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Organization of African Unity

**STATEMENT BY H.E. SALIM AHMED SALIM, OAU SECRETARY GENERAL  
ON THE OCCASION OF THE OPENING OF THE 14TH SESSION OF  
THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS**

Addis Ababa, Ethiopia

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**Mr. Chairman,  
Distinguished Members of the Commission,  
Excellencies,  
Honourable Guests,  
Ladies and Gentlemen,**

I would like to welcome you all to this 14th Session of the African Commission on Human and Peoples' Rights. I wish in particular to extend a warm welcome to those participants taking part for the first time in the deliberations of the Commission. I must also extend a warm hand of congratulations to the Commissioners elected during the last Summit of the OAU Assembly of Heads of State and Government. I urge all the Commissioners to discharge their duties impartially and faithfully as they are enjoined to do by the solemn declaration they have made upon assuming their functions as Commissioners.

I would also like to extend a special welcome in our midst to Mme Vera Valentine MARTINS from Cape Verde, the first woman to be elected member of the Commission.

**Mr. Chairman,**

The 14th Ordinary Session of the African Commission on Human and Peoples' Rights opens today, in the wake of the 7th Anniversary of the entry into force of the African Charter on Human and Peoples' Rights on 21 October 1986 and only a few days to the 45th Anniversary of the Universal Declaration of Human Rights adopted by the General Assembly of the United Nations on 10 December 1948.

This Session is also convening at a very critical juncture in the history of our Continent. The changed world political circumstances have had serious impact on our countries - internally on how we relate to each other and externally, how our countries relate to others. This has of course brought tremendous challenges to our countries especially as they attempt to adjust the systems of Government to respond to new needs of society. And perhaps nowhere has this adjustment become more necessary than in the field of human and peoples' rights. We are now experiencing a new phenomenon of heightening demands by the people for Governments to take action in this field. We see increasing agitation and criticism being levelled against Governments for failing or being slow in taking action aimed at protecting human and peoples' rights. Individual rights and fundamental freedoms, Rights of Minorities and of Society are emerging on the engaging agenda of Governments.

This places on this Commission, a particularly heavy responsibility of looking at the state of human rights in the Continent and engaging Governments in righting what is wrong and taking action where needed. Even more daunting is the complex nature of the mandate of this Commission involving Advocacy, Sensitization, Study, Research and Supervision. This is a very challenging time for the Governments of Africa as it is to this Commission. This is why I welcome the holding of this Session here in Addis Ababa as well as the opportunity to exchange views with you on the challenges before this Commission and how we can go about meeting them.

**Mr. Chairman,**

In your role as the Human Rights Ombudsman in Africa, you should be prepared to challenge governments to the imperative of protecting and promoting Human Rights in the Continent. To do so, is not to seek to confront Governments but to engage them in dialogue and constantly reminding them that they have an inescapable responsibility to protect and promote these rights. It is a responsibility arising from their adherence to the Universal Declaration of Human Rights, The African Charter on Human and Peoples' Rights and an imperative which is inherent in good government.

Governments must be sensitized to the fact that protecting these rights is not a favour which they do to the people nor is it an option which they can chose to exercise at will. On the contrary, good Governance must be built on the firm principles of equality and justice; equity and equality before the law, equality of opportunity. Good governance must be able to respond to the yearning of the human individual for liberty and freedom which can best be guaranteed in open responsive, and accountable government.

This role of advocacy can of course be performed, in an environment enabling dialogue to take place. This is why it is important for this commission, in tandem with its advocacy role, to seek to remind and sensitize governments, which may at times be fully disposed to cooperate, but lack knowledge in the field of human rights. Governments need to be sensitized not only on the sacrosanctity of these rights but also on how their promotion and protection constitutes the basis for long



term peace, stability and development of their countries. Governments must be sensitized to the fact that only people who are free and are not constrained by artificial political circumstances, people whose fundamental rights and freedoms are not circumscribed or whose participation in the process of governance is not curtailed, can be able to contribute the most to development. Freedom and justice engender in people a sense of purpose, liberates their creative genius and industry which can effectively be directed to development. It is therefore a matter of self-interest for Governments to get fully involved in promoting and protecting human rights. Once, this message sinks, it is my view that the disposition of Governments will further be enhanced.

