



**STATEMENT BY**

**HER EXCELLENCY MRS. JULIA DOLLY JOINER  
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AFRICAN UNION COMMISSION**

**AT THE**

**THE TWENTY-FIRST SESSION OF THE  
HUMAN RIGHTS COUNCIL**

**Geneva, Switzerland : 12 September 2012**

**Madam President**

**Madam High Commissioner for Human Rights**

**Distinguished Members of the Human Rights Council**

**Representatives of Civil Society**

Allow me first and foremost to reiterate, on behalf of the African Union Commission and on my own behalf, sincere congratulations to Mme Navy Pillay on the commencement of her second term as United Nations High Commissioner for Human Rights. Madam Pillay's re-appointment to this office by the United Nations General Assembly, attests no doubt to her sterling leadership qualities and exemplary stewardship over the years in the execution of her duties towards the realization of our collective aspirations for a life of dignity and full enjoyment of human rights. Your invaluable contributions, Madam High Commissioner, have been hallmarks and we cannot but wish you all the success as you continue to propel the rights that we uphold high among the priorities of the international community.

I would also like to renew to the African Group in Geneva my profound appreciation for all the dedicated efforts and significant contributions to the work of the Human Rights Council, and not least for the steadfast determination in bringing their individual and collective expertise and experiences to bear in advancing the Council's agenda.

**Madam President,**

The Human Rights Council will consider during its current Session, the Report on Extreme Poverty and Human Rights. For obvious reasons, the mandate on Extreme Poverty and Human Rights in general and the fight against poverty in particular are of utmost importance for Africa. In this regard, the proposed final draft of the revised guiding principles on Extreme Poverty and Human Rights deserves all our attention with a special focus, as highlighted by the Special Rapporteur, on the need to understand the manifestations, attributes and social dynamics of extreme poverty in a given context or country in order to develop an efficient implementation strategy. Our approach as we proceed in our deliberations should not be a game of blame and shame but one that encourages open and frank dialogue in our collective bid at national, regional and international levels, to alleviate the plight of the poor who lack the very basic needs for a life in dignity.

In our humble opinion, the draft guiding principles would have gained a wider outreach if the issue was addressed within the framework of a more holistic approach to fight poverty and accordingly placed the lack of development as the root cause of poverty. Closely related to this, it has become evident at this stage that the realization of the Millennium Development Goals by 2015 have been adversely challenged by a number of unforeseen phenomena, including climate change and conflicts, and consequently that our targets will not be reached in spite of the many commendable efforts deployed. In re-echoing the affirmation of the High Commissioner that "the report card is mixed

and is likely to remain so”, we are however of the conviction that we should not relent in our determination to build on the progress made towards achievement of the goals we set ourselves in 2000, even if partially.

Not the least significant, we are delighted to note that cooperation between the universal and the african human rights mechanisms is currently reaching a very significant step toward establishing the desired synergies and complementarities in the promotion and protection of human rights. At the level of the African Union, the African Union Commission facilitated a series of consultations between the two systems, the latest of which was a meeting involving special procedures mandate holders of the Human Rights Council and of the African System. The visit of the President of the African Court on Human and Peoples’ Rights to Geneva barely two weeks ago offered the opportunity to initiate the process of establishing a continuous cooperation with UN mechanisms and structures, including Treaty Bodies, the Human Rights Council, the Office of the High Commissioner for Human Rights and with Civil Society. These laudable developments are most encouraging and we at the Commission will spare no effort to generate greater synergies and more visible impact through the strengthening of the cooperation between all our respective mechanisms.

**Madam President,**

Some African countries, Member States of the African Union continue to be under the watch of the Human Rights Council. With particular reference to the situations in Mali, Somalia and The Sudan all of them either under the technical cooperation theme or the situations that require the attention of the Council, I wish to share with a few perspectives on the African Union’s reaction to these individual cases.

On **Mali**, the African Union has strongly condemned at the highest level, the unconstitutional change of government and imposed sanctions against the illegal authorities in that country. In June 2012, in the margins of the Council’s 20<sup>th</sup> Ordinary Session, the African Group and several humanitarian agencies launched an international appeal to address the humanitarian situation not only in this country but also in other concerned countries in the Sahel region. This laudable initiative and its outcome should be supported and exploited by the international community in order to deliver the necessary and most urgent assistance to the affected peoples in the sub-region.

In addition to the recent efforts by the Interim President to manage and bring order to the situation in Mali and the mediation efforts by the Economic Community of West African States (ECOWAS), the African Union Peace and Security Council (PSC) on 04 September 2012, denounced the abuses and violations of human rights in Mali and warned that perpetrators will be held accountable for their actions. More concretely, the PSC welcomed the initiative of the African Commission on Human and Peoples’ Rights to open an investigation on the human rights situation in Northern Mali.

