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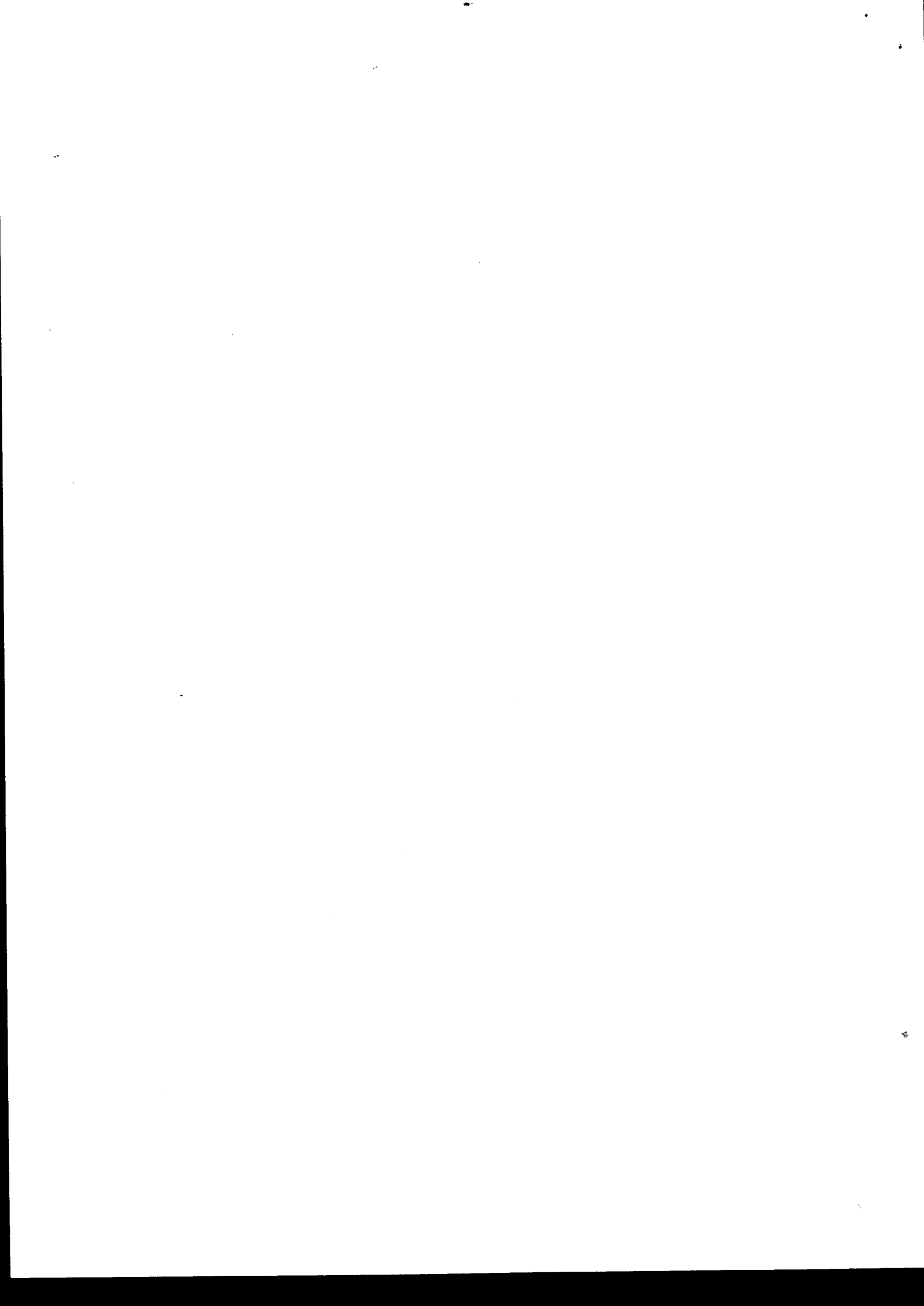
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STATEMENT DELIVERED BY
H.E. MRS. JULIA DOLLY JOINER
COMMISSIONER FOR POLITICAL AFFAIRS
AFRICAN UNION COMMISSION
AT THE HIGH LEVEL SEGMENT
OF THE
7TH SESSION OF THE HUMAN RIGHTS COUNCIL

Geneva, Switzerland: 3 March 2008



Mr. President

Your Excellency, the Secretary-General of the United Nations

Excellencies, Heads of Delegation

Madam High Commissioner for Human Rights

Distinguished Delegates

Civil Society Representatives

Ladies and Gentlemen

Let me at the outset, state how deeply honoured and privileged I am, to deliver a statement at this High Level Segment of the 7th Session of the Human Rights Council. I would like also to express, on behalf of the Commission of the African Union and on my own behalf, profound appreciation to the United Nations High Commission for Human Rights for associating us with this event.

