

# AFRICAN DEFENDERS | African Human Rights Defenders at a Cross Road!

by Gentrix Barasa



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## **African Human Rights Defenders at a Cross Road!**

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### **Bishoftu Declaration**

#### **African Human Rights Defenders at a Cross Road!**

**We**, Human Rights Defenders from 36 African countries gathered at the margins of the 36<sup>th</sup> Ordinary Session of the African Union Assembly (Heads of States and Governments Session) held from 15 to 17 February 2023 in Bishoftu, Ethiopia; reflecting on 25 years anniversary of the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms (UN Declaration on Human Rights Defenders (HRDs) and 15 Years Anniversary of AfricanDefenders, call for accountability, end of impunity and effective protection from violations and killings.

**Recalling** the African Charter on Human and Peoples' Rights, the UN Declaration on HRDs of 1998, the Grand Bay (Mauritius) Declaration and Plan of Action, 1999 adopted by the OAU Ministerial Conference on

Human Rights, the Kigali Declaration, 2003 adopted by the African Union (AU) Ministerial Conference on Human Rights in Africa, the Resolutions of the African Commission on Human and Peoples' Rights and the African Charter on Democracy Elections and Good Governance (ACDEG);

**Reaffirming** that pro-democracy activists, HRDs, and social movements are at the frontline of contestations of power, calling in a non-violent manner for social justice, rule of law, democratic reform and accountable governance;

**Noting** the significant success that the African Union has made over the years in codifying and adopting standards for protection of human rights, and entrenching good governance and the rule of law in Africa, that complement the UN Declaration of Human Rights (UDHR) and the UN Declaration on Human Rights Defenders;

**Mindful** of the incongruity and inconsistencies between international and regional standards, and the realities on the ground, in which the lives and wellbeing of HRDs are endangered, and where African States are struggling to achieve their targets in Agenda 2030 (Sustainable Development Goals (SDGs)) and Agenda 2063 (the Africa We Want);

**Considering** the weakening of multilateralism and the erosion of a world order based on an international rule of law framework, as well as clashes between democratic and authoritarian forces across the world, armed authoritarians and resourced detractors that are expanding their control of the state apparatus and using their coercive influence to endanger HRDs has reached levels that are unprecedented since the adoption of the Universal Declaration of Human Rights in 1948 and the UN Declaration on HRDs in 1998, placing global peace and security in jeopardy;

**Concerned by** the systemic and multiform restrictions on civic space, the weaponisation of legal, administrative and security systems with the intention of persecuting and silencing HRDs including the manipulation of global systems and instruments meant to guarantee peace and security such as the Financial Action Task Force (FATF) recommendations to criminalise the activities of HRDs, under the guise of countering financing of terrorism and combating money laundering;

**Considering** the democratic backlash and unconstitutional changes that have become significant threat multipliers to HRDs and pro-democracy activists in an environment of weakening and underfunded state institutions as well as the realities of the lethal threats to HRDs: aided in some instances by unscrupulous business and economic interests, and foreign nations with extractive machinations regarding Africa's natural resources;

**Deeply Concern** with the increase in serious targeted attacks on HRDs including selective use of laws, abductions, enforced disappearances, sexual violence and extra-judicial killings with total impunity across Africa, the latest being killings of HRDs in Democratic Republic of Congo, Eswatini, Cameroon, Mauritania Rwanda and South Africa; as well as the escalating situations in Algeria, Egypt, and Tunisia where there are significant reversals in the democratic gains made, and in the protection of, and enjoyment of rights by citizens, HRDs and civil society;

**NOW HEREBY CALL ON:**

**The Heads of States and Government and the African Union (AU) organs and institutions to;**

Take responsibility to conduct or allow thorough independent and transparent investigations into the recent killings of human rights defenders across Africa;

Encourage the authorities in Eswatini to allow for an independent international investigation into the extra judicial killing of Thulani Maseko;

Encourage the King of Eswatini to show leadership by initiating an independent internationally mediated dialogue with all key stakeholders on the system of governance in Eswatini;

Take steps and immediate measures to increase the protection and security of HRDs, including by adopting legislation for the domestication and implementation of the UN Declaration on HRDs;

Take steps and immediate measures to withdraw overly restrictive and repressive policies and practices that hamper an enabling environment for civil society to operate, participate and fulfil their mandates;

Ratify the African Charter on Democracy Elections and Good Governance and implement domestic legislation to protect fundamental rights such as freedom of movement, association and expression which are imperatives for democratic participation and inclusion;

**The African Commission on Human and Peoples' Rights (ACHPR) to:**

Systematically collaborate in its protective mandate with the African Court on Human and Peoples' Rights to ensure that protection of rights and freedoms enshrined in the African Charter on Human and Peoples' Rights by bringing cases before the African Court to challenge attacks, violations and reprisals against human rights and pro-democracy activists, Human Rights Defenders (HRDs), and social movements.

Adopt a resolution to dispatch a team of Commissioners to carry out a mission to Cameroon, the Democratic Republic of Congo, Eswatini, Mauritania and Rwanda to investigate the circumstances leading to the killing of human rights defenders recently and make appropriate findings and recommendations;

Develop a sustained monitoring framework for indexing violations and reprisals against HRDs and civil society actors on the continent, in order to better address emerging trends and early warning signifiers, and craft targeted responses, in collaboration with HRDs and civil society;

**The Regional Economic Communities to:**

Develop and adopt policies and strategies towards the protection of human rights in their region;

Initiate the process of helping Eswatini to start an inclusive political dialogue involving all key stake holders to look into the question of the governance system in Eswatini, as called upon by H.E President Cyril Ramaphosa and President Hage Geingob

Create a mechanism within the SADC, EAC, and ECOWAS to allow for effective interface between the Regional Economic Communities and their people.

**The National Human rights Institutions to:**

Establish a protection desk within national human rights institutions and include human rights defenders' networks in tracking, investigating, monitoring, documenting and publishing trends and patterns of violations against HRDs;

Consult and engage HRDs Networks in devising and implementing responses to violations and reprisals, including norm-setting and strategic litigation;

**The African Human Rights Defenders to:**

Strategically develop and enhance collaboration with NHRIs, including entering into MOUs which set out

aspects of such collaboration including joint fundraising;

Develop collaborative networks and innovative platforms for pushing advocacy on the protection of HRDs

Provide solidarity, allyship and assistance to HRDs in need and in recognition of their full diversity of work and rights.

**Adopted on 17 February 2023, at Bishoftu, Ethiopia.**

