



**STATEMENT BY
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AT

THE COMMEMORATION OF AFRICA HUMAN RIGHTS DAY

UNDER THE THEME:

**“THE PROMOTION AND PROTECTION OF HUMAN AND PEOPLES’ RIGHTS
IS OUR COLLECTIVE RESPONSIBILITY”**

**21 OCTOBER 2013
ADDIS ABABA - ETHIOPIA**

The African Charter on Human and Peoples' Rights (ACHPR) is the principal continental policy framework for promoting human and peoples' rights in Africa. It was adopted by the Organization of African Unity (now replaced by the African Union) on 27 June 1981 and it entered into force on 21 October 1986. This instrument forms the basis of the African Human Rights System and it is unique to other regional human rights instruments in the sense that it not only covers internationally accepted human rights standards, but it also recognizes values that are unique to the African continent. The African Human Rights Charter also provides for Civil and Political Rights, Social, Economic and Cultural Rights, Peoples' and Group Rights. It has a comprehensive provision on duties and responsibilities of individual in the society.

The AU has consistently affirmed its commitment to the fight against impunity in Africa. This is reflected in Article 4(h) of the AU Constitutive Act which authorises the Union to intervene in situations of mass atrocity. Also, it has been noted that the standards and instruments adopted by the African Union member states recognises justice as a legitimate aspiration of African people and thus require all AU member states to ensure effective access for their citizens to capable, independent and effective national, regional, continental and international accountability mechanisms.

It is on this basis that the African Union is utilizing this opportunity commemorating Africa Human Rights Day is an opportunity to urge all the African Union Member States to honor their obligations under the African Human Rights system and take measures to ensure the respect, promotion and protection of all human rights. In line with the foregoing, I wish to take this opportunity to request that the African Commission on Human and Peoples' Rights as the heartbeat of the African Human Rights System to takes the lead and responsibility of deciding the theme of the African Human Rights Day annually, a request I consider a noble task for a noble cause.

This year's theme, **“the promotion and protection of human and peoples' rights is our collective responsibility”** is timely and appropriate. Implicit in the theme is the recognition, on the one hand, that As Africa still faces huge challenges of conflict crises and instability, ; but on the other hand, the theme is a reflective of a ray of hope that through the promotion of human and peoples' rights in Africa, sustainable peace and development can be achieved.

As we commemorate Africa Human Rights Day this year, I wish to share with you three key initiatives led by the Department of Political Affairs of the African Union Commission to promote democracy, good governance, human rights and the rule of law on the continent. Firstly, the launching of the African Governance Platform in June 2012, which marks a new beginning in our working methods and inspires a lot of hope for democracy and governance to be embedded in our systems of government. The Platform presents a framework through which many of the stakeholders will influence the process of facilitating accession to and ratification of AU instruments, but more importantly, their domestication, implementation as well as monitoring and evaluation. I am glad at this juncture to indicate that the platform has a cluster that is solely devoted to Human Rights and transitional Justice. The launching of the Platform will therefore enhance our capacity and deepen the understanding on issues of human rights, democracy and governance, which constitute our African Shared Values.

Secondly, the Department of Political Affairs is relentlessly pursuing the implementing of the Action Plan of the Human Rights Strategy for Africa. The key objective of the Strategy is to address current weaknesses within the human rights system in Africa, as well as to bring about convergences in the workings of the human rights institutions and actors on the continent. The Strategy focuses on Transitional Justice to deal with issues of post conflict reconstruction, peace and development. The Department of Political Affairs is collaborating with the relevant AU Organs, partners and other stakeholders to finalize the development

of an AU Transitional Justice Policy Framework for Africa, which, hopefully it would be endorsed during the June Summit of 2014.

Thirdly, the Department of Political Affairs is leading the efforts of creating a Pan African Institute for Human Rights by 2015 as part of Action plan of the Human Rights Strategy for Africa. The Institute will have a mandate corresponding to article 45 of the African Charter and its focus will be on research as well as support to the AU human rights mechanisms, namely: the African Commission on Human and Peoples' Rights, the African Court on Human and Peoples' Rights, and the African Committee of Experts on the Rights and Welfare of the Child.

Today, we are all witnesses to the international trend where the indivisibility and interdependency of human rights has become the norm. The notion of justiciability of socio-cultural and economic rights which divided the world during the cold war years is beginning to gain recognition and embracement in many countries. The concepts of the right to development and the right to peace, hitherto regarded as mere academic talk, have today been admitted as indispensable to the effective enjoyment of all human rights. In this context, it is indeed right to argue that Africa has contributed significantly to the shaping of the international human rights discourse.

It was this realization that led our leaders during the 7th AU Summit in Banjul, The Gambia, in 2006, while adopting the Banjul Declaration on the 25th Anniversary of the African Charter on Human and Peoples' Rights, to reiterate their 'unflinching determination to promote and protect human and people's rights ... as well as their full support to the work of ... all human rights treaty bodies established on the Continent....'.

In the same Declaration the Heads of State agreed to, I quote "Rededicate ourselves to ensuring respect for human and peoples' rights as a pre-requisite for

the attainment of our common vision of a united and prosperous Africa]”. It is precisely because of this common vision that we commemorate Africa Human Rights Day, a vision which demonstrates the inseparable link between human rights, peace, security, unity and development.

When the protection of human rights is the guiding principle, then solid and lasting foundations for peace and development are laid. However, when human rights are ignored or scorned, and when the pursuit of individual interests unjustly prevails over the common good, then the seeds of instability and violence are inevitably sown.

Respect for human rights therefore provides a foundation upon which the political structures can conveniently rest to promote human freedoms. The achievement of human freedom therefore generates the will as well as the capacity for economic and social progress. The attainment of economic and social progress thus provides the basis for sustainable peace.

It would seem however that in spite of the glaring nature of the relationship between the respect for human rights, peace, and development, the continent is yet to take bold steps to establish a culture of respect for human rights as a means of achieving sustainable peace. The commitment that our leaders made during the Banjul Declaration is yet to find concrete expression.

Today, all the AU Member States have not only ratified the African Charter on Human and People’s Rights, majority of them have also ratified similar UN instruments. However, in most cases, steps have not been taken to internalize these instruments.

Today, as we commemorate Africa Human Rights Day, we must bear in mind that there can be no peace without respect for human rights. Sustainable security and development can only thrive where there is peace.

Today, The time has come for all human rights stakeholders on the continent, and in particular, AU Member States, to take stock and ask what they have done to establish a culture of human rights on the continent, and what they can do to enhance the enjoyment of human rights and peace in Africa.

The level of responsibilities varies from one stakeholder to the other, but we should always remind ourselves that “the promotion and protection of human and peoples’ rights is a collective responsibility”.

I thank you.