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ORGANIZATION OF AFRICAN UNITY

*STATEMENT BY H.E. DR. SALIM AHMED SALIM,
OAU SECRETARY-GENERAL, ON THE OCCASION
OF THE 10TH ANNIVERSARY OF THE
ENTRY INTO FORCE OF THE AFRICAN CHARTER
AND THE OPENING OF THE 20TH ORDINARY
SESSION OF THE AFRICAN COMMISSION ON
HUMAN AND PEOPLES' RIGHTS*

*GRAND BAIE, Mauritius
21 October, 1996*

**Your Excellency Dr. Navin Ramgoolam,
Prime Minister of the Republic of
Mauritius,
Your Excellency Mr. Paul Bérenger,
Deputy Prime Minister and Minister of
Foreign Affairs, International and
Regional Co-operation,
Professor Isaac Nguema, Chairman of
the African Commission on Human and
Peoples' Rights,
Mr. Ayala Lasso, UN High Commissioner
for Human Rights,
Mr. Adama Dieng, Secretary-General of
the International Commission of Jurists,
Distinguished Members of the African
Commission
Honourable Ministers,
Excellencies,
Ladies & Gentlemen,**

I have the honour and privilege to address this important occasion marking the 10th Anniversary of the entry into force of the African Charter on Human and Peoples' Rights. I am indeed pleased that some of the men and women who drafted, or were in one way or another associated with the process of drafting, the African Charter on Human and Peoples' Rights are amidst us here today. I wish to pay special tribute to all of them and to welcome them on this occasion.

Allow me also to express my profound gratitude and thanks to the Government of Mauritius which has so kindly agreed to host this session of the African Commission on Human and Peoples' Rights and which has spared no effort to make our stay in this beautiful country pleasant and conducive to the attainment of the objectives of our meeting. This is, clearly, a demonstration of the commitment of the Government and people of Mauritius to the cause of the promotion and respect for human rights in our countries.

The holding of this Commemorative Session here is particularly fitting. Mauritius has consistently been one of those countries in Africa which has shown inspiring examples in practising the principles of Democracy and good governance. Here, in these islands constitutional order has prevailed. Here the people chose how they are governed, by whom and for what period. Here it is the Ballot and not the bullet which decides who should lead the country. The celebrations marking the 10th Anniversary of the African Charter on Human and Peoples Rights here are also a tribute to the Democratic path pursued by Mauritius. We therefore salute you Mr Prime Minister and through you we pay tribute to the fraternal people of Mauritius who through their political maturity have seen to it that democracy and good governance has triumphed and is being consolidated.

As Secretary General of the OAU let me also express my profound satisfaction at Mauritius commitment in word and deed to the principles and objectives of our Continental Organization.

Your country, Mr Prime Minister is always up to date in fulfilling its financial obligations. But above all it has played and continues to play an important role in the continent's efforts at promoting peace, stability, security and socio-economic development.

Allow me, therefore, through you, Mr Prime Minister, to congratulate the leadership and People of your beautiful country for having made it possible in such a short span of time, for Mauritius to be oft-cited as a shining example of economic success through the right mix of macro-economic policies and the direct involvement of the country's population in the fortunes of the island. You have every reason to be proud of your country's achievements.

I wish you and all components of the Mauritian society well in this endeavour and feel very proud that Mauritius, an African country is a positive reference in the International Community as a success story for it gives the lie to those who persist in painting a negative image of our Continent.

I wish to congratulate and thank the African Commission on Human and peoples' Rights which organised the events marking the 10th Anniversary of the coming into force of the Banjul Charter and for inviting all our partners from Africa and other Continents to join us on this historic occasion. I wish in particular to pay tribute to the President, members of the Commission as well as the Secretary for the diligent work and dedication to the cause of human rights in our continent.

Excellencies, Ladies and Gentlemen,

When the Organization of African Unity was founded in 1963, the Heads of State and Government explicitly underscored the importance they attached to the principles of liberty, equality, justice and dignity, principles that were to be the cornerstone of their great and noble enterprise towards peace, development and social progress. These principles constituted the source of inspiration for the elaboration of the African Charter on Human and Peoples' rights. Since the Charter entered into force, considerable progress has been made in our Continent towards promoting and protecting human rights. Indeed, the issue of human rights has increasingly become an important factor in the political life of our countries as democratization processes gain momentum in Africa. It is encouraging that our countries have gradually recognized that the process of democratization goes hand in hand with the observance of human rights. Indeed, in many of our countries, national institutions dealing with promotion and protection of human rights have been established and are gaining experience and credibility.

As we celebrate the 10 Anniversary of the coming into force of the African Charter, we must seize the opportunity to take stock of the past, learn from our mistakes and prepare for a better future, along the path of protecting and promoting human and peoples' rights and in building democracy in our Continent.

Indeed, Africa has more reasons than any other Continent to promote, protect and safeguard human rights. Africa gravely suffered and was traumatized by

all kinds of indignities and human rights abuses, especially during the colonial period when apartheid and racism were at the centre of international politics. Now that we are in control of our political destiny we must be, and be seen to be, in the forefront in the defence of the principles of liberty, equality, justice and human dignity.

