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Centre for Human Rights
Faculty of Law

PRESS STATEMENT

CENTRE FOR HUMAN RIGHTS DECIDES TO RELOCATE THE 25TH AFRICAN HUMAN RIGHTS MOOT COURT COMPETITION TO PRETORIA TO TAKE PLACE FROM 3 TO 8 OCTOBER 2016

27 June 2016

[In a statement released on 12 May 2016](#), the Centre for Human Rights explained why we agreed, after extensive consultations with our partners, to co-host the African Human Rights Moot Court Competition in Banjul, The Gambia, despite issues we had raised [in an earlier statement on 20 April 2016](#), condemning human rights violations in The Gambia and calling for the relocation of the AU's African Year of Human Rights celebrations away from Banjul.

We stipulated as conditions for the Moot Competition taking place in The Gambia written assurances from the government of The Gambia guaranteeing (i) the security and safety of all participants amid the political turmoil in the country; and (ii) the free and unhindered presentation of the Moot. We had also, in our statement, called on the government of The Gambia to investigate the deaths of opposition politicians and the unlawful detention of peaceful protesters that occurred on 14 and 16 April 2016. The African Commission on Human and Peoples' Rights directed a similar appeal to the government of The Gambia. We had hoped that the celebrations marking the African Year of Human Rights, including the Moot Competition, would serve as a platform to engage the government of The Gambia on the human rights violations in the country.

Regrettably, we have not received any assurances; the government has not investigated the unfortunate incidents with any degree of diligence; and the human rights situation has in fact further deteriorated. In an interview with the weekly magazine, *Jeune Afrique*, on 29 May 2016, President Yayha Jammeh made clear his refusal to investigate the deaths and arrest of opposition leaders: "It is normal for people to die in custody or during interrogations, what is new about that? I will not call for an investigation". He went to say that the organisations calling for an investigation "should go to hell!" and shared his views on human rights in his country and in particular sent a strong warning to sexual minority rights groups. As recent as 21 June 2016, a three man detained as a result of the demonstrations alleged having been tortured during their incarceration

In the past few weeks human rights violations and threats of violence on specific population groups have not only continued unabated, but took on more ominous overtones. Mr Dama Dieng, the UN Special Adviser of the Secretary-General on the Prevention of Genocide, on 3 June 2016 noted that President Jammeh referred to the Mandinka as "enemies, foreigners" and threatened to kill them one by one and place them "where even a fly cannot see them." "I am profoundly alarmed by President Jammeh's public stigmatisation, dehumanisation and threats against the Mandinka," the Special

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Adviser said, and continued: “Public statements of this nature by a national leader are irresponsible and extremely dangerous. They can contribute to dividing populations, feed suspicion and serve to incite violence against communities, based solely on their identity”. In a statement released on 10 June 2016, he further condemned the inflammatory speech by President Jammeh at a political rally, in which he reportedly threatened to eliminate the Mandinka ethnic group.

As previously stated, the Moot Court Competition provides a platform for aspiring human rights lawyers to challenge human rights violations in Africa. However, this can only happen when the host country provides an environment conducive to debate and criticism. One can only imagine how the government might react when issues contained in this year’s hypothetical case, dealing with issues such as human rights of women, freedom of association and sexual minorities’ rights, are raised publicly.

Having not obtained assurances and commitments from the government of The Gambia on issues raised in our Press Statement released on 12 May 2016, given the lack of any diligent investigation into the recent human rights atrocities, and given the exacerbation of the already dismal human rights situation, the Centre for Human Rights has taken the view that we have no choice but to definitively relocate the 2016 Moot Competition to Pretoria.

The 2016 Moot will still form part of the AU’s Year of Human Rights. As such, the Moot will be held under the auspices of the Centre for Human Rights, the African Commission and the Faculty of Law, University of The Gambia. After consultation with participating universities and our partners, it has been decided that this year’s Moot Court Competition will now be held at the University of Pretoria, from 3 to 8 October 2016.

These circumstances, together with the African Union’s inability to contribute to the costs of hosting the Moot, had the unfortunate effect that the full financial burden for the Moot now falls on the Centre for Human Rights.

We apologise for any inconvenience, but assure all prospective Moot participants that we are now working with determination to make the Moot of 3 to 8 October 2016 in Pretoria worthy of this year of multiple celebration: 25 years since the first Moot; 30 years since the genesis of the African human rights system; and 30 years since the establishment of the Centre for Human Rights.
