

**61st SESSION OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES'
RIGHTS (ACHPR)**

Banjul, The Gambia 1 – 15 November 2017

Observer status number: 53

Delivered: November 2017, the Gambia

**STATEMENT UNDER ITEM 11: Interactive dialogue with the Special Rapporteur
on the situation of Human Rights Defenders in Africa**

Madame Chair, Honourable Commissioners, State parties, fellow human rights defenders.

The International Service for Human Rights would like to take the opportunity of this interactive dialogue to thank the outgoing Special rapporteur Madame Reine Alapini-Gansou for her tremendous work for the protection and promotion of human rights defenders' rights in Africa. We particularly acknowledge her leadership in the adoption of the several resolutions and studies which reinforce the protection of human rights defenders on the continent. Among these, the resolution 273 establishing the focal point to combat reprisals and acts of intimidation against anyone who cooperate with the African Commission and AU organs; the study on the situation of Women Human Rights Defenders in Africa and the resolution ACHPR/Res. 336 calling member states to implement this study, the adoption of the study on Freedom of Association and Assembly in Africa and the elaboration of the guidelines on the issue to help member states to implement the study.

Madame chair we hope that her successor and the Commission will continue building on this important work to ensure that these standards and resolutions are implemented by member states in order to create a safe and enabling environment for human rights defenders' legitimate work.

Madam chairperson, honourable commissioners, next year would mark the 20 years' anniversary of 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* adopted by consensus on 1998 by the UN General Assembly and known as UN declaration on human rights defenders. It's important for the member states to reaffirm their commitment to this declaration by taking concrete steps towards its implementation. We call them to support and cosponsor the draft resolution A/C.3/72/L.50 currently being negotiated at the UN General Assembly. This resolution is an important first step in encouraging the implementation of the Declaration - including by sharing good practices on the development of legislation, policy and practice on protection of human rights. It's also important to reject any amendments to this resolution which aims to undermine the work of human rights defenders.

We congratulate countries who are taking steps towards the implementation of the declaration by adopting laws which give legal protection and recognition to human right defenders such as Côte d'Ivoire, Burkina Faso and Mali to implement these laws and to share this good practice with other states

Finally Madame chair, ISHR is concerned about the draft national law for the promotion and protection of human rights defenders being currently reviewed by the DRC national assembly and the draft law amending the law N 2001 N°004/2001 on non-profit organisations table before the national assembly by the DRC minister of Justice on 9 October 2017 . Both drafts laws contain several provisions which limit and restrict the work of human rights defenders and the operation of non-profit organization. We urge the commission to call on the authorities of DRC to ensure that both draft laws are in line with UN declaration on human rights defenders and other relevant regional instruments before they adopted by the parliament.

I thank you