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EFSCRJ Statement on African Human Rights Day 2026

Forty Years of the African Charter: End Impunity, Enforce Rights, Uphold Human Dignity

The Edward Francis Small Centre for Rights and Justice joins the people of Africa in commemorating African Human Rights Day, marking the 40th anniversary of the entry into force of the African Charter on Human and Peoples' Rights on 21 October 1986. This anniversary demands an honest assessment of whether the Charter's promises have translated into freedom, justice, equality, and dignity in the daily lives of African people.

EFSCRJ recognises the human rights framework developed under the Organization of African Unity and its successor, the African Union. We acknowledge the work of the African Commission on Human and Peoples' Rights, the African Court on Human and Peoples' Rights, and the continent's other human rights institutions and mechanisms. We also salute the human rights defenders, journalists, community organizers, and civil society organisations whose courage and sacrifice sustain the struggle for these rights, often at great personal risk.

These instruments and institutions provide a foundation for protecting human dignity. Their effectiveness, however, depends on whether governments fulfil their obligations, implement recommendations, enforce judgments, and provide remedies for violations. Ratification without implementation leaves people unprotected. Institutions whose findings governments routinely disregard cannot fulfil their mandates.

Human rights encompass the civil, political, economic, social, and cultural dimensions of life. Their realization requires accountable government, equal access to justice, meaningful public participation, and the fair distribution of resources and opportunities. Democracy and sustainable development remain incomplete where people cannot obtain food, healthcare, education, housing, decent work, or protection from violence and discrimination.

Yet forty years later, far too many Africans continue to endure poverty, deprivation, marginalization, insecurity, and inequality. Children face hunger and exclusion from education, while preventable illnesses claim lives. Young people confront unemployment, exploitation, dangerous migration routes, recruitment into armed groups, and diminishing opportunities. Women and girls continue to face violence, discrimination, and barriers to leadership and economic independence. Across the continent, people are denied equal participation because of their gender, disability, ethnicity, religion, origin, or other status.

Africa's vast natural wealth and human potential make these conditions especially unacceptable. The extraction and misuse of public resources, illicit financial flows, corruption, and unequal economic relationships deprive communities of the benefits of their wealth and labour. Africans also continue to face racism, exploitation, and exclusion beyond the continent. These injustices require determined action at both national, continental, and international levels.

EFSCRJ is deeply concerned that authoritarian practices persist under both civilian and military governments. Elections have too often failed to secure accountable leadership. Elected leaders undermine constitutional safeguards, weaken oversight institutions, restrict



civic space, and manipulate public institutions to perpetuate their rule. Peaceful protests are violently suppressed, critics face intimidation and arbitrary arrest, and violations go unpunished. Armed conflicts and terrorism compound this suffering, while abuses committed in the name of security further endanger communities.

Winning an election does not confer permission to violate rights. Military rule provides no exemption from accountability. Public office carries a duty to serve the people and answer to them.

On this anniversary, EFSCRJ calls on the African Union, the Pan-African Parliament, the African Commission, and other relevant institutions to undertake an urgent, impartial, and public assessment of implementation of the continent's human rights commitments. This assessment must identify persistent violations, obstacles to enforcement, and concrete measures to secure compliance. Victims, affected communities, human rights defenders, women, young people, and marginalised groups must meaningfully shape this process.

The central failure remains accountability. EFSCRJ therefore calls for:

- Public monitoring of compliance, with clear deadlines and regular reporting on the implementation of human rights judgments, decisions, and recommendations.
- Consequences for persistent non-compliance, through lawful AU measures that hold responsible authorities accountable.
- Independent and adequately funded institutions, including courts, national human rights institutions, legislatures, and oversight bodies.
- Protection of civic space, including freedom of expression, peaceful assembly, association, and the work of journalists and human rights defenders.
- Effective remedies for victims, including access to justice, reparations, and reforms that prevent recurrence.
- Budgets that fulfil rights, with transparent management of public wealth and priority investment in essential services and equal opportunity.

African people have endured slavery, colonial domination, and decades of post-independence injustice. The continuing struggle for acknowledgment, reparations, and accountability for historical wrongs must advance alongside accountability for abuses committed by African governments today. The crimes of former oppressors cannot excuse the failures of present rulers. Independence must deliver freedom and dignity to the people.

Forty years after the Charter entered into force, African people deserve governments that obey the law, institutions that protect them, and leaders who face consequences for abuse. The Charter's promise must be fulfilled in their lives and lifetime.

2026 – The Year of Empowerment: Empowered Citizens. Accountable Leadership