

Honourable Commissioners
Honourable State Delegates
Distinguished Guest
Colleagues, Ladies and Gentlemen

Statement of the Human Rights Institute of South Africa presented at the 46th Session of the African Commission on Human and People's Rights, 11-25 November 2009.

Madam Chair thank you for providing us the opportunity to make this statement.

Madam Chair HURISA would like to congratulate the Special Rapporteur on Freedom of Expression and Access to Information in Africa for the comprehensive report; she has covered serious problems affecting freedom of expression and information in the continent extensively.

Madam Chair, it is with great concern to express that many conflicts affecting the region today largely happen during election period. Madam Chair although most AU Regional Economic Communities provides guidelines and Memorandums of understanding to uphold for running free and fair election at national level. Conflicts continue to erupt in the sub regions because of the critical period for citizens, media, journalist, opposition to exercise their right to freedom of expression. Freedom of expression enjoys protection by provisions of the African Charter on Human and People's Rights. This has also been strengthened in the AU Charter on Elections, Democracy and Good Governance to which ratification is very poor and very slow for this instrument to enter into force. The delay in ratification of this Charter contributes to denial of enforcement of this right and increase disrespect of this right, as well as subjecting Human Rights Defenders to continuous suppression in carrying out their advocacy and educational initiatives based on free participation in politics and holding governments accountable for violations of human rights.

We commend all AU Member States to ratify the AU Charter on Elections, Democracy and Good Governance. The Charter provides progressive principles pertaining to elections, expression, democracy and good governance

The Commission is also recommended to urge AU Member states to domesticate this charter as ratification on its own will not bring effective change to law enforcement at local levels.

Thank you Madam Chair for giving us the time to make this statement