Permit me, before going further to pay fitting tributes to the Secretary-General of the United Nations, H.E. Ban-Ki MOON for his unreserved commitment to ensure that peace, security and development prevail around the globe, and to his predecessor, H.E. Kofi ANNAN for his foresight in initiating reforms in the United Nations leading to the establishment of this Council, that has been mandated by the international community to ensure the establishment of internationally accepted norms and standards on human rights.

It is also appropriate to recall the praiseworthy efforts of Their Excellencies Ambassadors Jan ELIASSON of Sweden, Ricardo Alberto ARIAS of Panama and Dumisani S. KUMALO of South Africa, in the establishment of the Council; commend the first President of the Council, H.E. Ambassador Luis Alfonso DE ALBA of Mexico for his pioneering leadership; and also express deep appreciation to all Members of the African Group in Geneva for their invaluable individual and collective contributions to the work of the Council.

Mr. President

The African Union (AU) is aware of the universal and holistic nature of all human rights and is fully committed to ensure their effective protection and continuous promotion. The centrality of human rights in all aspects of the AU's activities is of cardinal importance. The mandates of its relevant organs are clear and decisive in this regard.

The Constitutive Act of the Union affirmed with no ambiguity, the commitment to protect and promote human rights perceived in their universal, impartial and indivisible dimensions. Governed by fundamental principles such as respect for democratic principles, human rights, the rule of law and good governance, the promotion of social justice to ensure balanced economic development, the promotion of gender equality, respect for the sanctity of human life, as well as condemnation and rejection of impunity, the African Union is also guided by a range of human rights instruments, chief among which is the African Charter on Human and Peoples' Rights.

These instruments and their respective mechanisms namely the African Commission on Human and Peoples' Rights, the Committee on the Rights and Welfare of the Child as well as the newly established African Court on Human and Peoples' Rights are all intended to contribute to the building of a culture of human rights on the Continent.

All these efforts demonstrate the AU's unalloyed commitment to the observance and implementation of its human rights obligations through a reinforced synergy between the relevant organs of the Union. This commitment has been amplified and elevated further at the recently concluded 10th Ordinary Session of the Assembly of the African Union held in Addis Ababa, from 31st January to 2nd February 2008 at which African Heads of State and Government took many far-reaching decisions including several with human rights dimensions.

Mr. President

One of the most relevant accomplishments of the international Human Rights System is the establishment of the Human Rights Council. In this context, it will not be excessive to note the laudable efforts that have been deployed in this direction but allow me to draw particular attention to the Universal Periodic Review Mechanism (UPR), perceived as a new mechanism of the Council that aims to assess and monitor compliance with human rights international standards and which is expected to commence in April 2008.

Permit me to draw parallels here with two similar and much older African mechanisms namely the African Commission on Human and Peoples' Rights (ACHPR) and the African Peer Review Mechanism (APRM), whose mandates are to ensure that the policies and practices of States Parties and participating States conform to the agreed political, economic and corporate governance values, codes and standards contained in the African Charter on Peoples' and Human Rights and the Declaration on Democracy, Political, Economic and Corporate Governance.

The African Union welcomes the establishment of the UPR and it is for this reason that it is working closely with the African Group in Geneva to bring about increased understanding and awareness of this new initiative among its Member States. It is in this vein that the African Union Commission organized in December 2007, a Workshop on the UPR for the African Group in Geneva, which among other things, reflected on the fundamental components of the UPR and its different stages, as well as the African experience and lessons that can contribute to the success of the UPR.

The AU firmly believes that support and incentives must be given to States to enable them effectively implement their national reporting and other obligations under the UPR. While commending the efforts by the Council to clarify and determine components of the mechanism, it is our view also that the UPR modalities would have

to be implemented in transparency, confidentiality and effective participation. It is therefore gratifying to note that the Council recently conducted the selection of the UPR Troika members in an open and smooth manner. In this regard, I must congratulate you Mr. President, for the wide ranging consultations particularly with the African Group that led to this positive outcome.

We are aware that the Council had also established a Voluntary Trust Fund and a Voluntary Fund for Financial and Technical Assistance for the UPR. We call upon the Council to make these funds operational as soon as possible. Needless to say, it is essential that the scrutiny of States must go hand in hand with support measures that would enhance national capacity for the mainstreaming of human rights.