But whatever you do, it must be seen by Governments to be an honest attempt to assist and not to create obstacles or to promote dissent. Partnership with Governments is crucial if the work of this Commission is to forge ahead.

**Mr. Chairman,**

As part of that sensitization process, I think more should be done not only in terms of convincing our countries to integrate the African Charter into National Legislation, but also in popularizing human rights studies in schools, and colleges. The Commission should, in concert with governments and in particular with the Ministries of Education as well as with institutions of learning, begin to work out programmes of teaching and dissemination of human rights issues. You could help in curriculum development as well as in design of strategies to popularize the Charter on Human and Peoples'

Rights. In addition, you should be able to work with Governments and parliaments in arguing a case for rapid integration of the African Charter principles in national legislation; and into social policy as a whole.

Of course, this is a big and demanding responsibility for a Commission, of this size and without much resources to draw from.

Naturally, the needs of the Commission, in terms of resources and personnel require to be examined critically with a view to augmenting them to the requisite magnitude. The Assembly of Heads of State and Government did in their last two Summit Meetings address this critical anomaly and saw the need to redress it urgently. At the level of the General Secretariat, we are keenly aware of the problem and we are looking into ways to resolve it. But even with all the good intentions and goodwill, it is unlikely that we can be able to meet all the needs of the Commission with a full complement of staff and resources as soon as we may wish. It will have to be a gradual process building upon what is achievable in the immediate.

This aside however, I know that there exists indigenous resources which are available immediately and which can be put to effective use. I refer here to the various indigenous non-governmental organizations which operate in the field of human rights. When I addressed the workshop on NGO participation in the African Commission on Human and Peoples' Rights, here two days ago, I spoke of the need of creative partnership with Governments in their activities. I wish to reiterate that

this Commission is well placed to help in the creation of that partnership. NGOs being on the ground, understand better the conditions of their countries and the state of human rights there. These are the local reference points for the Commission which should be put to maximum use.

Of course I realize that at times these NGOs are not in the best of terms with Governments. While everything must be done to establish working relationships between governments and NGOs, I think this Commission can play the critical role of an intermediary within countries.

This will enable it to promote good relations between governments and NGOs in what should be their common objective of creating mechanisms for promoting and protecting human and peoples rights.

I also think it is possible, with the cooperation of the civil society, to assist in the establishment of such NGOs where they do not exist.

At the level of the Continent, the Commission could assume the role of coordinating a network of NGOs and relevant government departments in each country, so as to work towards formulating continent-wide programmes; and elaborating an indigenous human rights agenda more relevant to the objective conditions of Africa and attune to our needs.



**Mr. Chairman,**

The Commission does have in addition, an external function which is built around the twin-objectives of awareness building and of resource mobilization. I ascribe this function to the Commission in addition to the role of Governments because I believe that, its independent character places it in a position to command a hearing outside this Continent. More often than not the general public, especially the more enlightened societies tend to regard with skepticism and circumscription, the views expressed by Governments. An impartial voice being directed at building awareness abroad - telling the world what the Continent is doing in the field of human rights, the achievements we have made, and the problems which we face. More often than not, the efforts being expended in the continent and the progress we have made are not appreciated not because they are minimal but because they are not known. What we need to tell the world is that there is movement in the Continent towards greater democratization, economic integration, conflict resolution and tackling the many other ills which stand in the way of the development of our countries and in the process undermine the cause of human rights.

**Mr. Chairman,**

We see in Africa today, a fantastic movement of change. Governments are responding to the agitations of people for greater say in the process of Government with granting more and more political dispensations. The demands for transparency and accountability in Government are being



addressed and conversion to popular participation has become a necessary ingredient of good governance. Most countries have responded to the demand for multipartism and elections are being held in most countries. The OAU is happy for the confidence repositied in it by being invited to observe these elections. All this the countries have done in the firm conviction that governments systems which are leveraged on the balance of rights and responsibilities of people are the ones which ultimately endure. What we see in the continent is a political revolution in progress. It is a democracy revolution which our leaders, at their 1990 Summit Meeting here in Addis Ababa in their Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes taking place in the World, resolved to sustain. Democracy is about rights of people. A revolution of democracy is a revolution of human and peoples' rights which we all welcome.

