Final Communique of the 22nd Ordinary Session of the African Commission on Human and Peoples' Rights

Rev. I

2nd - 11th November 1997
BANJUL, THE GAMBIA

1. The Opening Ceremony of the 22nd Ordinary Session of the African Commission on Human and Peoples' Rights was held in Banjul, The Gambia on 2nd November, 1997 under the Chairmanship of Professor Isaac Nguema, outgoing Chairman of the Commission. The Session was preceded by the 12th International Commission of Jurists (ICJ) Workshop on Participation in the work of the African Commission on Human and Peoples' Rights.

2. The Opening Ceremony of the Session which was graced with the presence of His Excellency the President of the Republic of the Gambia, Colonel (Rtd.) Yahya A.J.J. Jammeh, was also attended by officials of the Government of The Gambia, His Excellency Ambassador Papa Louis Fall, the Acting Dean of the African Diplomatic Corps accredited to the OAU in Addis Ababa, Ethiopia and Mrs. Tokunbo Ige, the ICJ Legal Officer for Africa representing the ICJ Secretary General.

3. The Opening Speech was delivered by His Excellency Col. (Rtd.) Yahya A.J.J. Jammeh, President of the Gambia. Prior to the opening speech, Professor Isaac Nguema, the outgoing Chairman of the African Commission on Human and Peoples' Rights, His Excellency Ambassador Papa Louis Fall, the Acting Dean of the Diplomatic Corps accredited to the OAU in Addis Ababa, Ethiopia and Mrs. Tokunbo Ige, representing the ICJ Secretary General, Mr. Adama Dieng addressed the session.

The speakers emphasized the importance of human and peoples' rights, noting that these rights have to be guaranteed by more efficient and effective regional instruments and mechanisms for the promotion and protection of human rights. In this respect, they asserted their commitment to support the Commission in the pursuit of its objectives.

4. After the adoption of the agenda, members of the Commission elected Mr. Youssoupha Ndiaye as Chairman of the Commission and Mrs. Vera Duarte as Vice Chairperson for a period of two years.

5. Statements were delivered by representatives of the governments of Sudan, Nigeria, Niger, Togo, Burundi and Mauritania.

6. Statements were also delivered by, among others, representatives of the following African and international NGOs:-

7. Mr. David Padilla, the Assistant Executive Secretary of the Inter-American Commission on Human Rights, who was a special guest of the African Commission at the Session, spoke on behalf of the Inter-American Commission and underscored the need to strengthen the relationship between the two institutions.

Mr. Ali Bouhedma, a former member of the Commission and Chairman of the Libyan Human Rights Committee requested the support of the African Commission to have the embargo against Libya lifted and deplored the suffering inflicted on the people of Libya.

The Minister for Human Rights, Institutional Reforms and Relations with the National Assembly of Burundi as well as some NGOs deplored the suffering inflicted on the people of Burundi by the embargo against their country.

8. The Commission granted observer status to 18 NGOs. The list of the NGOs granted observer status with the Commission is available at the Secretariat.

9. The Commission postponed the consideration of the periodic report of Chad because of the failure of the Government of Chad to send a representative to the Session.

10. Mr. Hatem Ben Salem, Special Rapporteur on Extra-judicial, Summary and Arbitrary Executions and Professor E.V.O Dankwa, Special Rapporteur on Prison Conditions in Africa presented their reports to the Commission.

11. The Commission also discussed the implementation of Resolution AHG/Resolution 230 (XXX) of the Assembly of Heads of State and Government of the OAU recommending the establishment of an African Court on Human and Peoples’ Rights. In this respect, the Secretariat informed members of the Commission that a meeting of experts will be held in Addis Ababa from 8th to 11th December and will be followed by the Conference of Ministers of Justice from 12th to 13th December 1997.


After discussion, it was decided to expand the group to include two more NGOs, the ICJ and the African Centre for Democracy and Human Rights Studies.

The Commission also recalled its resolution on the appointment of a Special Rapporteur on Women’s Rights in Africa adopted at its 19th Ordinary Session in Ouagadougou, Burkina Faso.

13. The Commission considered the agenda item on the strengthening of co-operation with national human rights promotion and protection institutions. Commissioners Rezzag-Bara and Pityana were entrusted with the task of studying the matter.

14. As regards the human rights situation in Africa, the Commission heard various NGO representatives who cited inter alia cases of human rights violations in the Democratic Republic of Congo, Sudan and Nigeria as well as the situation prevailing in Cameroon and Mauritania.

The Commission also deplored the massive and serious violations of human rights in Congo (Brazzaville).
The representatives of the Governments of Mauritania, Sudan, and Nigeria expressed their opinion on these statements.

15. The Commission discussed in detail the issue of its participation in OAU activities relevant to human rights and highlighted the importance of its participation in such activities.

16. The Commission reiterated its decision to organise the following seminars:

? The right to a fair trial and legal aid;
? Popular participation and Non-formal education;
? Human rights in the new South Africa
? Peaceful Resolution of ethnic and social conflicts within the framework of human rights;
? Contemporary forms of slavery in Africa;
? The right to education: a prerequisite for development in Africa;
? Freedom of movement and right to asylum in Africa;
? Economic, Social and Cultural Rights and right to development.

17. On protective activities, the Commission decided to defer consideration of the mission reports on Sudan and Nigeria to the next session.

The Commission also considered 75 communications and took appropriate action on each of them.

18. The Commission considered the report of the Secretary and took note of the strengthening of the Secretariat through the kind assistance of its partners.

The Commission also discussed the preparation of the African Ministerial Conference on Human Rights scheduled for November 1998 in Angola and decided to be fully involved.

The Commission has also expressed the wish to see the Secretary General of the OAU making plans to readjust the budget allocated to the Commission.


20. The Commission decided that the 23rd Session be held in April 1998 in South Africa, the 24th Session in November 1998 in Angola and the 25th Session in April 1999 in Algeria.

21. The Closing Ceremony took place on 11th November 1997 at the Kairaba Hotel under the Chairmanship of Mr. Youssoupha Ndiaye. The Session was closed by the Attorney General and Secretary of State for Justice of The Gambia, Her Excellency Mrs. Hawa Sisay Sabally.

22. After the Closing Ceremony, the Chairman of the Commission, Mr. Youssoupha Ndiaye gave a press conference.