs is through seeking effective coordination amongst institutions. Indeed, the drafters of the *Human Rights Strategy for Africa* point out that insufficient connectedness between African human rights institutions and regional mechanisms, impacts adversely on the functioning of NHRIs in protection and promotion of human rights on the continent. The implication of this is inadequate implementation and enforcement of the African Charter.

Additionally, reporting to the regional human rights mechanisms will also have a greater impact on the implementation of recommendations as regional bodies will commit to following up on the implementation of recommendations.

Ladies and Gentlemen

Other means have to be devised to address the constant under-funding of NHRIs that has continued to hamper human rights initiatives as planned by various NHRIs as they are done ineffectively due to little available resources. Further, there has been constant interference by governments in the work of the NHRIs thus affecting their independence.

The NANHRI urges the African Commission to call upon State Parties to the Charter to strengthen their NHRIs according to art 26 of the Charter. The Commission can during consideration of state reports ask State on the progress made on improving the independence of their institutions.

NANHRI is doing its best in pursuing a human rights culture in Africa through enhancing interaction between NHRIs and regional human rights mechanisms. We have just concluded a two day consultative meeting on the Role of NHRIs in enhancing human rights culture in Africa. At the end of the meeting, NHRIs resolved to create a platform that will enhance their contribution to the work of the African Commission on Human and Peoples' Rights.

Ladies and Gentlemen,

As I draw to a close, I call upon each NHRI to be fully committed to fighting for justice for the people of Africa. I would once more impress upon the African Commission to continually support the work of the Network of African National Human Rights Institutions. On our part as a Network of NHRIs, we look forward to increased engagement with relevant regional and international human rights mechanisms represented here to ensure that States continue to be held accountable for the realization of human rights of their people and for the entrenchment of a human rights culture in Africa

Thank you for your attention.