Human rights, we have affirmed earlier, **Mr. President**, are central to the agenda of the AU, which strongly believes in their universality and indivisibility. As the Council conducts the review, rationalization and improvement of all mandates, it is necessary to underscore the need for the establishment of thematic mandates, based on a balance between civil and political rights on the one hand and economic, social and cultural rights on the other. In this respect, the expediency of a re-examination of the regional balance in the appointment of mandate holders to ensure equitable representation cannot be over-emphasized.

Likewise, regarding country mandates, it is the AU's belief that all such mandates have to be reconsidered objectively and reviewed free of political undertones.

The AU also believes that the Council must give due consideration to the Right to Development as a key human rights issue which, we would recall, had been emphasized in the debates establishing the Council. In this regard, the AU fully supports the activities of the Working Group on the Right to Development and the High Level Task Force on the Implementation of the Right to Development, which are at the heart of the Millennium Development Goals.

The UN Secretary-General in his latest address to African Leaders during the 10th AU Summit in Addis Ababa, made it clear that African States may not be able to meet the targets set for the MDGs by 2015. Mr. Ban-Ki MOON rightly noted and I quote:

“Development is an innate human right. We must work, together, to fulfill this right in Africa. We must re-energize the world’s commitment to the Millennium Development Goals. We must give special attention to the problems of the poorest of the poor”.

I therefore appeal to the international community in general and the Human Rights Council in particular to pay special attention to the call of the UN Secretary-General for an emergency action to come to the aid of what he called the “bottom billion” who live on less than one dollar a day and most of whom are in Africa.

Mr. President, the fight against racism, racial discrimination, xenophobia and related intolerance remains one of the major concerns of the African Union. For this reason, the work of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and the Working Group on People of African Descent is indispensable. The AU therefore supports the convening of the Durban Review Conference in 2009.

In the bid to find harmony in the work of the Council and the effective discharge of the responsibilities of the Office of the High Commissioner for Human Rights, a comprehensive definition of the relationship between the Office of the High Commissioner and the Council should be worked out at this early stage. The AU supports the initiatives of the African Group in this regard, and calls upon the Council to identify, adopt and implement relevant instruments and mechanisms to follow up and monitor compliance with its pertinent resolutions and decisions in the various fields of its mandate.

Regarding the situation in the occupied territories of Palestine and against the backdrop of the continued and consistently increasing violations reported on an almost daily basis, I would use this platform to call on the Council and indeed the international community to step up measures to decisively address the weaknesses inherent in the implementation and monitoring of decisions, this with the view to finding a lasting solution to the long drawn conflict.

Mr. President

As we speak, Africa remains confronted with diverse challenges albeit faced with serious capacity constraints. In addition to the peace and security challenges, the AU is paying attention to the fight against poverty that usually engenders the prevalence of killer diseases such as HIV/AIDS, Malaria and Tuberculosis, this coupled with the challenges posed by climate change and environmental degradation.

The need for solid and viable partnerships cannot therefore be over emphasized. The AU-UN Cooperation 10 Year Capacity Building Programme on Human Rights, Justice and Reconciliation Priorities to promote human rights activities in Africa, the cooperation with the UN to advance its Charter provision on the maintenance of peace, security and human dignity in Africa, the far-reaching and comprehensive relationship with the European Union based on a strategic partnership through the Africa-EU Action Plan and Joint Strategy 2008-2010, among others, constitute potential frameworks within which sustained development can evolve.

In commending the partnerships forged thus far, let me restate the AU's determination to pursue efforts, despite its limited resources, to face the numerous challenges confronting the Continent as we seek to build a united, integrated, prosperous and peaceful Africa capable of addressing the development aspirations of its peoples and playing its rightful role in the comity of nations.

Mr. President

Excellencies, Heads of Delegation

Madam High Commissioner

Distinguished Delegates

Ladies and Gentlemen

In concluding this statement, I would like to express the AU's full confidence in the Human Rights Council. I call upon all the Council Members to make the promotion and the protection of human rights their overarching priority. The mainstreaming of human rights in all aspects of life including in our educational systems that would promote a culture of respect for human rights, should be of major interest to us all.

Let us always keep in mind that we are dealing with human lives, with situations that cannot be addressed only on the basis of abstract reasoning. The human dimension is omnipresent and we have to stick to this reality as we seek to alleviate the sufferings of our fellow human beings!

I thank you all for the attention.