



**A STATEMENT OF
THE NETWORK OF AFRICAN NATIONAL HUMAN RIGHTS INSTITUTIONS
(NANHRI)
DURING THE 75th ORDINARY SESSION OF THE AFRICAN COMMISSION ON
HUMAN AND PEOPLES' RIGHTS**

**Presented by NANHRI Chairperson
Dr. Elasto Hilarious Mugwadi**

3rd May 2023

**The Chairperson of the African Commission on Human and Peoples' Rights
Honourable Remy Ngoy Lumbu;**

Distinguished Representatives of AU Member States;

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

Representatives of the African National Human Rights Institutions;

Representatives of CSOs, NGOs and other actors;

Distinguished Guests;

Ladies and Gentlemen;

On behalf of the Network of African National Human Rights Institutions, it is my singular honor and privilege to address this gathering of the 75th Ordinary Session of the African Commission on Human and Peoples' Rights.

Our convergence here today, Excellencies, is testament to the resilience of the African human rights institutions for the progress and tremendous achievements they have so far made in their work. In this regard, NANHRI has always sought to enhance the interface between African NHRIs and the Regional Human Rights mechanisms and in particular with the African Commission on Human and Peoples Rights.

Excellencies Distinguished Ladies and Gentlemen

Africa is riddled with many preventable challenges impacting on human rights generally. As we gather here today, Sudan is on the brink of civil war that if not managed, may spillover to neighboring countries. The power contest between the Sudanese army and the paramilitary Rapid Support Forces (RSF) in Khartoum has derailed economic progress and has serious human rights implications due to loss of life and human displacements. The international and regional situation facing human rights is therefore unprecedented. What is occurring is more than a coincidence of individual crises across various human and physical geographic settings. Rather, it is a systemic failure of the world order which, after gathering momentum for nearly two decades, is trending towards erosion rather than eradication especially in the arena of human rights.

We urge the African Union to swing into action to nip this conflict before it is too late otherwise the agenda 2063 aspiration of silencing the guns in Africa may forever remain a mirage. Given their unique positioning, NHRIs can play a critical role in preventing conflicts by enriching the existing early warning mechanisms, as well as through supporting peace building and conflict resolution.

NANHRI is calling for more concerted efforts from the Sudan National Human Rights Commission to act within their mandate, which includes the promotion of awareness of human rights, report on the human rights situation in Sudan to encourage a realistic overall assessment of human rights in that country.

And most importantly, let's exercise brotherly love. We cannot be comfortable when one of our own is in turmoil. We need to come together and come up with key interventions

and action plans that will help solve this problem once and for all, keeping a keen eye on the most vulnerable, the women and children.

Excellencies, distinguished ladies and gentlemen

NANHRI recognizes the 2023 theme of the African Union, to wit, 'Acceleration of AfCFTA Implementation'. The AfCFTA is a flagship project of Agenda 2063 aimed at creating a single African market for goods and services facilitated by free movement of persons, capital and investment to deepen economic integration, promote and attain sustainable and inclusive socio-economic development, gender equality, industrialization, agricultural development, food security, and structural transformation.

NANHRI commends the adoption of the recommendations of Resolutions of the Fourth and Fifth NHRIs Forum by the African Commission on Human and Peoples Rights (ACHPR). This is indeed a testament of the importance of the affiliate relationship between NHRIs and the ACHPR. We therefore call upon NHRIs to lead in the advocacy for the implementation of the resolutions in their respective countries.

The resolution on Business and Human Rights is one of a kind as it is the first one to incorporate aspects of the blue economy; and critically calls on the ACHPR to embark on working on a draft of an African Regional Legally Binding Instrument to Regulate the Activities of Transnational Corporations and other Business Enterprises.

The resolution on mainstreaming human rights in the implementation of the AfCFTA is also revolutionary as it is the first normative soft law framework encompassing a human rights-based approach to the AfCFTA. It calls for the recognition and protection of the role of workers, women, and people living with disabilities, the youths and other vulnerable groups who are likely to be left behind.

Let's pause for a moment and applaud these achievements please ladies and gentlemen.

Excellencies Ladies and Gentlemen

We all know that in the recent past, contempt for civic space has reached agonizing levels— from regional conflict and disorder to fluctuation of democratic principles.

The shrinking of civic space has become a major governance issue across most countries in Africa. Specifically, as citizens find new ways to organize, assemble and express themselves through the use of affordable technology, governments have found new ways to restrict public political space, suppress information, and label anything that they do not like as "foreign,". For this, human rights defenders have paid the ultimate price.

Civil society organizations continue to work and operate in an increasingly hostile environment because some of their positive contributions to social development cannot be appreciated.

The detention of protesters, internet shutdowns or the blocking of access to social media, and the excessive use of force are the most common tactics being used to restrict the right to peaceful assembly especially during elections.

To mitigate the rise in human rights violations affecting Human Rights Defenders in Africa, and to support the Marrakech Declaration, NANHRI has come up with tools that will assist NHRIs in their endeavor to lobby for a conducive civic space for human rights defenders in Africa.

Excellencies Ladies and Gentlemen

It has also come to our attention that there has been retrogression in the implementation of the guidelines stipulated in Resolution 275 on Protection against violence and other human rights violations against persons on the basis of their real or imputed sexual orientation or gender identity. There have been increased attempts at expanding criminalization against the group in various countries. We have also noted increased incitement to violence towards the community perpetrated by the leaders of some religious and political fronts and the shrinkage of civic space especially for human rights defenders working on this thematic area.

We urge States to condemn acts of violence and reinforce the principles of equality and non-discrimination. We also ask that NHRIs monitor and report on the status of protection of the diverse groups. We strongly urge States to end all acts of violence and abuse, whether committed by State or non-state actors, including by enacting and applying appropriate laws prohibiting and punishing all forms of violence including those targeting SOGIE persons, ensuring proper investigation and diligent prosecution of perpetrators, and establishing judicial procedures responsive to the needs of victims.

Excellencies Ladies and Gentlemen

In conclusion, allow me to assure the African Commission of our commitment towards our common goal of human rights for all in Africa.

I wish you all fruitful deliberations.

I thank you!