

65th session of the African Commission on Human and Peoples' Rights
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ITEM 8 – Activity reports of the members of the Commission and Special Mechanisms
Speaker: Stephanie WAMBA, International Service for Human Rights (53)

Mister President, Honourable Commissioners, Member States, distinguished delegates,

In recent years there has been increased concern at the threats, intimidation and reprisals experienced by human rights activists and defenders, engaging at the regional and international level. It would be extremely detrimental to the effective functioning of regional and international human rights systems if, as a result of the risks faced, human rights defenders avoided interacting with them. Defenders bring crucial information and perspectives regarding human rights situations on the ground and international and regional mechanisms depend on that knowledge and input to make informed decisions.

However, there are unfortunately cases where State institutions are simply unable, wilfully neglectful, or deliberately obstructive when it comes to ensuring that defenders can cooperate safely with international and regional human rights bodies and mechanisms. In those situations, defenders who dare to speak out face heightened risks.

We therefore welcome the new policy and information note on reprisals in Africa, launched this week by the Special Rapporteur on Human Rights Defenders and Focal Point on Reprisals in Africa. We hope that the publication of this document will be a watershed moment in the Commission's efforts to prevent and address intimidation and reprisals related to engagement with the African Human Rights system.

Mr. President, as you are no doubt aware, international law provides for a right to unhindered access to and communication with international and regional bodies. Enjoyment of this right implies that those accessing or attempting to access or communicate with these bodies should not face any form of intimidation or reprisal for doing so. It also implies that Member States working within multilateral institutions are legally obligated to ensure the full and effective participation of civil society.

In that regard, we call on States refrain from intimidation and reprisals against those who cooperate or seek to cooperate with international or regional human rights bodies and mechanisms. We also call on States to cooperate fully, substantively and promptly with the Focal Point on reprisals, including by providing good faith undertakings to prevent and investigate cases and to report back as to investigative, protective, prosecutorial and remedial steps taken.

We have taken note of the call for contributions for a first report on reprisals and encourage all stakeholders to engage in that process.

I thank you.