



Position of the African Union for the purpose of the conference held by Forum for 21st Century on 29 November 2011 reflected in the first draft of the negotiation paper, regarding the global water issues.

It is an honour for the African Union and it gives us a great satisfaction to participate in this important conference organised by Forum for 21st Century in order to exchange the information and positions which is obviously very important due to the emergency of the global issues concerning the Human Rights. We would like to express the best success and our full support to the development and realisation of later results based on Forum's proposals. We attentively considered each individual proposition and after a number of discussions within the AU, we are presenting the following suggestions and positions.

The African Union composed of 53 Member States, as the intergovernmental organisation, has the common vision standing on four settled pillars of Peace and Security; Integration, Cooperation and Development; Shared Values and Institution and Capacity Building. However, given the vast of the Continent and interactions among different cultures, traditions, religions and economics with various historical backgrounds, it is still challenging to bring all 53 Member States to common position and most importantly to attain later implementation of such position by them.

- ✿ It is highly honourable and it is a step forward for humanity, an intention to find a mechanism that would ensure the enforcement of the law concerning human rights based on a new Concept of Human Rights valid throughout the world. Nonetheless and regrettably, the international community fails to achieve such goals as a problem of human rights protection is connected to deep inadequacies such as lack of good governance, high level of corruption, patronage, poor education and weak health and social services, which perpetuate a vicious circle of poverty and violence in our Continent. Therefore we call for the international cooperation that would instead universalistic approach (knowing that universal human rights are already incorporated in UN Declaration of Human Rights), stand above all on local levels supporting the effort of political leaders of African countries in order to develop effective governance, capacity to produce the stability and therefore the observance and respect for human rights.
- ✿ African Union supports the implementation of modalities to examine the current state of human rights with respect to different cultures and civilisations. We believe however, that such an action would not only limit its research on constataion of the human rights state in respective countries but the main challenge would shift to finding solutions on how to assist the countries with the most vulnerable people in the least developed world, selected according to former research, to achieve levels of political and economic environment to secure those rights. The encouragement of Member States of the African Union to ratify the existing human rights instruments would be the first challenge in this process.
- ✿ Regarding the proposal of the Forum, to set up the international tribunal to solve the problems and complaints concerning human rights within UN with the condition that its resolutions would be legally binding for its Member States. It is one of the main objectives



of the African Union to promote and protect human rights within its own protection mechanism. The African Union vision stands firm on the already existing human rights' instruments such as African Charter on Human and Peoples' Rights adopted in 1981, African Court on Human and Peoples' Rights, African Commission on Human and Peoples' Rights and other international agreements. Even though the instruments are established and many African countries have signed and ratified them, many Africans are still unable to enjoy their basic human rights and freedoms. The African Union represents the world's second largest and second most populous Continent still affected by development crisis. Thirty-four African countries feature among the 50 least-developed countries on the United Nations' list. In addition, African countries occupy the bottom 20 spots on the UN index for quality of life. In much of the Continent, a third of people is underfed and more than 40 per cent live in the conditions of poverty. Thus, the international accord binding countries of such tremendous differences in development, political systems and legislations may hardly provide real and effective protection of whatsoever human right even though it is our clear principle to respect the international law and its development. Given the reality and with regret, we therefore cannot participate on the further development of this proposal.

- ❏ To incorporate the universal rules relating to the execution of capital punishment, euthanasia as well as media suppression or politics of one child, being rather delicate issues and taking into consideration diversity of African Continent, we believe that it should stay in responsibility of national legislations of individual countries otherwise this could lead presumably to high risk of conflict. The African Union having adopted the African Charter on Human and Peoples' Rights inspired by the Declaration of Human Rights within UN considers it to be the most passable way to elevate Human Rights in Africa.
- ❏ We agree that the reduction of poverty is closely connected to the translation of human rights into this problematic. Nonetheless, the burden of poverty heavily influences our Continent and we can eradicate the poverty, in respect of implementation of human rights to the poverty reduction strategies, only by international support. This aid would be inevitable mainly for policy organs at the continental level to implement the Ouagadougou Declaration, the Plan of Action and its follow-up mechanism through harmonisation of employment and poverty reduction policies through formal development economies, and through solidarity and informal economies and to support African employment strategies.
- ❏ The African Union welcomes the will of the Forum to assist the international organisations such as ours to translate human rights norms, standards and principles into policies, strategies and day to day life of every individual by other than legal way. In this respect we call after financial instruments support to ensure the promotion of respect of human rights through media. Media as well are in need of assistance concerning their freedom. Furthermore, the internal and external communication strategy, as well as the sectoral strategies to the promotion of human rights, peace and security, women's rights and a democratic culture is yet to be assisted by experience and financial aid.
- ❏ The African Union is reaffirming its dedication and commitment towards protection and promotion of the human rights in the Continent of Africa. Therefore we support the creation of a mechanism supporting the work of NGO's to monitor state's compliance with human



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rights standards and to coordinate public opinion against offending states. To do so, we are calling the Forum after aid in the promotion of respect for human rights and Constitution in countries emerging from conflicts, assistance and exchange of experience in the production of annual thematic reports, assistance to promote press freedom and support to publishing industries and education system.

- 🌐 African Union confirms the will to support the proposal to incorporate the human rights into the legislation of our Member States. However, it is conditioned by the international assistance in the implementation of African Union Treaties by encouraging AU Member States to become parties to sub-regional and regional instruments, an assistance in the elevation of the effectiveness of African treaty bodies such as African Court on Human Rights and the African Court of Justice, an assistance to include region specific aspects in the envisages instruments and technical support for the implementation, monitoring and performance evaluation of this AU framework in order to effectively incorporate human rights in individual legislations of our Member States.