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## **Human Rights Advocacy Report in Africa**

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## **Human Rights Advocacy Report in Africa**

### **Introduction**

Even though most continents have upheld human rights protection to an exemplary extent, Africa still wallows in the mire of human rights abuse. In essence, the human rights concept is a relatively novel phenomenon in this continent. Nonetheless, Africa has access to mechanisms through which the voice to protect human rights systems are channeled. These mechanisms include organizations such as the African Union, International law, and the United Nations. Regardless of their existence, various sections of the continent still experience prevalent abuse of human rights. Many studies attribute these violations to Africa's political instability resulting from civil war, discrimination based on race, power monopoly, absence of independent press and judicial systems, and graft, among others. Similarly, Africa has unaccomplished human rights provisions articulated in local, state, universal, and continental agreements. From the above conditions, it necessitates having a human rights advocate in Africa.

### **Context or Scope of Problem**

Although all member states of the African Union approved the African Charter, human rights system in Africa is least developed and, by contrast to European and American complements, the least effective (Ingange-wa-Ingange, 2010). Therefore, such an order of businesses proves how many states in Africa are yet to consider human rights. For almost six decades now, the continent has been going through rowdy times categorized by a sequence of horrendous human rights abuse. This indicates inherent challenges or problems that hamper the effectiveness of the human rights system in Africa.

Similarly, the African Charter is a front line advanced document that acknowledges the indivisibility of economic, social, cultural, civil, and political rights, apart from other treaties

upholding human rights at the international level. However, this Charter has several shortcomings contributing to the lack of human rights sanity in Africa. For instance, the document does not feature fundamental rights, such as the right to privacy. Also, the Charter ineffectively defines specific rights, such as the right to life. Lastly, the African Charter has been significantly criticized for making certain rights subject to domestic law.

The African Commission, established by the Charter to oversee state compliance with the agreement, is presently functioning in a milieu overwhelmed by civil wars in various states of Africa (Ingange-wa-Ingange, 2010). Therefore, paving the way for serious human rights violations. Similarly, at the moment of its creation, the Commission did not fully address critical human rights abuses carried out in Africa, such as the Rwandan genocide.

### **Policy Needs**

The extradition of treaties is one fundamental mechanism that can help African states uphold human rights. Essentially, the continent has unaddressed human rights injustices stemming from political instability and monopoly. These injustices are committed by the powerful few who have no regard for human rights, such as the right to life. However, suppose the African Union through the African Commission could coordinate and cooperate with the international community to hand over all known persons convicted of violating human rights. In that case, human rights sanity could be restored in Africa (Zanotti, 2006). This is what extradition of treaties dictates.

Correspondingly, many states in Africa perpetually strive to suppress transnational organized crime against humanity. However, it necessitates for African states to cooperate transversely to investigate delinquencies linked to human rights violations. The latter move will ensure the efficacy of the suppression mentioned above is increased. Hence, the ideal legal way

rather than regime through which this could be realized is mutual legal assistance (Halvarsson, 2015). To protect all liberties provided in the international law, African states should clearly define the requirements for deployment of mutual legal assistance, any exceptions applicable, and associated human rights to be protected.

Lastly, an investigation is another good mechanism through which human rights violation incidents could be brought to book and justice granted. Almost all acts of human rights abuse are reported in Africa. However, suppose the states in the continent could join hands both at regional, national, continental, and global levels to do the tedious work of throwing the net immediately human rights violation incident has been reported. In that case, much evidence could be collected from the perpetrators of these injustices (Groome, 2011). Consequently, the African states should have the means to detect the case once the investigation has been completed. Eventually, they should investigate the case to eliminate unlikely theory or suspects (Groome, 2011). Lastly, the nations in the continent should see that the investigation process ends with case building where the gathered evidence is observed in the law's lens, a comprehensive report produced and the suspects punished accordingly. This is all the investigation mechanism entails.

### **Policy Considerations**

Acknowledging that the African continent has limited resources compared to European or inter-American counterparts, most injustices entailing human rights abuse happen in mainland Africa and are known to the local state administration. The best mechanism to probe such incidences before seeking international community involvement – if the need arises, would be an investigation. This mechanism borrows on procedures that have been proved to work (Hasanagic, 2018). This latter aspect presents a scenario that may uniquely fit in Africa but not

any other part of the world. Essentially, African states should deploy the necessary investigation team to establish the cause, period, tangible evidence, and finally tracking down the violators based on garnered evidence. The latter approach entails chronically stepping through four steps or phases of an investigation. These are throwing a net, case detection, case investigation as well as case building. The net throwing phase dictates that African states should improvise effective mechanisms for evidence collection against human rights violators and conduct a comprehensive evaluation to seek complementary evidence sources.

On the other hand, case detection shall ensure the African investigation team evades fabricated information when investigating human rights violations. But the team detects the case while freely allowing it to unfold without partialities, assumptions, or prejudices. The third phase is a reprise of the first. Still, it will facilitate African states in evidence refinement and help secure supporting or eliminating evidence for either the suspect or theory. Ultimately, the case building phase of investigation shall see justice done for victims of human rights violations as the law confronts the violators. Therefore, the investigation process requires resources that are readily available to most, if not all, African states.

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