

62nd ordinary session of the African Commission on Human and Peoples' Rights

28 April 2018 – Nouakchott, Mauritania

ITEM 5 – Human rights situation in Africa

Madam President, Honourable Commissioners, States Parties, Dear delegates,

The International Service for Human Rights seizes this opportunity of the 62nd session to raise its concerns about the human rights situation on the continent, and more specifically the situation of human rights defenders, but also the progress made.

Madam President, this year marks the celebration of the 70th anniversary of the Universal Declaration of Human Rights and the 20th anniversary of the United Nations Declaration on Human Rights Defenders. The latter inspired at the regional level the establishment of the Special Rapporteur on Human Rights Defenders. We welcome the work done by the various rapporteurs since the creation of this mandate in 2004 and welcome the appointment of Commissioner Rémy Ngoy as the new holder of this mandate.

Despite these positive developments at the international and continental levels, the situation of human rights defenders remains fragile.

Restrictions are placed on the work of human rights defenders through the adoption of laws to limit their access to funding, the adoption of anti-terrorism laws which limit the ability of the media and human rights activists to monitor and report violence committed in the name of the fight against terrorism. According to a recent study more than ten African countries are in the process of adopting new laws that could restrict the ability of civil society to work in an enabling environment. Among these countries is Nigeria, where human rights defenders raise concerns about draft laws or decrees that could significantly prevent them from enjoying their right to freedom of association.

We invite Nigeria and the States Parties to the Charter to put an end to the adoption of these restrictive laws.

In Burundi, Madam President, the human rights situation remains worrying. The country continues to refuse to cooperate with the United Nations' Commission of Inquiry despite the deteriorating situation. The will of the current president to run again for his own succession will only exacerbate the crisis that has already led to many loss of life and more than 400,000 refugees.

We call on the Burundian authorities to collaborate fully with regional and international human rights mechanisms, including the United Nations Commission of Inquiry, to put an end to these human rights violations and to take all necessary measures to put an end to the current impunity by bringing to justice all perpetrators of human rights violations.

In addition, we note that reprisals against activists and human rights defenders continue to spread on the continent. The emblematic and tragic case of Ebrahim Metwally in Egypt

illustrates the tenacity of reprisals against defenders, especially those who cooperate with regional or international mechanisms. The lawyer and activist was arrested and detained incommunicado as he was about to testify at the United Nations in Geneva about the case of his own missing son, and other cases of enforced disappearances in Egypt.

We call on Egypt and all States parties to the Charter to put an end to reprisals against defenders, including arbitrary detentions and enforced disappearances.

Despite this gloomy picture, significant progress has been made on the continent through the adoption by some countries of specific laws protecting human rights defenders. This is the case of Côte d'Ivoire, Burkina Faso and Mali, whose authorities and civil society we congratulate for their spirit of collaboration and commitment to the protection of human rights defenders. ISHR had the honour of providing technical assistance in all these adoption processes.

It is important to emphasize here, Madam President, that these laws must be in line with the Declaration on Human Rights Defenders and the African Charter, and aim to create an environment conducive to the work of defenders and not to restrict it. In this regard, we remain concerned about the current process in the Democratic Republic of Congo, whose draft law contains numerous provisions aimed at restricting the work of human rights defenders. We call on the Congolese authorities to ensure that the law to be adopted complies with international standards.

We invite the African Commission to closely monitor the implementation process of these protection laws, especially during the review of the periodic reports of these countries and during its promotion and protection visits to these countries.

I Thank you.