



STATEMENT BY

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AFRICAN UNION COMMISSION**

AT THE

**HIGH LEVEL SEGMENT OF THE NINETEENTH SESSION OF THE
HUMAN RIGHTS COUNCIL**

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GENEVA, SWITZERLAND

Madam President

Honourable Ministers and Heads of Delegations, Members of the Human Rights Council

Madam High Commissioner for Human Rights

Distinguished Delegates,

Allow me at the outset to congratulate you, Madam President and Members of the Council for the diligence in the successful conduct of the proceedings of this High Level Segment of the 19th Session which in no small measure enhances its effectiveness as the key custodian of the Global Human Rights Agenda. Needless to say, the participation of the African Union Commission at the sessions of the Human Rights Council is predicated not only on the centrality of human rights to the African Union Agenda, as unambiguously affirmed in its Constitutive Act but also and perhaps more importantly, on the unalloyed commitment of the continental organization and indeed its entire membership to the observance and implementation of its human rights obligations. This august body can therefore be rest assured of the Commission's support for the collective and consultative efforts it establishes to craft solutions for emerging human rights challenges worldwide and in Africa in particular.

I would also like to commend the United Nations High Commissioner for Human Rights for her demonstrated leadership and steadfastness as an independent voice in the discharge of her duties towards the realization of peoples' aspirations to live a life of dignity and enjoyment of human rights.

Not the least let me reiterate the Commission's most sincere appreciation to all Members of the African Group in Geneva for their dedication and for the individual and collective contributions to the work of the Human Rights Council.

Madam President,

The recent successful conclusion of the review of the working methods and procedures of the Human Rights Council is no mean feat. The outcome of this exercise is most promising as it would undoubtedly contribute to enhancing the integrity and credibility of this body and serve to reaffirm even-handedness and parity in all its engagements with Member States.

As the Universal Periodic Review (UPR) will also conclude its first cycle during this Session, it goes without saying that the upcoming period will test the effectiveness and value of the mechanism through assessments of Member States' implementation of their peers' recommendations in all regions. This could pose real challenges for some and it is indeed our belief that the Panel discussion on sharing best practices and promoting technical cooperation with a focus on the implementation of the recommendations, scheduled to take place as part of the activities of this Session, will provide concerned States with further insights and tools to explore opportunities for technical assistance and innovative ways to address the challenges faced during the implementation phase.

The operationalization and accessibility of the Voluntary Fund for Financial and Technical Assistance in the UPR, established by Council Resolution 6/17 of 28 September 2007, is at this stage both crucial and urgent. In this regard, the Commission takes note of the Report submitted by the Office of the High Commissioner and calls upon all States to contribute generously to this Fund in order to ensure the success and impact of the UPR mechanism on the enjoyment, promotion and protection of human rights.

Equally important, is the need for more collaboration and coordination between the UPR and the regional human rights mechanisms for which I make an ardent call from this platform. No doubt, by harmonizing the synergies within our collective but differentiated responsibilities, we can ensure complementarities between the Global and the African Human Rights Systems. The organization in Addis Ababa, Ethiopia in January this year, of a joint meeting between the mandate holders of the Special Procedures of the Human Rights Council and the African Commission on Human and Peoples' Rights, within the framework of the Memorandum of Understanding signed in January 2010 with the Office of the High Commissioner, provided a useful opportunity for enhanced collaboration and building synergies, peer exchange and learning. It is recommended that such consultations be encouraged and replicated to constitute permanent features on our programmes.

Madam President,

The commitment of the African Union and its Member States towards the full enjoyment of its human and peoples' rights is evidenced in a plethora of initiatives - mechanisms and instruments - that have been established to advance the promotion and protection of human and peoples' rights on the Continent.

The periodic reviews conducted by the voluntary African Peer Review Mechanism; the adoption of the Human Rights Strategy for Africa in April 2011, an intrinsic pillar of the African Governance Architecture and an effort to enhance coordination and collaboration among the various mechanisms of the African Human Rights System; the imminent launch of the African Governance Platform, the established mechanism to facilitate information flow, coordination and evaluation of the implementation of the AU instruments on democracy and governance; the entry into force of the African Charter on Democracy, Elections and Governance on the 16th of February 2012; the declaration of 2012 by the Assembly of the Union as the Year of Shared Values; all put together represent salutary developments and unique opportunities for the advancement of the Human Rights Agenda on the Continent.