There is equally an economic revolution taking place. Our countries, have risen the challenge of economic reform and restructuring seriously in the firm belief that in order to halt further economic decline, improve productivity and restore growth to their economies or maintain fiscal integrity, serious measures must be taken. Creative policies have begun to bear fruit as productivity has returned and economic growth is being registered in many countries. Structural Adjustment Programmes are being implemented at great social cost and political risk. All this risk is being taken because our countries realize that there is no other way of laying foundations for stable economic systems which will provide for the needs of our people. They need access to health care, schools, safe drinking water, decent housing,

electricity and work. We cannot provide these unless our economies, can produce. In a real sense therefore, our countries struggle for economic reform and development, is a struggle for human rights. For you cannot tell the people that you have the right to health care but there are no hospitals and no drugs, you have the right to education but there are no schools or teachers or that you have the right to work but there are no jobs.

While our countries strive to restore their economies on sound footing, there is also realization that in the long run, the survival of the Continent lies in integration. To this end, our countries have converged in the Abuja Treaty establishing the African Economic Community. The Treaty has been signed by all States except the new State of Eritrea and we await one more ratification for the Treaty to enter into force. It is the people of Africa who stand to benefit by their community.

**Mr. Chairman,**

Apart from the process of further democratization, of economic development and integration, Africa is making herculean efforts aimed at preventing, managing and resolving conflicts in the Continent.

Inherent in this Continental effort is the realization that unless we resolve our conflicts, unless we preserve peace we cannot talk of democracy or economic development. How can we talk of human and Peoples' Rights in conflict situations such as in Somalia, Liberia or Angola? How can we speak of

human rights in circumstances where millions of our people are forced into a drifting life as refugees or displaced persons?

This renewed commitment of Africa to take the issue of conflicts seriously has culminated into the establishment within the OAU of a Mechanism for the prevention, management and resolution of conflicts. The overriding objective is to empower the OAU and through it Africa to respond decisively to situations of conflicts. If we manage to help countries put an end to their conflicts, we will have opened opportunities for the enjoyment of human rights.

**Mr. Chairman,**

All these are developments which underlay a fundamental redefinition of the way Africa views itself and how it conducts its own affairs. They are developments which constitute a revolution - which revolution is unfortunately overshadowed by the increasing incidence of conflicts. This notwithstanding, we should let the world know and understand that the struggle for development, for further democratization or for ending conflicts, is a struggle for human and Peoples' Rights. We have made progress which must be appreciated. I therefore see that external function of this Commission as being that of explaining the efforts and achievements of Africa, as well as their link to the overall imperative of promoting and protecting human rights. Humanity being indivisible, the world should assist Africa in its current efforts.



Of course, another external function, which you could perform either as a commission or in association with the OAU or with Governments is that of resource mobilization. The Commission needs an additionality of resources, especially when it expands its activities. Needless to say, the task of resource mobilization, will be greatly facilitated by the awareness building and dissemination of information on the efforts of the Continent.

**Mr. Chairman,**

It has been my firm belief that Africa which was subjected to horrendous abuses of human rights, Africa which has suffered thousands of years of all forms of human indignities and atrocities, ranging from slavery, colonialism and racism, must take the challenge of safeguarding and promoting human rights. It is all the more reason that we in Africa should be in the forefront in the struggle for the scrupulous observance of human rights. We should, above all, strive to ensure that no violations of these rights are tolerated in our Continent. This Commission can play the pivotal role of being the watchdog, and constantly reminding Governments of their responsibilities in this area.

In order to achieve this objective as well as to enable our continent to contribute with the rest of the world in consolidating the respect and protection of human rights, we need to strengthen our institutions at the national and continental levels. We also need to strengthen the culture of tolerance within and among our societies. At the same time, in concert with the other members of the human family,

Africans must continue the struggle for a world order which is sensitive to and takes into account the legitimate aspirations of our people for economic and social development which cannot be divorced from the human rights agenda.

**Mr. Chairman,**

I know you have a crowded agenda and therefore will not take more of your time. I wish therefore and in conclusion to assure you that we, in the General Secretariat are fully disposed to cooperate with you in the discharge of your responsibilities.

I thank you.