

NGO STATEMENT
OPENING CEREMONY OF 73rd ORDINARY SESSION
AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS, AT
SIR DAWDA KAIRABA JAWARA INTERNATIONAL CONFERENCE CENTRE
ON 21st OCTOBER, 2022

Your Excellencies, Good morning

Your Excellency, Badara Alieu Joof, Vice President of the Republic of The Gambia

Professor Ismaila Madior Fall, Keeper of the Seals, Hon. Minister of Justice of the Republic of Senegal

Your Excellency, Deputy Chairperson of the African Union Commission, Dr. Monique Nsazabaganwa

Honourable Attorney General and Minister of Justice represented by Mr. Hussein Thomasi

My Lord, Chief Justice of The Republic, Hon. Hassan B. Jallow;

Honourable Members of the National Assembly;

Honourable Ministers of the African Union States;

Honourable Chairperson, Vice Chairperson and Members of the African Commission on Human and Peoples' Rights (ACHPR)

Hon. Catherine Dupe Atoki, former Chair and Commissioner of ACHPR

Hon. Judges of the African Court on Human and Peoples' Rights

Hon. Chairperson and Members of the African Committee of Experts on the Rights and Welfare of the Child

Your Excellency, Ambassador Salah Hammad, Head of AGA, Department for Political Affairs, Peace and Security of the African Union Commission;

Deputy Regional Representative of the UNOHCHR, East Africa Regional Office, Maymucha Lauriston, representing the UN High Commissioner for Human Rights

Members of the United Nations Family present – UN OHCHR, UNOCI and UNOWAS;

Your Excellencies, Members of the Diplomatic and Consular Corps;

The Chairperson and Executive Governing Council Members of the African Centre for Democracy and Human Rights Studies (GC/ACDHRS);

Distinguished State Representatives;
Venerable Religious and Traditional Leaders;
The Chairperson and Representatives of National Human Rights Institutions;
Representatives of National and International NGOs;
Representatives of the Press;
Distinguished Ladies and Gentlemen;
All protocols respectfully observed

Thirty-five years is indeed a significant milestone! A historic time indeed! Whether it is in the life of any human being or any institution. It therefore offers an opportunity to contemplate over those remarkable moments that have brought success as well as those other moments we might have been challenged, changed our course and or even be given another chance to journey on.

In addition, 2022 is a year of milestones - 20 years of the African Union; 20 years of the World Day Against the Death Penalty; 10 years of the Addis Ababa Roadmap ; 10 years of the African Charter on Democracy, Elections and Governance and 10 years of the Kampala Convention.

Your Excellencies, Distinguished Ladies and Gentlemen, Time is indeed ripe for ACHPR to pause, to reflect and to get more prepared to take a more sombre posture towards the encounters of the future, having been armed with the wisdom and experience of the past.

Having been part of this remarkable journey, it is, therefore, my pleasure coupled with a great sense of humility that I stand before this august gathering of the African human rights community, on this auspicious occasion of the 35th Anniversary of the African Commission on Human and Peoples' Rights (hitherto referred to as ACHPR or The African Commission), as Spokesperson, charged with the responsibility to give a statement on behalf of all my colleagues of the Forum of NGOs in the Work of the 73rd Ordinary Session of the African Commission on Human and Peoples' Rights.

Before I proceed, permit me to request that we observe a moment's silence for those Founding Fathers and Mothers of the Charter, those Commissioners who have passed on; giants on whose

shoulders the present generation of Commissioners continue to stand as we promote and protect human rights in Africa. We remember particularly the first Chairperson, Mr. Isaac NGuema, of blessed memory, under whose leadership the African Commission started its first foot forward.

Allow me, at the onset, to extend our congratulations to the Hon. Chairperson, the Vice Chairperson and all Distinguished Members of the continent's premier human rights institution as they celebrate and contemplate on the building blocks so far and future direction for the promotion and protection of human rights in Africa. In the same vein, we would like to recognise the dedicated and distinguished service of all past and present Commissioners. In the same vein, it would be in order to also observe a moments silence for all victims of human rights violations and conflict, especially for all the 70 victims of the latest protests in Chad.

On behalf of the Governing Council of the African Centre for Democracy and Human Rights Studies (ACDHRS); The NGO Forum Steering Committee; all the participants of the NGO Forum, and indeed on my behalf, I wish to thank the Chairperson and Members of the African Commission for affording us this opportunity to accompany them in this walk along memory lane in a bid to realign your priorities and chart your forward direction.

