

Press Statement on reports of acts of brutality on the dead involving troops of the Southern Africa Development Community

Jan 15, 2023

The African Commission on Human and Peoples' Rights (the African Commission) is following, through its Focal Point on Human Rights in Conflict Situations, Honourable Commissioner Solomon Ayele Dersso and the Country Rapporteur for the Republic of Mozambique Honourable Commissioner Maria Teresa Manuela, with shock reports of grave breaches of international humanitarian law and the standards contained in the African Charter on Human and Peoples' Rights (African Charter) on the sanctity of the human person, involving troops of the Southern Africa Development Community (SADC).

The African Commission noted from various reports the disturbing acts of troops deployed under the SADC Mission to Mozambique (SAMIM), including the throwing of the bodies of human beings into fire, as captured in widely circulating video clips.

The African Commission condemns in the strongest terms this shocking act, which is contrary to the African Charter and constitutes direct violation of International Humanitarian Law, which requires the dignified treatment of protected persons, including the dead.

The African Commission affirms that such acts are not in line with the positive African values and traditions as espoused in the African Charter that demand dignified treatment of the dead and upholds the prohibition these acts by the Geneva Convention of 1949 that stipulates that the deceased should be protected and bars treatment of corpses in an "inappropriate" manner, including desecration.

The African Commission calls on Mozambique as host country and SADC as the body responsible for the deployment of SAMIM to urgently open independent, transparent, and prompt investigations into these reported acts, and to take appropriate actions in accordance with international law for bringing those responsible to justice.

The African Commission welcomes the statement of the Chairperson of the SADC Organ on Politics, Defence and Security, and looks forward to the outcome of the investigation and the accountability measures expected to follow it.

The African Commission further calls on SADC and its mission SAMIM to institute relevant policies that ensure that the troops under SAMIM's command strictly comply with human rights and international humanitarian law rules that regulate the conduct of peace support operations, including in the course of and after engaging in hostilities in accordance with the conclusions of the African Commission's Study on Human Rights in Conflict Situations under Resolution 332 (ACHPR/Res.332(EXT.OS/XIX)2016)).

Hon. Commissioner Solomon Ayele Dersso
African Commission's Focal Point on Human Rights in Conflict Situations

Hon. Commissioner Maria Teresa Manuela
Country Rapporteur for the Republic of Mozambique