

68th session of the African Commission on Human and Peoples' Rights

Observer Status No. 359

Honorable Chairperson,
Distinguished Commissioners,
State Delegates represented,
Ladies and gentlemen,

On behalf of DefendDefenders and AfricanDefenders, we welcome the report of the Chairperson of the Working Group on Extractive Industries, Environment and Human Rights Violations in Africa.

We wish to reiterate that environmental human rights defenders play a crucial role in ensuring that business enterprises abide by their responsibility to respect human rights. As their work spans across issues relating to natural resources, biodiversity, ecosystems and livelihoods, they may cause or contribute to adverse human rights impacts, including on the enjoyment of cultural rights by members of communities whose traditional livelihood systems are intertwined with their natural environment.

Yet, while countless human rights and environmental violations committed by business operations have been reported across the continent, in particular in the extractive industries sector, justice and accountability are seldom achieved, fuelling a vicious cycle of impunity.

Hon. Chairperson,

In October 2020, Fikile Ntshangase was gunned down in her home near Mtubatuba, South Africa in retaliation for her efforts to challenge the

further expansion of a large coal mine in KwaZulu-Natal by Tendele Coal Mining (Pty) Ltd.

In September 2020, police arrested three journalists and six environmental activists in Hoima, Uganda after they denounced the destruction of one of the country's largest forest reserves and the risks posed by the development of the oil industry in the Western part of the country.

Honorable Chairperson,

Effective, thorough, impartial and transparent investigations into attacks against environmental human rights defenders remain scarce.

Taking concrete actions to prevent attacks against defenders who put their lives at risk to protect those affected by business activities is essential. These include creating strong and appropriate legal preventive and protection mechanisms to address attacks, reprisals and criminalisation of environmental defenders, to hold those committing these abuses to account and to ensure access to justice, other redress mechanisms, and effective remedies for the communities affected.

Honorable Chairperson,

We deplore that the discussion initiated by the AU to adopt a Policy Framework on Human Rights and Business has stop somewhere with no further action.

We therefore call on the Commission to take necessary measures to ensure that states create and maintain a safe and enabling environment in which environmental human rights defenders can operate free from hindrance and insecurity.

I thank you, Honorable Chairperson.