Madam President,

The Commission has followed with keen interest the process leading to the adoption of the Third Optional Protocol to the Convention on the Rights of the Child, providing for a communication procedure for the said Convention adopted in December 2011 by the UN General Assembly. It is our expectation that the new mechanism would want to draw from the experiences of the African Committee of Experts on the Rights and Welfare of the Child, established in 1990 by the African Charter on the Rights and Welfare of the Child, in the best interests of children in general and African children in particular.

Madam President,

This 19th Session of the Council will include a number of important panels touching on a variety of issues of particular interest to our Continent.

The role of sports in promoting awareness and understanding of the Universal Declaration of Human Rights is of particular importance to Africa, especially within the ambit of the fight against racism, racial discrimination, xenophobia and related intolerance. Sadly, we still witness acts of violence and discrimination perpetrated against sports men and women because of their colour and/or country of origin. This phenomenon needs to be seriously addressed, in a comprehensive manner and in upholding the spirit of the Olympics, the wonderful world of sports and its citizens need to be engaged with in creating a world free of discrimination. I therefore appeal for our unified determination in addressing these crucial challenges.

Within a broader context on the fight against racism, racial discrimination, xenophobia and related intolerance, the AU considers that the time of polemics and rhetoric discussions is over. As a collective, we have the tools to proceed to action-oriented initiatives and to seriously address the plight of persons affected on a daily basis, by any and/or all forms of racial discrimination.

Lastly, as this Session of the Council will include a panel discussion on discrimination and violence based on sexual orientation and gender identity, it would be expedient that this initiative faithfully reflect the social reality in the different regions of the world, considering that the concept itself is not yet defined in internationally agreed norms relating to human rights.

To this end, we would recall that the AU Summit of Heads of State and Government, held in July 2010, in Kampala, Uganda affirmed unequivocally its rejection of any attempt to undermine the international human rights system by seeking to impose concepts or notions pertaining to social matters ...taking into account that such attempts constitute an expression of disregard for the universality of human rights.

Madam President,

The late 2010 and 2011 unprecedented political movements and revolutions in North Africa have shed light on the issue of repatriation of illicit funds deposited in foreign countries. A subsequent resolution of the Council and a Report by the Office of the High Commissioner for Human Rights highlighted the negative impact that non-repatriation of funds of illicit origin have on any State's capacity to fulfill human rights obligations. Mindful of the seriousness of this causal relationship, I would like to call on the Council to closely follow up on this issue to ensure that such assets are returned to the country of origin with no delay and by exercising utmost diligence to avoid dissipation of funds.

The same North Africa events brought to the fore the plight of migrants moving from Africa to the Western World "in pursuit of a better life". The Commission supports the initiative by the African Group to convene a Panel discussion on this issue during an upcoming session of the Council and hopes that such Panel will lead to concrete steps in tackling the protection and promotion of the human rights of this vulnerable group.

I would also like to commend the initiative by several countries to establish a voluntary fund aiming at facilitating Least Developed Countries and other Small States' participation in the proceedings of the Human Rights Council. This laudable initiative deserves the firm commitment of all its Members.

Madam President,

It is noted that this Session will discuss the human rights situation in some African States, including Libya and The Sudan. It would be important to highlight the positive developments in these two countries as well as the efforts of the African Union in seeking for durable mechanisms for peace.

In Libya, we welcome the new electoral law which was introduced by the Transitional Council to ensure fair and transparent elections, as well as efforts by the Interim Government to restore peace and stability in the country through a process of dialogue and inclusiveness.

The commitment towards the implementation of the Darfur Peace Agreement in The Sudan is also commendable. The new Darfur Regional Authority, which resulted from the Darfur Peace Agreement, has already shown signs of the country's true determination to move forward in unity. The Commission will continue its efforts to sustain peace in Southern Kordufan and the Blue Nile regions of The Sudan.

Concerning country mandates, while we do appreciate the efforts deployed thus far, it is the AU's belief that all country mandates have to be reconsidered objectively and reviewed free of political undertones.

Madam President,

I will conclude by restating the African Union Commission's and my full confidence in the work of the Human Rights Council, and in the wisdom and the foresight of all its Members.

I wish you all well with the deliberations and thank you for your attention.