We need to build a partnership that brings together governments, individuals and Non-governmental organizations to observe, promote and protect the human rights in our countries. In this endeavour, we should recognize the importance of addressing the challenges of peace, stability and economic development in our Continent. Indeed, it is futile to expect human rights to be scrupulously observed in conditions of abject poverty, illiteracy and civil war. We must therefore recommit ourselves to meet these challenges with renewed determination and vigour as we strive to promote and protect human rights in Africa.

We take pride in the fact that the protection and promotion of human rights is increasingly being given more recognition in our countries. Almost all our governments now agree that there is an inescapable correlation between socio-economic development and scrupulous observance of human rights. Indeed, there cannot be sustainable development in the absence of democracy, peace and justice. Equally, there cannot be sustainable peace in the midst of want and debilitating poverty.

Thus, whilst we try to implement all inclusive socio-economic policies based on the principles of popular participation in the processes of development,

we must at the same time endeavour to build a culture of respect for the fundamental rights of our people. We must realize and continue to promote and support the idea that a political environment which guarantees human rights and the observance of the rule of law, would assure high standards of probity and accountability, particularly on the part of those who hold public office.

We must endeavour to build a culture of tolerance and of respect for the rights of others, so as to ensure the involvement of all our peoples including, in particular, women and youth as well as grassroots organizations and civil societies in developmental efforts. We must strive to establish creative joint ventures between NGOs, the private sector and governments so that working together, we can ensure the creation of popular-based political processes. Governments must see NGOs as natural allies in the search for a solution to the many problems confronting our Continent. We must therefore learn to work together on the basis of a stronger partnership in the greater public interest.

**Mr Chairman,
Ladies and Gentlemen,**

As we celebrate the 10th Anniversary of the entry into force of the African Charter on Human and peoples' Rights, it is important to reflect on the future role of the African Commission on Human and Peoples' Rights and how it can be strengthened in order to discharge its mandate more effectively. One way of strengthening the Commission is to empower it to network more effectively with inter-governmental and

non-governmental organizations involved in the promotion and protection of human rights. The Commission must be given the capacity to take advantage of the benefits of the Information Highway. Clearly, its capacity to promote human rights will depend to a large extent on the amount of resources available to enable it undertake promotional activities in the different regions of the continent. The Commission should also have the wherewithal to print and distribute promotional materials to universities, schools and research institutions. This is one area where inter-Governmental Organisations have helped and must continue to assist. This morning I had very useful and constructive discussions with High Commissioner Ayala Lasso on how the UN High Commissioner for Human Rights can cooperate and work more closely with the African Commission. I have always stressed the need to empower the Commission with the necessary resources and I will continue to take up the Commission's case for more resources with the Policy Organs of the OAU. In this regard, I shall be guided by the recommendations made by the Cape Town experts meeting on the ways and means to strengthen the Commission as well as the establishment of an African Court of Human and Peoples' Rights.

Another way that can be helpful in the process of strengthening the Commission relates to the need to establish links between the Commission and grassroots organizations as well as civil societies in our countries. A close collaboration between grassroots organizations and civil societies on one hand, and the Commission on the other, provides an excellent framework for monitoring the violation of human rights and thereby defending and promoting the objectives of the African Charter on Human and People's Rights. Further, it is

important for the Commission to put in place measures to sensitize the general public on the principles and objectives enshrined in the African Charter on Human and Peoples' Rights. This is essential in our endeavour to build peace, democracy and promote development in our countries. Clearly, the promotion and protection of human rights go hand in hand with the respect of democratic principles including in particular the respect for constitutional order.

The prevalence of conflicts in our Continent has destabilised societies and undermined efforts towards promoting democracy. Conflicts have also endangered our capacity to promote human rights. The success in realizing the objectives of the African Charter on Human and Peoples' Rights will also depend on Africa's capacity to address the issues of conflicts in the Continent.

Mr. Chairman,

In conclusion, I would like to underscore that, on the eve of the new millennium it is imperative that we work together to face the challenges that confront the Continent. We must inculcate in our peoples a culture of tolerance and respect for human rights. We must fight all the ills that make observance of human rights difficult, including bad governance, corruption, lack of transparency and accountability in the management of public affairs.

Similarly, we must fight poverty, illiteracy and all manifestations of intolerance. We must build popular-based political processes that ensure the participation of our peoples in all aspects of governance and development. We must energetically strive to

overcome the scourge of conflicts which has resulted in unbelievable pain and suffering, death and destruction in some of our countries.

The right to life is undoubtedly the most important of all human rights. Yet we have seen to our horror how this right is violated with impunity in the many conflict situations that afflict our continent. As we mark this anniversary and prepare ourselves to enter the third Millennium we must give maximum priority to ensuring that the sanctity of life is respected in all our countries and in all our societies. Similarly we must endeavour to make our continent a place where Human Rights Violations are not only condemned but effectively opposed and eliminated. Above all we must rid our continent of the image that Human Rights Violations are endemic. Only in so doing shall we as Africans be true and faithful to the struggle for freedom in our continent - a struggle which has resulted in untold sacrifices and produced hundreds of thousands of Martyrs and unsung Heroes.

I thank you.