Your Excellencies, Distinguished Ladies and Gentlemen

The Forum wishes to also express its **gratitude** to the Government and people of The Republic of The Gambia, the smiling coast of Africa, for hosting the 73rd Ordinary Session and to reiterate the appreciation of the participants of the Forum of NGOs for the continued support extended to the African Commission.

Your Excellencies, Distinguished Ladies and Gentlemen,

The Forum on the Participation of NGOs in the 73rd Session of the African Commission on Human and Peoples' Rights, was held from the 17-18 October, 2022, just before this Session of the African Commission of significant importance. Over 260 participants from 40 African countries, 5 from Europe and 2 from North America were in attendance. Meanwhile, the Forum adopted 8 country resolutions – DRC, Egypt, Eritrea, Eswatini, Mali, South Sudan, Tanzania ; 5 Thematic resolutions on the Civic Space; Digital Rights; Death Penalty; Digital Rights; Fight

against Impunity; and Military transitions in Africa ; and 4 Thematic Recommendations – on the Addis Ababa Roadmap; the AfCFTA; Engagement of People of African Descent and in the Diaspora; and Internet Shutdowns in Africa.

In keeping with the celebration of thirty years of the African Commission this year, the Forum adopted the theme ‘Celebrating 35 years of the African Commission on Human and Peoples’ Rights with the current situations of conflicts, shrinking civic space, covid 19 amidst violence against women especially in environmentally unfriendly milieu.

The Forum noted that while Africa has seen significant and positive developments in the human rights and democracy situation on the continent, it is worthy to observe an improvement in the respect for human rights, good governance and the rule of law. The African Commission, in its role to promote, protect and interpret the African Charter has indeed laid an enviable foundation for the development of various instruments, with the African Commission making impressive decisions and mechanisms to match the growing tide. This noble body has been breathing life into the Charter by adopting rules of procedure, streamlining its operations and clarified various provisions of the Charter to States Parties and other stakeholders; developed guidelines setting minimum standards for compliance with the Charter; established mechanisms which have contributed to the building of jurisprudence as well as to the provision of information to the Commission; made laudable contributions to international human rights law in its communications; examined the states reports of over 40 states parties; granted affiliate status to 30 National Human rights Institutions and observer status to over 500 Non-Governmental Institutions; among other developments. Moreover, we are all here today, witnesses at this momentous session of the African Commission and would like to take this opportunity to salute, most especially, all past and present Commissioners. We congratulate the current Chairperson, Hon. Remy Ngoy Lumbu, the Vice Chairperson, Hon. Maya Sahil Fadel and Members of the African Commission; the Secretary and Members of the Secretariat for continuing to keeping the torch of human rights alight; to all State Parties and indeed the people of Africa for whom this treaty and other instruments were established. Permit me to recognize our sister, Hon. Commissioner Litha Musyimi Ogana and to congratulate her on her appointment and to wish her well as she begins her tenure at the African Commission.

Congratulations are in order to the African Union Commission, particularly the Department of Political Affairs, Peace and Security (formerly the Department of Political Affairs). The role of the African Union in standard setting, strengthening the continental framework to promote and protect human and peoples' rights in Africa has, no doubt, stimulated the pursuit of human rights which has become an integral responsibility, by ensuring that the Human Rights Strategy for Africa is at the heart of the African Governance Architecture. The increased involvement of civil society organisations in the consultative and implementation processes are exemplary and commendable and have indeed gone a long way to enhance partnerships and promote ownership of the various processes by the African people.

While appreciating these developments, the Forum asserted yet again that from the East to West and Central, North to South, Africa continues to face serious human rights challenges characterised by conflict, insecurity and violence. highlighting among others the rise in cases of violence against women. Covid 19

Furthermore, The Forum noted with satisfaction the Commission of Enquiry into the situation surrounding the allegations of gross and systematic violations in the Tigray region of Ethiopia.

Poverty, disease, internal political strife, resulting in the taking up of arms by rebel and or military groups, arbitrary detention and extrajudicial killings continue to bring hardships to the majority of citizens of the affected countries, especially the women and children.

The situation in some States have remained a cause for concern. Unconstitutional changes of government in a number of countries including Chad, Guinea, Mali and Sudan where serious and massive human rights violations are being perpetrated against civilian population, serious challenges which call for a constant and increasing strengthening of the protective and promotional mandate of the Commission.