This effort coupled with the planned visit of the Office of the High Commissioner for Human Rights to be lead by its Assistant Secretary General will contribute significantly to addressing the multidimensional challenges Mali faces today particularly as regards the human rights situation as we seek to evolve a lasting solution to the crisis.

Following the nomination of the new Independent Expert for **The Sudan**, we encourage the authorities to cooperate fully within the framework of the technical cooperation and capacity building mandate, in the quest towards providing the people of The Sudan, the highest standards for the promotion and protection of their human rights. Indeed, the efforts of the Council in support of the peace process in The Sudan have not fallen short of positive results. Laudable too is the progress in the negotiations between The Sudan and South Sudan. The continued cooperation between this Council and the African Union however remains vital to bringing about sustainable peace between the two countries.

On **Somalia**, under a Human Rights Council mandate on technical cooperation over the last ten years, it is our expectation that the recent election of the President of the Republic, a sign of democracy institutionalization after over twenty years of war, will pave the way for the establishment of an effective government to oversee the country's development process. The deployment of troops for AMISOM by African Member States must be commended, but just as significantly, their continued intervention and the support of international community to Somalia and her peoples remain of greater necessity.

Parallel to these, the African Union through its Peace and Security Council is closely monitoring the situation on the ground in the **Democratic Republic of Congo** and continues to call on all actors to uphold the human rights standards and protect the rights of the peoples in conflict zones. To this end, the African Union is working hand in hand with countries in the region to reach a sustainable peace settlement. We therefore call on the international community to support our efforts, thereby providing a conducive environment for the promotion and protection of human rights.

As regards the other situations in some African countries highlighted in the High Commissioner's statement as requiring the attention of the Council, the African Union in close collaboration with its relevant organs and the international community, continues to follow closely all potential human rights violations and will spare no effort to address them whether from a preventive perspective or by addressing challenges when they occur.

**Madam President,**

The fight against racism, racial discrimination, xenophobia and related intolerance continues to be of paramount importance to the AU and its Member States. Notwithstanding increased attention and some improvements in this area, a lot more needs to be done to ensure a higher level of implementation of the Durban Declaration and its Plan of Action (DDPA). It is heartening to note that an agenda delineating the themes related to racism, racial discrimination, xenophobia and related intolerance, has been agreed and will be discussed during the next session by all regional Groups. Taking into account the tremendous amount of time that we usually lose on setting the agenda, this agreement in itself signifies real progress and must be commended.

In the context of a bilateral perspective, the African Union and European Union Joint Workshop on Racism organized in June 2012, provided a most welcome moment and

positive atmosphere for better understanding of perspectives which resulted in joint contributions to the UNGA resolution A/RES/66/164 of December 2011 entitled “Global Efforts for the Total Elimination of Racism, Racial Discrimination, Xenophobia and related Intolerance and the Comprehensive Implementation and Follow-up to the Durban Declaration and Programme of Action”. Among other recommendations, the Workshop emphasized the importance of periodic dialogue on all issues and we believe this is one sure way of making things happen thereby creating a real difference in the lives of the victims of racism, racial discrimination, xenophobia and related intolerance. The Commission will leave no stone unturned to enhance dialogue with all partners in all fields.

2011 marked the Year for the People of African Descent. Although some progress has been recorded through the work of the Working Group of Experts on People of African Descent, our collective responsibility to ensure that the proposed agenda for the Decade for People of African Descent is adopted at the UN General Assembly, remains paramount if we are resolute to make a real difference in the lives of the people of African descent.

**Madam President,**

During the current session, the Council will take action on the Universal Periodic Review (UPR) Reports of three African countries: Tunisia, Algeria and South Africa. After a successful first cycle, States in all regions are currently embarking on laborious efforts towards the implementation of recommendations, which can be a real challenge especially for small States and States with limited resources. Technical assistance, exchange of experiences and best practices, and integration of local constraints are three main pillars to be taken into account while implementing or assessing the implementation of recommendations.

The operationalization and accessibility of the Voluntary Fund for financial and technical assistance in the UPR, established by HRC resolution 6/17 of 28 September 2007, is both crucial and urgent. In this regard, the African Union Commission calls upon all States to massively contribute to this Fund in order to secure the success and impact of the UPR mechanism on the enjoyment, protection and promotion of human rights.

**Madam President,**

While reaffirming my personal conviction, that of the African Union Commission and indeed the African Human Rights System in its entirety, in the ability of the Human Rights Council to always deliver on its mandate, kindly permit me to conclude by expressing our earnest expectation that the deliberations of this Session will translate into concrete actions towards the fulfillment of the aspirations of human rights for all.

I wish you fruitful deliberations and thank you for your attention.