Final Communique of the 31st Ordinary Session of the African Commission on Human and Peoples' Rights

2 – 16 May 2002
Pretoria, South Africa

1. The African Commission on Human and Peoples’ Rights held its 31st Ordinary Session in Pretoria, South Africa from May 2nd to 16th, under the chairmanship of Mr Kamel Rezag Bara.

2. The following members attended this Session:

   Commissioner Kamel Rezag Bara – Chairperson
   Commissioner Jainaba Johm – vice Chairperson
   Commissioner Ibrahim Ali Badawi El Sheikh
   Commissioner Hatem Ben-Salem
   Commissioner Andrew Ranganayi Chigovera
   Commissioner Vera Mlangazuwa Chirwa
   Commissioner Emmanuel V. O. Dankwa
   Commissioner Yaser Sid Ahmed El-Hassan
   Commissioner Angela Melo
   Commissioner Nyameko Barney Pityana
   Commissioner Salamata Sawadogo

3. Before the opening ceremony of the 31st Ordinary Session, the chairman of the African Commission, Mr Kamel Rezag Bara, called for a minute’s silence in memory of His Excellency Mr Ide Oumarou, ex-Secretary General of the Organisation of African Unity (OAU), who had recently died. He recalled that the first very first session of the African Commission was convened by Mr Ide Oumarou on November 2nd 1987 and that he also inaugurated the African Commission’s headquarters in June 1989 in Banjul, The Gambia.

4. The session was officially opened by His Excellency Mr Jacob Zuma, Deputy President of the Republic of South Africa.

H.E. Jacob Zuma expressed the pleasure and pride of his country in hosting this 31st Ordinary Session of the African Commission. He recalled that South Africa had experienced a painful past and that this made human rights so much more precious.

For almost a decade, the principle of democracy has gained momentum in Africa. NEPAD and the African Union, which will shortly come into being, represent credible initiatives to bring Africa out of its present situation. Mr Jacob Zuma urged those States who had not yet done so, to ratify the Protocol creating an African Court of Human and Peoples Rights.

The Deputy President closed by pledging support for the activities of the African Commission and urged all civil society organizations to strengthen their relations with the Commission, and its missions to promote and protect human rights in Africa.
5. During the opening ceremony, addresses were given by H.E. Sga?r Ould M’BARECK, Minister of Justice of the Islamic Republic of Mauritania in his capacity as representative of delegates of States Parties to the African Charter on Human and Peoples’ Rights attending the Session, and by Mr Mohamed Genedy on behalf of the Non-governmental Organisations that have observer status with the Commission.

6. The Commission heard statements from several representatives of States Parties, National Human Rights Institutions, Inter-governmental organizations, non-governmental organizations and other invited guests.

7. The representatives of the National Human Rights Institutions and the non-governmental organizations expressed their deep concern about the human rights situation prevailing in numerous African States despite the efforts made by the Commission through its protection and promotional mandates. The said member States exercised their right of reply.

8. The members of the Commission presented their inter-sessional activity reports. The Special Rapporteur on Prisons and Detention Conditions in Africa, Dr Vera Mlangazuwa Chirwa also presented her report, as did the Special Rapporteur on the Rights of Women in Africa, Dr Angela Melo.

9. The African Commission granted affiliate status to the following National Human Rights Institutions:
   - The National Committee for Human Rights of Cameroon
   - The National Commission for Human Rights of Togo
   - The National Human Rights Initiative of Mauritius

10. The Commission also granted observer status to the following non-governmental organizations:
   - HURI-LAWS The Human Rights Law Service (Nigeria)
   - Women in Law in Southern Africa (Zimbabwe)
   - Groupe Lotus (DRC)
   - Développement 2000 (Benin)
   - Commonwealth Human Rights Initiative (Ghana)

11. The African Centre for Democracy and Human Rights Studies in collaboration with Human Rights Institute of South Africa (HURISA) and the African Commission on Human and Peoples’ Rights, held an NGO Forum from the 29th April to 1st May 2002 in Pretoria, South Africa. The valuable contributions which emanated from the Forum were included in the deliberations of the 31st Ordinary Session.

13. In the context of its promotional activities, the Commission confirmed its decision to organise seminars on the following topics:

- Economic, social and cultural rights;
- Refugees and displaced persons;
- Rights of the people with disability;
- The right to education.

Reports were presented on the Workshop on the Prevention of Torture and Ill-Treatment in Africa and the meeting of the Working Group on the Freedom of expression.

14. The African Commission considered altogether twenty-four (24) communications. Of those 24 Communications, the Commission was seized of eight (8) new Communications and delivered decisions on inadmissibility on two (2). One Communication was withdrawn by the Complainant. Thirteen (13) Communications were deliberated upon and deferred to the 32nd Ordinary Session for further consideration.

15. The African Commission expressed satisfaction with the number of participants who attended its 31st Ordinary Session; there were one hundred and forty-eight (148) delegates from thirty-six (36) States Parties; twenty-one (21) participants from eight (8) National Human Rights Institutions, two hundred and eight (208) participants from fifty-one (51) African and International Non-Governmental Organisations (NGOs) and eighty (80) other invitees. There were a total of four hundred and sixty-one (461) participants.

16. The Commission has decided to hold its 32nd Ordinary Session in Banjul The Gambia from 17th to 31st October 2002; its 33rd Ordinary Session in Côte d’Ivoire; its 34th Ordinary Session in Banjul, The Gambia and the 35th Ordinary Session in Cameroon.

17. The Commission adopted the following resolutions:

- Resolution on the ratification of the Protocol on the Establishment of the African Court on Human and Peoples’ Rights;
- Resolution on the ratification of the Statute on the International Criminal Court by OAU/ AU Member States.


19. The African Commission expressed its sincere thanks and deep appreciation to the government of South Africa for the facilities put at their disposal and for the generous welcome and hospitality they had received, which all contributed to the successful outcome of this 31st Ordinary Session.

20. The 31st Ordinary Session was closed on May 16th 2002 by Honourable Dr Penuell Maduna, Minister of Justice and Constitutional Development of the Republic of South Africa.

21. The Chairperson of the Commission held a press conference immediately after the closing ceremony.