The inequalities brought on by the Covid-19 pandemic has further exacerbated the situation, economically and politically, with limited or no access to the vaccines, especially in Africa. As we plan for post covid 10, the attendant closing of civic space and the clamp down of protests; the increasing and continuing fundamentalism in many countries including Nigeria were also

among the issues discussed. Cognisant of the Peace and Security's decision to adopt ACHPR Resolution 449 as a working document to address the pandemic in Africa, The Forum commends ACHPR and urges states parties to adopt and implement this decision at the national level.

The Forum applauded the collaboration promoted by the ACHPR with its various stakeholders in a bid to promote civic resilience of societies.

Agenda

There were 11 panels plus an inaugural panel to discuss issues such as:

1. Unconstitutional changes of government : implications of human rights and the rule of law
2. Good governance ; its effects on food security and nutrition ; Environment issues including climate change : Nutrition and food security on the African Continent : Critical reflection on the inter-sectionality between women's rights and economic justice
3. The 20th Anniversary of the World Day against the Death Penalty : The link between Torture and Capital Punishment/ World Against the Death Penalty
4. Post-Covid-19, its challenges and how NGOs can offer assistance to governments in affronting these challenges
5. 10 years of the Addis Ababa RoadMap
6. Multi-sectoral approach to addressing good governance and human rights ; States adherence to the rule of law ; role of stakeholders in ensuring state adherence to ratified charters, treaties, protocols and conventions
7. Reproductive Justice
8. Climate change and food security in Africa in the context of the African Continental Free Trade Area : risks and opportunities
9. Digital rights and security
10. Gender Based Violence : Civic space in some of the environmentally challenged states and Freedom of expression and good governance in Africa
11. Human Rights and the Prevalence of conflict crisis and in equalities.

At the end of the two days deliberation, Recommendations and Resolutions were developed and adopted by participants. Thematic Resolutions were adopted on the following States, namely

Central Africa Republic, Eritrea, DRC Congo, Egypt, Mali, Tanzania, South Sudan and Swaziland ; while thematic resolutions were adopted on Military Regimes in Mali, Guinea, Burkina Faso, Sudan and South Africa; the African Continental Free Trade Area; the People of African Descent and the Diaspora; the Addis Ababa Roadmap ; and Internet shut down in Africa

The Outcome of the Forum will be forwarded, for the kind consideration of your august body, as our contribution to your deliberations at this 73rd Session.

Distinguished Ladies and Gentlemen

The Forum noted with satisfaction that the reports of Cote D'Ivoire and Mauritania would be considered and have reviewed the situation of human rights in those countries. While congratulating these countries, The Commission is urged to encourage other States yet to submit their reports to consider doing so at the earliest opportunity.

Congratulating Your Excellencies, Distinguished Ladies and Gentlemen

On behalf of the participants, please I would like to reiterate the willingness and readiness of the NGO community to work with these mechanisms in the realization of their mandates. As partners in the process, we are committed to putting all our expertise and resources at the disposal of the African Commission in the realization of the various objectives.

In the true spirit of the African Union's Constitutive Act in which the Heads of State of Africa professed a 'common vision of a united and strong Africa, energised by partnership between governments and all segments of civil society', representatives at this Forum reaffirmed their commitment to the reinforcement of this partnership with the African Union and all its organs, not the least, the African Commission, in the furtherance of human rights, good governance and the rule of law in Africa. The Forum participants have continued to demonstrate their dedication to the work of the African Commission by their enthusiastic and passionate contributions to the preparations leading to their participation in this Session.

The Forum, while pleased with the progress made by the African Commission notes that serious challenges with the potential to affect its effectiveness persist. I would like to take this

opportunity to launch an appeal to states and indeed the international community to continue to support the strengthening of this institution, which will, no doubt, go a long way towards the effective implementation of its mandate.

Distinguished Ladies and Gentlemen

It would be remiss of me not to extend the appreciation of the Forum to partners who have accompanied us during this session, namely Open Society Foundations, IPAS, UNOWAS and OHCHR both West and East Africa Regional Offices as well as those organisations that have sponsored delegates to the Forum and Commission sessions.

Your Excellencies, Distinguished Ladies and Gentlemen

On behalf of ACDHRS and indeed the participants of the Forum of NGOs, allow me to wish The Honourable Chairperson and all the Members of the Commission, fruitful deliberations and a successful celebratory session.

Thank You for your kind attention.

HJF,

ACDHRS, Forum of NGOs Secretariat

21 October, 2022