



**STATEMENT BY AMBASSADOR RAMTANE LAMAMRA, COMMISSIONER FOR PEACE
AND SECURITY OF THE AFRICAN UNION, TO THE PEACE AND SECURITY COUNCIL
OPEN SESSION ON INTERNATIONAL JUSTICE
ADDIS ABABA, 12 DECEMBER 2012**

Excellences, Permanent Representatives of the African Union;

Invited Guests;

Ladies and Gentlemen;

Let me start by thanking you, Chairperson of the Peace and Security Council (PSC) for December 2012, for having scheduled this open session of Council with a specific focus on prevention, management and resolution of conflicts through the promotion and protection of human rights. I would also like to extend my gratitude to the representatives of the International Federation for Human Rights for having found time in their busy schedule to come to participate at this open session.

Notably, the Peace and Security Council Protocol provides for principles which guide the Council in its work. Article 4 of the PSC Protocol states that the Council shall be guided by the principles enshrined in the Constitutive Act, the Charter of the United Nations and the Universal Declaration of Human Rights. Also one of the objectives of the Council, as stipulated in Article 3 (f) of the Protocol, is to promote and encourage democratic practices, good governance and the rule of law, protect human rights and fundamental freedoms, respect for the sanctity of human life and international humanitarian law, as part of efforts for preventing conflicts. In this regard, the work of the PSC in conflict prevention has to go concurrently with protection of human rights.

The African continent provides a clear reminder that human rights is a dynamic concept and that it cannot be seen in isolation from the context and environment in which it

operates. Adherence to human rights norms could simultaneously be a response to conflict and one of the mechanisms that can be used in the pursuit of a lasting peace. As such, conflict is the ever-present shadow, the permanent alternative to human rights, and much is to be learned of human rights by understanding the nature of conflict and methods to combat it. This was proved long back with the establishment of the African Charter on Human and Peoples' Rights in 1981 by the Organization of African Unity (OAU). Today, all African constitutions recognize human rights in one form or another.

The relationship between human rights abuses and conflict is a useful starting point for assessing how the fields of human rights and conflict management are linked. Violent and destructive conflict can lead to gross human rights violations, but can also result from a sustained denial of rights over a period of time. In other words, human rights abuses can be a cause, as well as a consequence, or symptom, of violent conflict.

The symptomatic nature of human rights violations is well known, as news agencies continually report on armed conflict around the world and recount its consequences in terms of loss of the link between conflict management and human rights. The 1994 genocide in Rwanda, in which around 800 000 people died in just 100 days, stands as one of the most chilling illustrations of the scope of atrocities that conflict can generate.

We are now witnessing the abuse of human rights in the conflict situation in the eastern Democratic Republic of Congo (DRC) where women are being raped. This abuse might escalate the conflict. These human rights abuses have deliberately been used as a strategy of war to fight and intimidate opponents and terrorize civilians. The mutilation and amputation of people's hands and other body parts by the rebels of Foday Sankoh's Revolutionary United Front during the civil war in Sierra Leone is also a case in point. This challenge should be taken as a wake-up call for the Council to start re-thinking how best it could protect human rights and prevent human rights violations in conflict areas, while managing the conflicts.

The African Charter creates enforcement mechanisms for all recognized human and peoples' rights in the African human rights system. These mechanisms consist mainly of the African Commission on Human and Peoples' Rights (ACHPR) and the envisaged African Court on Human and Peoples' Rights (AfCHPR).

It is right time for the PSC, as it recently did during the retreat in reviewing its working methods in Yaoundé, to activate Articles in the Protocol relating to human rights, as this will assist the Council to manage the issue of violation of human rights in conflict areas. The Protocol gives mandate to the Council to work closely with other African Union (AU) Organs, like the ACHPR and the AfCHPR, which are mandated to ensure protection of

human rights in Africa. It is an opportunity for the Council to establish close working relations with these organs for effective protection of human rights, while preventing or managing conflicts in the continent.

In addition, the Protocol, under Article 20, provides for the Council to encourage Civil Society Organizations (CSOs) to participate in the efforts aimed at promoting peace, security and stability in Africa. As it is clear that abuse of human rights is a source of conflicts and also a tactic used in conflict to terrorize civilians, Council should build a strong bridge between the CSOs which are dedicated to the protection of human rights to synchronize its efforts with the CSOs, in ensuring human rights protection in the continent. These kinds of interactions between the PSC and other AU organs on human rights, as well as the human rights organizations, will positively contribute to the fulfillment of the PSC mandate.

Let me conclude by appealing to all AU member States to ensure promotion, implementation and protection of human rights in our countries to attain the goal of a conflict-free continent. This is because the relationship between human rights abuses and conflict is a useful starting point for assessing how the fields of human rights and conflict management are closely linked. We should redouble our efforts to prevent violent and destructive conflict, given its impact on the sanctity of life and human rights.

I thank you.