


AFRICAN UNION		UNION AFRICAINE
الاتحاد الأفريقي  <i>African Commission on Human &amp; Peoples' Rights</i>		UNIÃO AFRICANA  <i>Commission Africaine des Droits de l'Homme &amp; des Peuples</i>
<p>31 Bijilo Annex Layout, Kombo North District, Western Region, P. O. Box 673, Banjul, The Gambia          Tel: (220) 4410505 / 4410506; Fax: (220) 4410504          (220) 4410504 E-mail: <a href="mailto:au-banjul@africa-union.org">au-banjul@africa-union.org</a>; <a href="http://www.achpr.org">Web www.achpr.org</a></p>		

**Final Communiqué of the 21<sup>st</sup> Extraordinary Session of the African Commission on Human and Peoples' Rights**

**Banjul, Republic of The Gambia**

**23 February - 4 March 2017**

1. The African Commission on Human and Peoples' Rights (the Commission) held its 21<sup>st</sup> Extraordinary Session from 23 February to 4 March 2017 in Banjul, Republic of The Gambia.
2. The Session was convened to consider urgent matters, reports, communications and other outstanding matters from the previous Sessions.
3. The Session was chaired by **Honourable Commissioner Pansy Tlakula, Chairperson** of the Commission, assisted by **Honourable Commissioner Soyata Maïga, Vice-Chairperson**.
4. The 21<sup>st</sup> Extraordinary Session was attended by the following Members of the Commission:
  - i. Honourable Commissioner **Pansy Tlakula**, Chairperson;
  - ii. Honourable Commissioner **Soyata Maïga**, Vice-Chairperson;
  - iii. Honourable Commissioner **Reine Alapini-Gansou**;
  - iv. Honourable Commissioner **Yeung Kam John Yeung Sik Yuen**;
  - v. Honourable Commissioner **Lucy Asuagbor**;
  - vi. Honourable Commissioner **Med S. K. Kaggwa**;
  - vii. Honourable Commissioner **Maya Sahli-Fadel**;
  - viii. Honourable Commissioner **Lawrence Murugu Mute**;
  - ix. Honourable Commissioner **Jamesina Essie L. King**;
  - x. Honourable Commissioner **Solomon Ayele Dersso**.

5. Honourable Commissioner **Kayitesi Zainabo Sylvie** was absent with apologies.
6. After the opening ceremony, the Commission considered and adopted the agenda.
7. The Commission paid a courtesy call on the President of the Republic of The Gambia, **H.E. Adama Barrow**.
8. The Commission, among other things, discussed the human rights situation in The Gambia following the post-election crisis and, in this regard, held a working meeting with the Minister of Foreign Affairs, **Mr Ousainou Darboe**.
9. At the invitation of the UN Under-Secretary-General for Political Affairs, Mr Jeffrey D. Feltman, and the Special Representative of the UN Secretary-General for West Africa and the Sahel, Mr Mohamed Ibn Chambas, who were on a mission to the country, the Vice-Chairperson, Honourable Commissioner Soyata Maïga, and the Commissioner responsible for human rights promotion activities in The Gambia, Honourable Commissioner Jamesina Essie L. King, participated in a consultation meeting on the human rights situation in The Gambia.
10. The Commission held a working session with a delegation of the APRM, during which the two institutions discussed about joint activities that could be undertaken in the future towards promoting good governance in Africa.
11. The Commission held discussions with a delegation of the World Bank and the African Development Bank on a fragility assessment mission to The Gambia.

12. The Commission was briefed by the Vice-Chairperson, Honourable Commissioner Soyata Maïga, and Honourable Commissioner Reine Alapini-Gansou on the consultative meeting held on 21 February 2017 with a delegation of the UN inter-Agency mission on the human rights situation in The Gambia and prospects for joint activities.
13. The Commission was also briefed by Honourable Commissioner Maya Sahli-Fadel on the technical meeting on AU-EU Human Rights Dialogue held on 10-11 January 2017 in Brussels, Belgium, and on the strengthening of human rights protection mechanisms within the framework of the PANAF programme.
14. The Commission considered and made comments on the funding and implementation plan of the PANAF project in the presence of the Expert/Consultant posted to the Secretariat by GFA in order to provide technical assistance on the project.
15. The Deputy Secretary presented the report of the Secretariat on the implementation of follow-up actions from the 59<sup>th</sup> Ordinary Session of the Commission.
16. The Commission considered and adopted, with amendments, its 2017 Annual Work Plan.
17. The Commission considered and adopted a submission to the AUC for the emoluments of Honourable Commissioners to be harmonised with that of other AU Organs.
18. The organogram of the Commission was also adopted during the 21<sup>st</sup> Extraordinary Session.

19. During the Session, the Commission considered and adopted, with amendments, the following Guidelines, General Comments and Declaration:

- i. Guidelines for the Policing of Assemblies by Law Enforcement Officers in Africa;
- ii. General Comment on the Right to Redress for Victims of Torture and Other Cruel, Inhuman or Degrading Punishment or Treatment under Article 5 of the African Charter on Human and Peoples' Rights;
- iii. Banjul Declaration of the 59<sup>th</sup> Ordinary Session of the African Year of human rights, with particular focus on the rights of women under the theme "women's rights our collective responsibility".

20. The Commission also considered and made comments on the following documents:

- i. Draft Guidelines on Freedom of Association and Freedom of Peaceful Assembly in Africa;
- ii. Draft Guidelines on Combatting Sexual Violence and its Consequences in Africa;
- iii. Draft Review of the Rules of Procedure;
- iv. Draft Memorandum of Understanding with the APRM;
- v. Report on the Political and Human Rights Situation in The Gambia and Proposed Plan of Action;
- vi. Report on the Status of Preparedness for the 60<sup>th</sup> Ordinary Session Scheduled for 8 to 22 May 2017 in Niger;
- vii. Briefing Paper on Commemorative Activities for the 30<sup>th</sup> Anniversary of the Commission to be organized during the 61<sup>st</sup> Ordinary Session.

21. The Commission authorised the publication, on its website, of the Draft Principles and Guidelines on the Implementation of the Right to Water in Africa, in order to call for public comments.

22. The Commission considered and adopted, with amendments, the Concluding Observations on the Periodic Report of Burkina Faso.
23. The Commission adopted the following 2 (two) resolutions:
- i. Resolution on Developing Guidelines on Combatting Sexual Violence and its Consequences;
  - ii. Resolution on the Need to Develop Principles on the Declassification and Decriminalisation of Petty Offences in Africa.
24. During the Session, the Commission considered and was seized of 8 (eight) Communications, and granted 5 (five) requests for Provisional Measures.
25. The Commission expresses its sincere gratitude to the Government and people of the Republic of The Gambia for the warm welcome and hospitality extended to the Members of the African Commission on Human and Peoples' Rights during the 21<sup>st</sup> Extraordinary Session.

**Done in Banjul, Republic of The Gambia, on 4 March 2017**