

الاتحاد الأفريقي

African Commission on Human &amp; Peoples' Rights



UNIÃO AFRICANA

Commission Africaine des Droits de l'Homme &amp; des Peuples

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## Final Communiqué of the 18<sup>th</sup> Extra-Ordinary Session of the African Commission on Human and Peoples' Rights

1. The African Commission on Human and Peoples' Rights (the Commission) held its 18<sup>th</sup> Extra-Ordinary Session (Session), from 29 July to 7 August 2015 in Nairobi, Kenya.
2. The Session was preceded by the Joint Committee Meetings, the Bureaux Meeting, and the Joint Annual Meeting between the African Court on Human and Peoples' Rights (the Court), and the Commission.  
  
The Session was convened to deal with Communications and other outstanding matters.
3. While Honourable Commissioner Kayitesi Zainabo Sylvie, the Chairperson of the Commission, had arrived in Nairobi on 23 July 2015 for the Session and other parallel meetings, she had to recuse herself because she was bereaved.
4. Honourable Commissioner Yeung Kam John Yeung Sik Yuen was absent with apologies.
5. The Session was opened by the Vice-Chairperson of the Commission and Acting Chairperson, Honourable Commissioner Mohamed Béchir Khalfallah, with the assistance of Honourable Commissioner Reine Alapini-Gansou, the Acting Vice-Chairperson.
6. The Session was attended by the following Commissioners:
  - Honourable Commissioner Mohamed Béchir Khalfallah;
  - Honourable Commissioner Reine Alapini-Gansou;
  - Honourable Commissioner Pansy Tlakula;
  - Honourable Commissioner Soyata Maiga;
  - Honourable Commissioner Lucy Asuagbor;
  - Honourable Commissioner Med Kaggwa;
  - Honourable Commissioner Maya Sahli-Fadel;
  - Honourable Commissioner Pacifique Manirakiza; and
  - Honourable Commissioner Lawrence Murugu Mute.

7. The Working Group on Communications held a meeting on 23 and 24 July 2015 to consider Communications on Seizure, in addition to requests for Provisional Measures, submitted to the Commission.
8. The Commission considered fifty-three (53) Communications arising from the following:
  - i. Thirty-four (34) on Seizure, of which twenty-four (24) were seized and Provisional Measures granted on two (2); while ten (10) were not seized;
  - ii. Eleven (11 ) on Admissibility; of which three (3) were declared admissible; six (6) inadmissible, and two ( 2) deferred for more information;
  - iii. Two ( 2) requests for relisting;
  - iv. Two (2) requests for withdrawal; and
  - v. Two (2) on the Merits.
9. The Commission held two (2) Oral Hearings and also provided guidance on eight (8) Communications and on the way forward.
10. The Commission considered and adopted the following Reports:
  - i. Report of the Working Group on Communications; and
  - ii. Report of the Advisory Committee on Staff and Budgetary Matters.
11. The Commission further considered and adopted the draft Protocol on the Right to Nationality.
12. The Commission discussed and adopted Concluding Observations on the:
  - i. Periodic Report of the Sahrawi Arab Democratic Republic;
  - ii. Periodic Report of the Republic of Niger;
  - iii. Periodic Report of the Republic of Djibouti;
  - iv. Periodic Report of the Republic of Senegal; and
  - v. Periodic Report of the Federal Democratic Republic of Ethiopia.
13. The Commission adopted the following five (5) Resolutions:
  - i. Resolution on the Development of Guidelines on Access to Information and Elections in Africa;
  - ii. Resolution on the Human Rights Situation in Burundi;

- iii. Resolution on Accessibility for Persons with Disabilities;
- iv. Resolution on the Extension of the Deadline for the Study on HIV, the Law and Human Rights; and
- v. Resolution on the Expansion of the mandate of the Special Rapporteur on Prisons and Conditions of Detention in Africa.

14. The Commission had discussions on the following Policy Papers:

- i. Paper on Joinder of Communications; and
- ii. Paper on Transfer of Cases to the African Court under Rule 118 of the Commission's Rules of Procedure.

15. The Commission also discussed matters related to Application 006/2012 - African Commission v Kenya.

16. The Commission deliberated on the following:

- i. Retreat to be held with the PRC;
- ii. Preparations for 2016 (*Africa Year of Human Rights with Particular Focus on the Rights of Women*);
- iii. Invitation on the 2<sup>nd</sup> Continental Judicial Dialogue to be held from 4 to 6 November 2016; and
- iv. Invitation from the Government of The Gambia on the Commemoration of the African Youth Charter; and the Commission decided to participate in the event.

17. The Commission considered the implementation of the 2015 budget and made proposals for its 2016 budget. The Commission also made proposals for its 2017 budget and made recommendations to the Secretariat.

18. The Commission expressed its sincere and profound gratitude to the Government and People of the Republic of Kenya for the hospitality extended to Members of the Commission during the 18<sup>th</sup> Extra-Ordinary Session.

**Done in Nairobi, Kenya, during the 18<sup>th</sup> Extra-Ordinary Session of the  
Commission**