



**Network of African National Human Rights Institutions
(NANHRI) Statement at the 63rd Ordinary Session of the
African Commission on Human and Peoples' Rights**

October 24 to November 13, 2018

Banjul, the Republic of The Gambia

H.E The President of the Islamic Republic of the Gambia

**Honourable Chairperson, Vice-Chairperson and Members of the African Commission on Human and Peoples Rights,
Honourable Representatives of the Member States of the African Union,**

Honourable Representatives of the African Union Commission and other African Union Organs,

Dear Colleagues, Honourable Members and Distinguished Representatives of National Human Rights Institutions,

Distinguished Representatives of Non-Governmental Organisations,

Distinguished Ladies and Gentlemen

It's an honour to speak on this occasion of the 63rd Ordinary Session of the African Commission on Human and Peoples Rights on behalf of the Network of African National Human Rights Institutions (NANHRI)

NANHRI is pleased to participate in this 63rd Session of the African Commission on Human and Peoples' Rights, which is coinciding with the 70th Anniversary of the Universal Declaration of Human Rights, 20th Declaration of Human Rights Defender and 25th Anniversary of the United Nations Paris Principles.

Distinguished ladies and gentlemen,

NANHRI as an umbrella body for 44 National Human Rights Institutions (NHRIs) commends the work the African Commission is continuing to perform in order to uphold human rights culture in Africa including the rights of vulnerable groups.

African NHRIs continue to support States and other actors in the promotion and protection of human rights in the continent. However, there are a myriad of challenges, both at the national and regional levels, which hinder the realisation of human rights targets. Among these include the prolonged armed conflicts and the proliferating terrorism threat. Armed conflicts have denied children in Africa the right to education, food, healthcare, as more others keep running away from volatile areas. Others are raped while more others are conscribed into fighting as soldiers.

Worst hit countries by terrorism and armed conflicts include the Central African Republic, Democratic Republic of Congo (DRC), Libya, Nigeria, Somalia and South Sudan among others.

It is sad that at a time that the world is striving to ensure “no one is left behind” in sustainable development, resources are consumed in conflicts as states increasingly spend in combating insurgency as well as fighting rebels. Prolonged conflicts in South Sudan and Central African Republic cost more than 28 per cent of the country’s gross domestic growth while little was spent on peace building.

While the resolution of these conflicts involves participation of many actors, on our part we continue to strengthen the role of NHRIs in early warning and alternative conflict resolutions and peace-building initiatives.

Distinguished ladies and gentlemen,

Corruption is another challenge that hinders the realisation of economic, social and cultural rights in the continent. Africa loses more than \$50 billion through illicit financial flows¹ making our states unable to meet their obligations to their citizens. Because we believe that NHRIs are critical stakeholders in combating corruption, the Second Policy Forum that we are organising to take place in Addis from 23-24 November 2018 will focus on cultivating strategic collaboration, vital insights, and action plans for effective multifaceted approaches towards fighting corruption in line with the African Union Convention on Preventing Corruption².

Besides corruption, the challenge of migration and human trafficking elicits major human rights concerns in African countries. Thousands of human lives are lost in the Sahara Desert and the Mediterranean Sea as young people especially from west and southern Africa attempt to seek better life in Europe and other countries beyond the continent.

The mass movement of the youth is also a threat to the realisation of the aspirations of Africa Agenda 2063 and also the Agenda of the sustainable development goals. While our youth have the right to seek better livelihoods in countries outside Africa, the movement should be made orderly and safe. In doing our part as NANHRI, we have prioritised support to our members on the theme of human rights in migration governance, in the coming period.

Distinguished ladies and gentlemen,

At the recently concluded 13th International Conference of National Human Rights Institutions held on 10-12 October 2018 In Marrakech, Morocco, themed under “*Expanding the civic space and promoting and protecting human rights defenders, with a specific focus on women: The role of national human rights institutions*”, whose key outcome was the adoption of the Marrakech Declaration, emphasize was placed on the role of Governments, NHRIs and

¹ https://www.uneca.org/sites/default/files/PublicationFiles/iff_main_report_26feb_en.pdf

² https://au.int/sites/default/files/treaties/7786-treaty-0028-_african_union_convention_on_preventing_and_combating_corruption_e.pdf

partners both at National, Regional and International level in ensuring adequate protection for Human Rights Defenders as they discharge their jobs. It is our collective responsibility to provide safe spaces even when we are faced with shrinking spaces articulating and defending human rights in the Continent.

As I conclude,

I must make mention of the challenges NHRIs in Africa collectively continue to face primarily by Governments in an attempt to curb their independence.

For example, many NHRIs in our continent have to deal with budget cuts. Elections and appointment procedures of the leadership of NHRIs have also been targeted, the case of Sierra Leone provides a good case example where the Institution's Commissioners were un-procedurally relieved of their responsibilities in total disregard of the legal provisions. Smear campaigns against heads of institutions, and verbal attacks on NHRIs by members of Parliaments have also been observed.

Other, seemingly less blustery encroachments of the independence of NHRIs include denying coverage of the NHRI in (state-owned) media, denying immunity of NHRI leadership and postponing discussions on the findings of NHRIs in Parliament.

As the civic space in the region further shrinks and independent judiciary is under pressure, the importance and role of strong and independent NHRIs only increases. They are one of the few last forms of defense against unchecked State power vis-à-vis individuals. Since the success of the work of NHRIs in promoting human rights in Africa also depends on the work and leadership provided by the African Commission on Human and People's Rights, NANHRI hereby appeals to the African Union and Member States to promote and protect the independence of the Commission.

To this end, distinguished delegates and participants, I thank and call on you to support and defend human rights defenders as they endeavour to deliver on their mandate of promoting and protecting human and peoples' rights.

Adv. Bogani Majola,

Chairperson, South Africa Human Rights Commission

On behalf of NANHRI