

63rd session of the African Commission on Human and Peoples' Rights

October 2018 – Banjul, the Gambia

Point 3 – The human rights situation in Africa

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

The International Service for Human Rights seizes this opportunity of the 63rd 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. Nevertheless, despite the advent of these instruments and some 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 enactment of laws to control funds received by defenders, the adoption of anti-terrorism laws which limit the ability of the media and human rights activists to monitor and report on violence committed in the name of the fight against terrorism. In Burundi, the government recently suspended all international non-governmental organisations, requiring them to sign documents imposing ethnic quotas and unjustified control on their finances. In the Democratic Republic of Congo, six draft bills related to freedom of the press, peaceful protest or non-profit organisations threaten the work of defenders.

We invite Burundi, the DRC 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, it recently declared its members persona non grata, despite the deterioration of the situation. Indeed, the recent referendum to revise the Constitution to allow the President to remain in power until 2034, took place in an unfavourable climate to hold free elections. During the President's campaign, citizens were abducted, murdered and arbitrarily arrested for expressing dissenting opinions.

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 repression against human rights activists and defenders continues to be widespread on the continent. In Egypt, prominent women human rights defenders

continue to be harassed and subjected to arbitrary restrictions related to the politically motivated 'NGO foreign funding case'. Mozn Hassan and Azza Soliman, two defenders working for the promotion and protection of the women's rights, have been under a travel ban since 2016.

ISHR calls on the Egyptian government to end its campaign of repression against all human rights defenders working in the country.

The current situation of civil society in Africa remains worrying, requiring the Commission to fully implement its mandate to deal with the situation and act for the guarantee of human rights. We remain concerned about the impact of recent decisions of the African Union on the independence of the African Commission.

We call on the African Union to guarantee the independence of the Commission for the full guarantee of civil society engagement.

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 salute for their spirit of collaboration and commitment to the protection of human rights defenders. ISHR had the honour to provide 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 enabling environment to the work of defenders and not to restrict their rights. In this regard, we remain concerned about the current process in the Democratic Republic of Congo, whose draft bill 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 the promotion and protection visits to these countries.

I thank you.