



International
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Servicio
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para los Derechos
Humanos

Statement of the International Service for Human Rights at the opening of the 46th ordinary session of the African Commission on Human and Peoples' Rights, Banjul, Gambia

Item 4

Madam Chairperson, honourable Commissioners, distinguished participants, ladies and gentlemen,

The International Service for Human Rights would like to begin by welcoming the new Chair of the ACHPR and the newly elected commissioners and wish them a successful term of interaction with civil society. We would also like to congratulate the leaving commissioners for the work that they have done.

Madam Chairperson, the African Charter on Human and Peoples' Rights and other relevant international and regional human rights instruments have long recognised the role of civil society in the promotion and protection of human rights. In particular, the *UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*, otherwise known as the UN Declaration on human rights defenders, clearly recognises and protects the rights of human rights defenders.

However, while the rights of human rights defenders are well established, we see the continuous undermining of the right to defend human rights in several States parties to the African Charter, either through direct attacks or threats to human rights defenders, or through institutional and legislative measures that severely restrict the environment in which human rights defenders must carry out their work.

UN and regional human rights mechanisms have clearly documented the extent to which freedom of expression and freedom of association of human rights defenders are threatened in many countries on the African continent.

Attacks against journalists, government regulatory bodies restricting the operation of the media, restrictions on the internet undermining the right to access information and retaliation against human rights organisations for submitting information to international bodies or for publishing sensitive information are but some examples of restrictions on freedom of expression of defenders in Africa.

Freedom of association, on the other hand, is increasingly restricted through a number of practices such as burdensome administrative procedures for human rights NGOs to obtain registration, bans on the establishment of human rights organisations, or restrictions on the ability of civil society organisations to receive funding.

We would also like to draw the attention of this gathering to the concerns of the NGOs who participated in the NGO Forum prior to this session of the ACHPR, regarding the serious situation of certain groups of human rights defenders. We would accordingly like to draw the attention of the ACHPR to the particular vulnerabilities and risks faced by women human rights defenders, human rights defenders working on the rights of lesbian, gay, transgender and inter-sex persons; defenders working on economic, social and cultural rights and human rights defenders who are at higher risk of attack during election periods in Africa.

In light of the above, the International Service for Human Rights invites the African Commission to urge member States to protect human rights defenders within their countries and to fulfil their obligations in accordance with the UN Declaration on Human Rights Defenders, and other applicable international and regional human rights instruments.

The International Service for Human Rights would like to end this statement by expressing its deep concern for the lack of cooperation exhibited by certain African States with UN special procedures mandate holders. We would like to remind ACHPR member States that to fail to cooperate with mandate holders, either of the UN or of the African Commission, is to fail to adequately fulfil their human rights obligations.

We therefore call on the African Commission to urge member States to offer their full cooperation with the mandates of the ACHPR Special Rapporteur on human rights defenders, the mandate of the UN Special Rapporteur on human rights defenders, and all other mandate holders in order to ensure that they are able to effectively fulfil their mandates.

I thank you!