



Draft STATEMENT BY

**H.E. MOUSSA FAKI MAHAMAT
CHAIRPERSON OF THE AFRICAN UNION COMMISSION**

AT

**THE OPENING CEREMONY OF THE 68th ORDINARY SESSION
OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS
(ACHPR)**

(VIRTUAL)

14 APRIL, 2021

H.E. Mr. Mamadou Tangara, the Minister of Foreign Affairs of the Republic of The Gambia and Representative of the President of the Republic of The Gambia,

Your Excellences, Ministers and Members of the Parliament of the Republic of The Gambia,

Excellences, Distinguished Representatives of States Parties to the African Charter on Human and Peoples' Rights;

H.E. Amb. Bankole Adeoye, Commissioner for Political Affairs, Peace and Security, African Union Commission;

Honourable Dr. Solomon Ayele Dersso, Chairperson, African Commission on Human and Peoples' Rights;

Honourable Justice Sylvain Ore, President, African Court on Human and Peoples' Rights;

Hon. Ndayisenga Joseph, Chairperson, African Committee of Experts on the Rights and Welfare of the Child;

H.E. Ambassador Baye Moctar Diop, Chairperson of the PRC Sub-Committee on Governance, Democracy and Human Rights;

H.E. Ms. Michelle Bachelet, the UN High Commissioner for Human Rights;

H.E. Dr. Eamon Gilmore, the EU High Representative on Human Rights

Mr Mohamed Fayek, Chairperson of the Network of African National Human Rights Institutions;

Representatives of the National Human Rights Institutions;

Representatives of the Network of African National Human Rights Institutions;

Representatives of the Civil Society Organisations and Media;

Distinguished invited Guests;

Ladies and Gentlemen;

Allow me at the outset to sincerely express, on behalf of the Chairperson of the African Union Commission, and my humble-self, our heartfelt appreciation to the management and staff of the African Commission on Human and Peoples Rights (ACHPR) for the invitation to this 68th Ordinary Session of the Commission. Permit me also, to join the previous speakers in appreciating delegates and participants for taking time off your busy schedules to attend this historic session

Let me also seize this opportunity to congratulate my brother and friend, Honorable Dr. Solomon Ayale Dersso, the Chairperson of the ACHPR, and his fellow Commissioners for their unwavering commitment to the promotion and protection of human and peoples' rights project in Africa.

Excellences, Distinguished Participants, ladies and Gentlemen;

You all will agree with me, the past two years from 2019 to date, have indeed been challenging to say the least across the globe, particularly in Africa. The COVID-19 Pandemic has challenged virtually every sectors of our society to their foundation, including the human rights sector. Despite this, the meticulous and pragmatic manner with which the African Human Rights System (*under the able leadership of the African Commission on Human and Peoples Rights*) has approached and responded to Human right issues is indeed commendable.

While human rights challenges still abound in our continent, as in other parts of the globe, it is important I utilize this opportunity to commend the ongoing human rights transformation in some AU Member States, particularly the establishment and operationalization of the Gambia national

human rights institution by the Government of President Adama Barrow at the Headquarters of the African Human Rights System. The African Union Commission is pleased to be part of the development. I commend the people and the Government of the Gambia for this impressive development. Same appreciation goes to all our Member States where human and peoples' rights innovations are thriving. Be rest assured that the AU Commission will continue to provide similar support to other national human rights institutions where and when necessary.

The African Human Rights System has come of age. It is comprehensive and all-encompassing in its mandate and focus. For instance, the African Charter on Human and Peoples' Rights provides for socio, cultural and economic rights, including development rights, cultural heritage and protection of artifacts. Articles 29(7) and 22(1) for instance provides for cultural heritage and cultural development rights. These provisions underscore the need for Africa to preserve and strengthen positive African cultural values in their relations with other members of the society, in the spirit of tolerance, dialogue and consultation and, in general, to contribute to the promotion of the moral economic wellbeing of society. These are evidences to demonstrate that there is a strong correlation in the mandate of the African Commission on Human and Peoples Rights with the theme of the African Union for this year - Arts, Culture and Heritage: Levers for Building the Africa We Want.

On the other hand, the United Nations recognizes the significance of Cultural rights and heritage, hence the Human Rights Council Resolution 33/20 of 2016 on *“cultural rights and the protection of cultural heritage”*.

It is from the above, among other conclusions that human and peoples' rights cannot be seen as valid only in certain cultural contexts. Their validity are derived from the very source of their existence, the nature of human beings; it is therefore important to emphasize that socio, economic, cultural and political conditions of peoples do not define human rights. Africa is a continent with diverse cultures and heritage and these must be borne in mind while advocating for the promotion and protection of human and peoples' rights in Africa

Excellences, Distinguished Participants, Ladies and Gentlemen;

For us at the African Union Commission, all hands are on deck as we are currently mobilizing all the necessary resources to operationalise the African Union Human Rights Memorial (AUHRM) towards the realization of the theme of this year. The Memorial project will not only help to preserve some of the Africa's human rights heritage, past evidences of human rights violations- including colonialism in Africa, apartheid in South Africa, Genocide against Tutsi in Rwanda, and Red Terror in Ethiopia, it will also serve as awareness creation against human rights violation to our teeming youth population and the future generation.

As I conclude, let me reiterate that the promotion and protection of human rights are a collective responsibility of all. We must therefore join hands with the African Commission for Human and Peoples Rights (ACHPR) to promote and protect human rights in Africa's cultural practices, art promotion, and heritage.

I wish you successful and fruitful deliberations during this 68th Ordinary Session of the African Commission on Human and Peoples' Rights.

I thank you for your kind attention.