

Final Communiqué of the 19th Ordinary Session of the African Commission on Human and Peoples' Rights

1. The African Commission on Human and Peoples' Rights held its 19th Ordinary Session in Ouagadougou, Burkina Faso from 26th March to 4th April 1996. The Session was chaired by Professor Isaac Nguema.
2. The opening ceremony was attended by members of the Commission, members of the Government of Burkina Faso, Members of the diplomatic corps, representatives of governmental and non-governmental organizations, members of the national and international press and invited guests.
3. At the opening ceremony, speeches were delivered by Prof. Isaac Nguema, chairman of The African Commission on Human and Peoples' Rights, Mr. Halidou Ouedraogo, chairman of the Inter-African Union for Human Rights, Mrs. Tokunbo Ige, representing the Secretary General of the International Commission of Jurists and Hon. Hermann Yameogo, Minister of State for African Integration and Solidarity.
4. The Commission adopted the agenda comprising 21 items.
5. The Commission examined and adopted the report of its 18th Ordinary Session held from 2nd to 11th October 1995 in Praia, Cape Verde.
6. The Commission examined and adopted the report of the 2nd Extraordinary Session held on the 18th and 19th December 1995 in Kampala, Uganda on Human Rights' situation in Africa in general, and Nigeria and Burundi in particular.
7. The Commission granted observer status to 16 NGOs. The list of these NGOs is available at the Secretariat.
8. The report of the resolutions and recommendations of the workshop was submitted to the Commission. The workshop's emphasis was on the human rights situation in Africa, the independence of the judiciary and the incorporation of the provisions of the African Charter in the national legislation of States Parties.
9. Representatives of the governments of Nigeria, Mauritania, Egypt and Senegal delivered messages to the Commission, underscoring the willingness of their countries to respect the provisions of the African Charter and reiterated their commitment to cooperate with the Commission.
10. With regard to the consideration of periodic state reports, the Commission examined the initial reports of Algeria and Mozambique. Government delegates presented state reports. During the discussion following the presentation of the reports, the Commission urged countries to observe the provision of the African Charter and to respect human rights.
11. The Commission heard statements delivered by African and international NGOs taking part in the Session.
12. The Commission examined the possibility of revising the African Charter. Following fruitful discussion, in open session, participants noted that there is a need to update the Charter.

13. Participants also asserted that there is a need to strengthen the current early-warning mechanisms and to develop a mechanism for prompt and urgent intervention in order to prevent massive human rights violations.

14. With regard to promotional activities, commissioners presented their activity reports for the inter-session period.

15. With regard to the establishment of the African Court of Human and Peoples' Rights, the Secretary informed the Commission that the OAU had sent a draft protocol as well as the report adopted in Cape Town by the inter-governmental experts to all member states. The OAU Secretariat has invited member states and all interested parties to send to it their comments.

16. The human rights situation in Africa was examined in relation to Burundi, Angola, Nigeria and Sudan. The Commission confirmed its decision to send missions to these countries.

17. The Commission adopted a resolution commending democratic elections in Sierra Leone, Benin, and Comoro Islands. The Commission also adopted resolutions on Burundi, Liberia, the independence of judiciary and the incorporation of the provisions of the African Charter in the Legislation of State Parties.

18. The Commission reiterated its decision to organize the following seminars:

- The rights to a fair trial
- Popular participation and Non-Formal Education
- Human Rights in the New South Africa
- The peaceful resolution of ethnic and social conflicts within the context of Human Rights
- Contemporary forms of Slavery in Africa
- The Right to education: an Essential condition for development in Africa
- Freedom of Movement and the Right to Asylum in Africa
- Prison Condition in Africa
- Economic, Social and Cultural Rights and the Right to Development

19. A seminar on Impunity was held on the 22nd and 23rd of March in Ouagadougou, Burkina Faso at the initiative of the Commission in collaborations with the International Centre for Human Rights and Democratic Development (based in Canada), IUHR, ICJ, GERDES AF and WILDAF. A Plan of action was drawn up and adopted at the end of the seminar

20. In order to promote the Review of the Commission, the Chairman urged participants to send articles for publication. He also called upon magistrates and judges to publish decisions related to human rights in order to establish an African jurisprudence on this subject.

21. The Commission deplored the inhuman conditions in most African prisons and agreed on the principles of appointing a special rapporteur on prisons in Africa.

22. The Commission also agreed on the principle of appointing a special rapporteur on the rights of women in Africa.

23. Concerning protection activities, the Commission examined, in closed session, twenty-one communications and received seven new communications. The Commission took three decisions on

seisin and five decisions on admissibility. The Commission has also reiterated its decision to send missions to Mauritania, Rwanda and Senegal.

24. Outside the regular session, the Commission was received by His Excellency Blaise Compaore President of Burkina Faso, Mr. Kadre Désiré Ouedraogo, the Prime Minister; Hon. Ablassé Ouedraogo, minister of Foreign Affairs and Mr. Larba Yarga, minister of Justice.

25. The closing ceremony of 19Th Session of the Commission took place on 4Th April 1996 in the Conference Hall of the Ministry of Foreign Affairs. Hon. Hermann Yaméogo, Minister of State for African Integration and Solidarity presided the ceremony.

26. The Commission decided that its 20Th Session, coinciding with the 10Th Anniversary of the coming into effect of the Charter, will be held in Mauritius in October 1996 at the invitation of the Government of Mauritius.

27. After the closing ceremony, the chairman of the Commission held a press conference.