

**56TH SESSION OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES'
RIGHTS**

BANJUL, 21ST APRIL TO 7TH MAY 2015

STATEMENT UNDER ITEM 4

Madam Chair, Honourable Commissioners, State Parties, Fellow Human Rights Defenders,

The 56th African Commission on Human and Peoples' Rights again provides the opportunity for the International Service for Human Rights to highlight some progress but some ongoing concerns faced in the protection of human rights in the continent since the last session held in May 2014. While fully understanding the circumstances surrounding the decision to postpone this 56th session twice, we stress that such delays prove burdensome for civil society who seek to engage with this Commission with the limited capacity and resources that they have.

Madam Chair,

In Cote D'Ivoire, the adoption and promulgation of the Law on the Promotion and Protection of Human Rights Defenders in June 2014 is an important step towards the recognition and protection of human rights defenders in the country. However, we urge the government of Cote d'Ivoire to adopt an executive decree to ensure full implementation of this law, which is still lacking.

We call upon the government of Cote d'Ivoire to also periodically review and strengthen the law in consultation with human rights defenders to close protection gaps and ensure it is effective and proactive in promoting an enabling environment for human rights defenders and addressing systemic factors contributing to attacks against them.

Sierra Leone and Burkina Faso made commitments to develop similar laws during the 28th session of the UN Human Rights Council in March. We urge these countries to follow the example of Cote d'Ivoire. Any legislation for the protection of human rights defenders must comply with the UN Declaration of HRDs and other relevant international and regional standards.

Madame Chair,

ISHR would like to express its gratitude to the Commission for the adoption of the resolution 273 creating a follow-up mechanism to address reprisals against anyone who collaborates with African human rights system. This resolution, together with the speech made this morning by you, show the continuous commitment of the African Commission to create a safe space for engagement with CSOs. We are also grateful that in collaboration with some NGOs, the Special Rapporteur on Human Rights Defenders and the Commission focal point on reprisals organized in February this year a consultation in Cote d'Ivoire to identify strategies for the operationalization of the focal point. We hope that the suggestions made by NGOs during this consultation will contribute to strengthening the focal point and end reprisals against anyone who collaborates with the African Human Rights System.

Madam Chair, ISHR is concerned that national security and anti-terrorism laws are increasingly used in the continent to restrict and shrink the space for civil society to operate freely. In particular, we are deeply concerned over the recent use of the Kenyan anti-terrorism law to target HRDs in that country.

In Egypt, the anti-protest law is used to arbitrarily detain human rights defenders and peaceful protesters while subjecting them to judicial harassment.

We hope that with the launching at this session of the study on freedom of association and assembly, the Commission will engage with State Parties for the full implementation of the recommendations.

The Commission will be also launching at this session by the study on the situation of women human rights defenders. We call upon the State Parties to implement the recommendations of the study by:

- a. Taking immediate steps to identify and eliminate all legal and political obstacles and barriers to the right to equality of women and their full and effective participation in public and political life;
- b. Adopting a specific law to promote and protect women human rights defenders and their work in a broader framework for protecting and promoting all human rights, consistent with the principles contained in the UN Declaration on human rights defenders 1998, the Declaration of Grand Bay and the Kigali Declaration respectively;
- c. Establishing an effective, independent, impartial national mechanism to prevent and address violations and discrimination against women human rights defenders and their families.
- d. Report back to the African Commission on Human and Peoples' Rights on the progress of implementation during presentation of their periodic reports.

During the 55 session, the Commission adopted the 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.**

We call on States Parties to implement this resolution by taking necessary legislative and administrative measures to end violence and discrimination against persons on the basis of their sexual orientation or gender identity.

I thank you.