

Final Communiqué of the 21st Ordinary Session of the African Commission on Human and Peoples' Rights

REV. I

1. The 21st Ordinary Session of the African Commission on Human and Peoples' Rights was held in Nouakchott, Mauritania from 15th to 24th April 1997 at the kind invitation of the Islamic Republic of Mauritania and was chaired by Professor Isaac NGUEMA. It was preceded by the second Governmental Legal Experts meeting on the establishment of an African Court of Human and Peoples' Rights and the Experts meeting on the preparation of a Draft Additional Protocol on the Rights of Women to the African Charter on Human and Peoples' Rights Workshop jointly organized by the International Commission of Jurists and the African Commission on Human and Peoples' Rights.

2. The opening ceremony was attended by Members of the Commission, the Prime Minister of the Islamic Republic of Mauritania, Hon Cheik El Avia Ould Mohamed Khouna, officials of the government of Mauritania, H. E. Ambassador Mamadou Bah represented the Secretary General of the Organization of African Unity (OAU) and the Secretary General of the International Commission of Jurists, Mr Adama Dieng. Also present at the opening ceremony were members of the diplomatic corps, representatives of governmental and non governmental organisations, members of the local and international press, and other dignitaries.

3. At the opening ceremony, speeches were delivered by Professor Isaac Ngucma, the Chairman of the African Commission on Human and Peoples' Rights, the Secretary General of the International Commission of Jurists, the Representative of the Secretary General of the OAU and the Prime Minister of the Islamic Republic of Mauritania.

The various speakers emphasized the importance of human and peoples' rights and asserted their commitment to support the Commission in its work of attaining its desired goals and fulfilling its promotional and protective mandate,

4. The Commission heard delegates of the governments of Sudan, Nigeria, Mauritania and The Gambia who delivered messages emphasizing the commitment of their countries to comply with the provisions of the African Charter and reiterating their commitment to cooperate with the Commission.

5. Statements were made by representatives of various African and international non-governmental organisations namely; International Commission of Jurists (ICJ) WILDAF, Organisation Nationale des Droits de l'Homme du Senegal (ONDH), Rencontre Africaine Pour la Défense des Droits de l'Homme (RADDHO), Anti-Slavery International, Human Rights Watch/Africa, Association of Mauritanian Refugees in Senegal, Gerddes Mauritanie, SOS Esclaves, Association Mauritanienne des Droits de l'Homme and International Centre for Human Rights and Democratic Development,

6. The Commission considered applications for observer status and granted it to eight NGOs. The list of those NGOs is available at the Secretariat.

7. Concerning the consideration of periodic reports of the States Parties, the Commission examined the initial report of Sudan presented by Mr Sirajuddin H. Yousif, the head of Sudan's delegation. The presentation was followed by a discussion of the report. This gave the Commission the opportunity to examine the human rights situation in that country and its compliance with the provisions of the Charter.

The second and third periodic reports of Zimbabwe were presented by H.E. Chimbi E.C. Sanyangare, Ambassador of Zimbabwe in Dakar and Mrs Antonia GUVAVA, from the Legal Affairs Division at the Ministry of Justice, After a fruitful debate, the Commission commended Zimbabwe for the good quality of the report

8. The Commission heard a report presented by three members who were entrusted with the task of examining the establishment of a rapid response mechanism in the event of serious massive human rights violations. Discussions on the report will continue at the next session of the Commission.

9. The Commissioners presented their reports on their promotional activities during the intersession.

10. The Commission considered the report of Commissioner Ben Salem, the Special Rapporteur on extra-judicial, summary and, arbitrary executions, The Commission agreed with the rapporteur that publicly identifying those responsible for extra-judicial executions and their prosecution is a form of restitution and contributes to the fight against impunity Consequently, the Commission encouraged the Special Rapporteur to continue with his investigation work,

11. The Special Rapporteur on Prison Conditions in Africa, Commissioner Dankwa presented his first report on his visit to prisons in Zimbabwe and his contact with the UN Special Rapporteur on Torture

12. The draft protocol on the African Court of Human, and Peoples' Rights was discussed by the Commission, 25 NGOs made statements expressing their concern with some provisions of the document as well as the discrepancy between the French and English versions. The Commission will submit comments made by NGOs to the OAU General Secretariat for appropriate action,

13. The Draft Protocol on the Rights of Women drafted by a group of experts in Nouakchott before the session on the basis of a document prepared by the Vice-Chairman Prof Dankwa who worked in collaboration with two other Commissioners was discussed.~ On examining the report, the Commission requested each of its members to send their remarks to the Secretariat who will in turn send them to the Commissioners assigned to deal with the issue namely, Dankwa, Duarte and Ondziel-Gnelenga.,

14. The Commission examined the subject of strengthening national human rights institutions which was proposed and presented by

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14. The Commission examined the subject of strengthening national human rights institutions which was proposed and presented by Commissioner Rezzag Bara, The Commission decided to discuss this subject at length at a later date, especially the issue of granting special status to such institutions.~

15. With regard to the human rights situation in Africa, the Commission heard reports from various participants who highlighted human rights violations in Zaire and Nigeria as well as the situation prevailing in Mauritania and Cameroon., The delegates of the governments of, Mauritania and Cameroon expressed their views on statements concerning their countries.,

16, The Commission urged NGOs to take part actively in the preparation of seminars and conferences organized by Commissioners,

7. The issue of missions undertaken by the Commission was raised by INTERIGHTS, Civil Liberties Organization and RADDHO. These organizations emphasized the importance for the Commission's delegations to have a clear and specific mandate and to preserve their independence from governments of the states visited.~

18 Concerning protective activities, the Commission examined fourteen communications brought against Cameroon, Tanzania, Zaire, Uganda, Zambia, Rwanda, The Gambia, Gabon, Djibouti, Equatorial Guinea, Angola, Botswana, Egypt and Nigeria,

19. The Commission undertook missions to Senegal, Nigeria, Mauritania and Sudan. The mission's reports on Senegal and Mauritania were examined by the Commission, The examination of the reports on Nigeria and Sudan was deferred to the next session.,

The Commission adopted a press release on Zalre and a resolution on the protection of the name, acronym and logo of the African Commission on Human and Peoples' Rights,

The Commission's Bureau was received by H. E. Maaouya Ould Sidi Ahmed Taya, President of the Islamic Republic of Mauritania,

22. The dates and venue of the 22nd Ordinary Session will be determined at a later date.

23. The closing ceremony of the 21st Ordinary Session took place on 24th April 1997. It was officiated by H.E Sidi Ould Khalifa, Minister of Foreign Affairs and Cooperation.

24. The Chairman of the Commission held a press conference after the closing ceremony.

Nouakchott, Mauritania 24th April, 1997