

## Statement of the Chairperson of Network of African National Human Rights Institutions

### Adv. M. Lourence Mushwana

#### At

# 53rd Ordinary Session of the African Commission on Human and Peoples' Rights 9 - 22 April 2013. Banjul, The Gambia

I consider it a privilege and a great honour to be afforded this rare opportunity to address you at this 53<sup>rd</sup> Ordinary Session of the African Commission on Human and Peoples' Rights (African Commission) on behalf of the Network of African National Human Rights Institutions (the Network).

We extend our sincere gratitude to the authorities and the people of the Republic of the Gambia for their hospitality and warm welcome to their beautiful country.

I also wish to take this opportunity to extend fraternal greetings and wishes to the African Commission for a successful conference from the South African Human Rights Commission, which I am the Chairperson.

The Network, as the regional coordinating body for African NHRIs continues to play an active role in promoting human rights within the continent through supporting the establishment and strengthening of NHRIs.

For instance last year, the Network participated in the induction of newly appointed Commissioners for the Malawi Human Rights Commission.

We also extend a special word of congratulations to the Mozambican Government for establishing the long awaited Mozambique Human Rights Commission.

We commend this Government for the progressive step it has taken to strengthen its democracy.

We also welcome and congratulate the newly appopinted and first Commissioners of the Mozambique Human Rights Commission.

It is equally gratifying to welcome to our membership members of the National Council for Human Rights of Egypt.

Egypt is one of our most beautiful and developing countries in Africa and has been going through a difficult and torrent period for the past three years or so.

We wish them luck and success in their quest for lasting democracy and the reconstruction of this great and historical country. We therefore salute and welcome all of these new members in the fraternity of human rights in Africa and the globe.

As the Network we pledge our full support to them.

We also wish to take this opportunity to express our appreciation for the efforts of the African Commission in its sterling work in the promotion, development and protection of human rights in Africa and the world.

In particular we want to commend and acknowledge its cooperation and collaboration with other stakeholders in the performance of these duties.

One of the recent significant collaboration carried out by the Commission was the co-hosting of the Commemorative Seminar on the 10th Anniversary of the Adoption of the Robben Island Guidelines against torture.

In this event the collaborative parties reaffirmed their commitment to working together to ensure the universal ban on torture in all of its forms

The Network also prides itself for the recognition of the work of its members by the Commission.

During its twenty-fifth (25<sup>th</sup>) Special Session, the Commission bestowed its special and coveted awards on 3 (three) Human Rights Commissions namely Uganda,

South African and Cameroon Human Rights Institutions for their work in promoting and protecting human rights in Africa.

We therefore commend and appreciate this recognition and hope it will go a long way in encouraging other NHRIs to aspire and work towards similar achievements in future.

We also commend the Commission for adopting the Draft Protocol on the Rights of Older Persons in Africa.

This Protocol goes a long way in supporting the work of African NHRIs in implementing the Cape Town Declaration that was adopted during the 8<sup>th</sup> Biennial Conference of the Network.

It is also my singular honour and privilege to extend an invitation to the Commission to the 9<sup>th</sup> Biennial Conference of NANHRI that will be hosted by our member, the Ghanaian Human Rights Commission from 23<sup>rd</sup> to 25<sup>th</sup> October 2013 in Accra under the theme "Business and Human Rights".

It will be a great pleasure for us to welcome the participation of the Commission, especially its Working Group on the Extractive Industries; Environment and Human Rights Violations, its Working Group on Indigenous Peoples, and also the African Court for Human and Peoples' Rights.

It is worth mentioning that there has been a significant increase in the number of NHRIs that have been established in Africa.

However, some of these institutions face serious challenges and continue to work within a context of limited financial resources, lack of political good will and severe constraints on their independence and autonomy.

We have noted with grave concern and dismay that some of our accredited members have been dissolved by their governments and or replaced by other institutions that are not compliant with the Paris Principles.

Additionally, the human rights situations in some countries have challenged the extent to which NHRIs can effectively promote and protect human rights.

The situation In Mali, for instance, calls for the intervention of the Commission and other AU relevant structures to normalise the apparent increase in the violation of human rights in that country.

The current situation in the Central African Republic also calls for attention by relevant structures in the Continent to bring calm, restore democracy and the respect for human rights to ease the suffering of the people in that country.

The ever increasing number of unrests and alleged violations of human rights in the Democratic Republic of Congo is yet another sore point in the observance and respect for human rights in that country. Lastly, we commend Zimbabwe for having conducted its constitutional referendum in a relatively peaceful manner and call upon all political parties in Zimbabwe, especially the ZANU-PF to work jointly with all stakeholders including NGOs and other community based organisations to ensure a free and fair election in that country.

A free and fair election in Zimbabwe will bring about stability and end disruptive displacement of citizens currently taking place in that country.

We must, all of us, here present, call on the African leaders to take pre-emptive and meaningful measures to end the conflicts in these countries in order to increase the respect and observance of human rights in the African Continent.

The continued killings of our people, the ever increasing numbers of displaced persons, reported use of our children as soldiers, reported raping of women and children in the guise of fighting for democracy is an indictment on all of us in leadership positions in this Continent for our failure to stand equal in defence of our people in the peak hour of their need.

While we do acknowledge the significant human rights challenges that face the African Continent and our institutions, the Network remains confident and optimistic that there is some semblance of a light at the end of the tunnel.

It is this glimmer of hope that propels us to keep hoping for an increase in inculcating a culture of human rights and democracy in our Continent.

In closing, the Network urges the African Commission to continue its support for the work of national human rights institutions in Africa and the world.

On our side, we look forward to increased engagement with relevant regional and international human rights mechanisms and NGOs represented here to ensure that States continue to be held accountable for the realization of human rights.

We look forward to many more opportunities to promote and protect human rights in collaboration with the Commission, NGOs, and fraternal organisations represented here.

On behalf of the Network I wish the Commission a successful and productive Conference.

#### I THANK YOU.