Final Communique of the 28th Ordinary Session of the African Commission on Human and Peoples' Rights

23 October – 6 November 2000, Cotonou, Benin

1. At the invitation of the Government of the Republic of Benin, the 28th Ordinary Session of the African Commission on Human and Peoples' Rights was held, from 23 October – 6 November 2000, in Cotonou, Benin, under the chairmanship of Professor Emmanuel Victor Oware Dankwa.

2. The following members were in attendance at the session:
   - Chairman Emmanuel V.O. Dankwa,
   - Vice-Chairman Kamel Rezag-Bara,
   - Commissioner Hatem Ben Salem,
   - Commissioner Florence Butegwa
   - Commissioner Andrew R. Chigovera,
   - Commissioner Vera M. Chirwa,
   - Commissioner Ibrahim Ali Badawi El-Shiekh,
   - Commissioner Jainaba Johm,
   - Commissioner Isaac Nguema,
   - Commissioner Nyameko Barney Pityana.

   Commissioner J. Ondziel-Gnelenga could not attend the session due to health problems.

3. The Commission elected Mr. Rezag-Bara as the Vice Chairman.

4. Commissioner Vera Chirwa was appointed the Special Rapporteur on Prisons and Conditions of Detention in Africa.

5. The session was declared open by His Excellency Mr. Bruno Amoussou, Minister of State Responsible for Coordination of Governmental Activity, Planning, Development and Labour. In his speech, Minister Amoussou welcomed the progress recorded in the field of the promotion and protection of human rights on the Continent.

   He emphasised the need for increased empowerment of Africans to facilitate their involvement in the prevention and management of conflicts, which are the major causes of human rights violations in Africa.

   He concluded by once again welcoming the Commission and other participants to the 28th Session and assured them of the total commitment of the Government of Benin to ensuring the success of the session.

6. Chairman E.V.O. Dankwa delivered a speech.

7. Mrs. Tokunbo Ige, Legal Adviser for Africa at the International Commission of Jurists, delivered a speech on behalf of the NGOs.

8. The Commission heard statements made by States Delegates, representatives of National Human
9. Various NGOs expressed their concern regarding the alarming situation of human and peoples’ rights in various African countries. The NGOs highlighted in particular the recurrence of armed conflicts, extra-judicial, summary and arbitrary executions, arbitrary detentions, denials of justice and inhuman conditions of detention. The Commission reflected on the situation in Côte d’Ivoire, where the presidential elections triggered serious human rights violations. The Commission and participants at the 28th session expressed their profound concern in this regard. The Commission issued a statement in which it deplored the deteriorating human rights situation in the country and called on the Government and all concerned parties to stop the violence and give dialogue a chance.

10. The Commission discussed Africa’s participation at the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held in August 2001, in South Africa. To this end, the Commission decided to set up a Committee of four Commissioners convened by Commissioner Jainaba Johm to oversee the Commission’s involvement in all preparatory activities in the World Conference.

11. The following national human rights institutions were granted affiliate status with the African Commission:
   - Commission National des Droits de l’Homme et des Libertés Fondamentales (Niger);
   - the National Commission for Democracy and Human Rights (Sierra Leone);
   - Comité Sénégalais des Droits de l’Homme (Senegal).

12. The African Commission granted observer status to the following NGOs:
   - Aliança Muçulmana de Angola (Angola);
   - Ligue Nationale des Droits de l’Homme du Cameroun (Cameroun);
   - HURINET (Uganda);
   - Arab Programme for Human Rights Activists (Egypt);
   - Social Alert (Belgium);
   - Association Béninoise d’Assistance à l’Enfant et à la Famille (Bénin);
   - Volunteers for Prison Inmates (Cameroun);
   - Legal and Human Rights Centre (Tanzania);
   - Association pour la promotion des Libertés Fondamentales (Chad);
   - Association des Femmes Juristes du Tchad (Chad);
   - Association Algérienne d’Alphabétisation.

13. In accordance with article 62 of the Charter, Benin presented its periodic report covering the period 1993 - 1998. During the presentation, H.E. Mr. Joseph H. Gnonlonfoun, Attorney General and Minister of Justice, Legislation and Human Rights, highlighted his Government’s efforts to ensure that the principles enshrined in the African Charter on Human and Peoples’ Rights effectively benefit the people of Benin. The Commission welcomed the substantial progress achieved by Benin in the promotion and protection of human rights. It noted with satisfaction the incorporation of the Charter’s provisions into the national legislation, the efforts made towards the improvement of prison conditions and the
establishment of human rights institutions. The Commission took note of difficulties encountered during the period of the report as well as steps being taken to overcome them. The Commission expressed its appreciation for the Government of Benin’s willingness to cooperate with it and encouraged the Government to uphold this attitude.

14. The Commission considered the periodic report of the Arab Republic of Egypt covering the period 1988 - 1998. The Commission noted in particular the effectiveness of the supreme constitutional court, judicial oversight of elections and the participation of civil society in various aspects of national life. It also noted with satisfaction the importance accorded by the authorities to the promotion of economic, social and cultural rights, especially within the framework of the war against poverty and solidarity with vulnerable groups. The Commission welcomed the quality of its cooperation with the Arab Republic of Egypt. The Commission took note of difficulties encountered during the period of the report as well as steps being taken to overcome them.

15. Due to the absence of States representatives, consideration of the periodic reports of Ghana and Namibia were deferred to the 29th Ordinary Session.


17. As part of its promotion activities, the Commission confirmed its previous decision to organise seminars on the following topics:
   - Contemporary forms of slavery.
   - The right to education and development.
   - Freedom of movement and the right to asylum in Africa.
   - The rights of people with disability.
   - Economic, social and cultural rights in Africa.
   - Prevention of Torture
   - A seminar on Freedom of Expression and the Charter will be held in South Africa from 22 – 25 November 2000.

18. The Commission considered a total of 24 Communications; it concluded consideration on the merits of 6, declared inadmissible 2 and deferred decisions on 16 to the 29th Ordinary Session.

19. The Commission adopted the following 5 Resolutions:
   - Resolution on the situation in Palestine and occupied territories
   - Resolution on the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance
   - Resolution on Côte d’Ivoire
   - Resolution on Compliance and Immediate Implementation of the Arusha Peace Agreement for Burundi
   - Resolution on the Rights of Indigenous Peoples / Communities in Africa.

20. The African Commission welcomed the significant participation, at its 28th Session: Eighteen (18) States Parties, 10 National Human Rights Institutions and 110 African and international NGOs were in
attendance. This is a testimony to the growing interest in the Commission’s efforts for the promotion and protection of human rights in Africa.

21. The African Commission expresses its sincere gratitude to the Government and people of the Republic of Benin for the warm welcome and hospitality extended to it, which contributed to the smooth conduct and success of its proceedings.

22. The Government of the Great Libyan Arab Jamahiriya extended an invitation to the Commission to hold its 29th Ordinary Session in Tripoli. The Commission expressed its gratitude to the Government of Libya, accepted the invitation and decided to hold the said session from 23 April – 7 May 2001 in that country. The Commission further decided to hold its 30th Ordinary Session at its headquarters in Banjul, The Gambia.

23. The Session was declared closed on 6 November 2000 by H. E. Joseph H. Gnonlonfoun, the Attorney general, Minister of Justice, Legislation and Human Rights of Benin.

24. The Chairman of the Commission held a Press Conference following the closing ceremony.

Done at Cotonou, 6 November 2000