Final Communique of the 33rd Ordinary Session of the African Commission on Human and Peoples' Rights

1. The 33rd Ordinary Session of the African Commission on Human and Peoples’ Rights (ACHPR) was held in Niamey, Republic of Niger, from 15th to 29th May 2003 under the Chairmanship of Ambassador Kamel Rezag Bara.

2. The following Members attended the session:
   - Commissioner Mrs Jainaba Johm (Vice-Chairperson);
   - Commissioner Ibrahim Ali Badawi El Sheikh;
   - Commissioner Andrew R. Chigovera;
   - Commissioner Vera Mlangzuwa Chirwa;
   - Commissioner EVO Dankwa;
   - Commissioner Yassir Sid Ahmad El-Hassan;
   - Commissioner Angela Melo;
   - Commissioner Barney Pityana;
   - Commissioner Hatem Ben Salem;
   - Commissioner Salimata Sawadogo

3. The Prime Minister of Niger, H.E. Mr Hama Amadou, after welcoming the participants to Niamey for the 33rd Ordinary Session, pointed out that justice, peace, security and democracy should prevail in Africa. Concerning Niger, he said that great efforts had been made in accordance with its Constitution to guarantee the respect and protection of human rights. The State Institutions which had been put in place were a testimony of the attachment of the Government of Niger to democratic principles, particularly the separation of powers and the respect of human rights in Niger.

   Before declaring the 33rd Ordinary Session open, the Prime Minister called for deeper reflection on the creation of a mechanism for the prevention and settlement of conflicts which undermine peace and development in Africa.

4. In his statement, the Chairman of the African Commission thanked the Government and the people of Niger for the facilities put at the disposal of the participants at the session. He was pleased with the progress made in quite a number of African countries and regretted the worrying situation of human rights prevailing in some parts of the continent. He also expressed his appreciation for the constantly increasing number of participants at the sessions of the African Commission.

5. After thanking the Authorities of the host country for the warm welcome extended to the participants to the 33rd session, the representative of National Institutions on Human Rights outlined the mandate assigned to these Institutions and urged those States Parties that had not yet done it to put in place this mechanism. He reiterated the determination of the National Institutions on Human Rights to strengthen cooperation with the African Commission on Human and Peoples’ Rights.

6. The representative of NGOs present expressed their heartfelt gratitude for the attention they had received since their arrival in Niamey. Expressing his regrets on the violation of human rights here and there, he called for stronger cooperation among the defenders of human rights for better
promotion and protection of human rights in Africa and in the world. He reiterated the
determination of NGOs to do their utmost in supporting the work of the African Commission.

7. The Commission heard statements from several States Parties delegates and from the
representatives of National Institutions on Human Rights and Intergovernmental and Non
Governmental Organisations, as well as other guests.

8. The representatives of National Institutions on Human Rights and Non Governmental
Organisations expressed their strong concern on the situation of human and peoples’ rights
prevailing in many African States despite the efforts of the African Commission through the
promotion and protection missions on human rights on the continent. Moreover, the States Parties
exercised their right of reply.

9. Mrs Angela Melo and Mrs Vera Mlangazuma Chirwa, Special Rapporteurs on the Rights of Women
in Africa and on Prisons and Conditions of Detention in Africa respectively, as well as the Chairman
and the Members of the Commission, presented their activity reports covering the intersession
period.

10. The African Commission appointed Commissioner Vera Chirwa Special Rapporteur on Prisons and
Conditions of Detention in Africa for a period of two (2) years.

11. The African Commission on Human and Peoples’ Rights granted the status of affiliate to Conseil
National Consultatif de Promotion et de Protection des Droits de l’Homme en Algérie (CNCPPDH)
which had replaced Observatoire National des Droits de l’Homme de l’Algérie (ONDH).

12. The African Commission granted also the status of observer to the following NGOs:

- Media Institute of Southern Africa (Namibia);
- Integrated Development Organisation (Kenya);
- Centre for Minority Rights Development (Kenya);
- National Association of Democratic Lawyers (Ghana)
- Media Foundation for West Africa (Ghana);
- Centre Africain des Femmes dans les Media (Senegal);
- Démocratie Vivante (Niger);
- Mahatma Ghandi Human Rights Organisation (Hungary);
- Organisation pour la Promotion et l’Epanouissement de la Femme Nigérienne (Niger);
- Réseau des Journalistes pour les Droits de l’Homme (Niger);
- Indigenous Peoples’ Association Coordinating Committee (South Africa);
- Santé de la Reproduction pour une Maternité sans Risques (Niger);
- International Rehabilitation Council for Torture Victims (Denmark);
- Shelter for Children (Gambia);
- Centre on Housing and Eviction

13. In accordance with Article 62 of the African Charter on Human and Peoples’ Rights, the Arab
Democratic Sahrawi Republic presented its initial report. The Commission adopted the final
observations on this report.
14. The Chairman of ACHPR took this opportunity to urge States Parties behind schedule in submitting their reports to honour this obligation as soon as possible. The submission of initial/periodic reports is one of the mechanisms provided for by the African Charter to enable ACHPR to monitor the implementation of this instrument by the States Parties.

15. The African Commission considered forty-six (46) communications of which fourteen (14) on decision for seizure, twenty-one (21) on admissibility and ten (10) on merits. Furthermore, the Commission decided on the merits of five (5) communications, declared three (3) communications inadmissible and deferred sine die consideration of one (1) communication.

16. The African Commission paid tribute to the late Professor Isaac Nguéma, former Member and Honorary Chairman of ACHPR, and to the late Ousmane Ngum, staff member of the Secretariat of ACHPR, who died during the intersession.

17. Mrs Mame Bassine Niang, Minister for Human Rights of Senegal, paid a warm tribute to the late Professor Isaac Nguéma on behalf of the delegates of the States Parties. She recalled that Professor Nguéma was a brilliant lawyer, a politician but, above all, a man of honour who had the talent of teaching and a special approach to problem solving. And Mr. Ibrahima Kane of INTERIGHTS made a statement on behalf of Non Governmental Organisations and presented their sympathy and most heartfelt condolences to the bereaved families and to all who had known these two men. A minute of silence was observed in memory of the late Professor Nguéma, Ousmane Ngum and Walter Sisulu, a distinguished South African personality.

18. The African Commission is pleased with the increased participation to the 33rd Ordinary Session. In attendance were nineteen (19) States Parties represented by sixty-two (62) delegates, seven (7) National Institutions on Human Rights represented by thirty (30) participants, one hundred and thirty-six (136) Non Governmental Organisations with one hundred and ninety-six (196) participants and twenty-four (24) other guests; a total attendance of three hundred twelve (312) participants.


22. The African Commission adopted its Work Programme for the period 2003-2006, as well as the Action Plan of the Special Rapporteur on the Rights of Women in Africa which should be incorporated in the above mentioned overall programme.


24. The African Commission on Human and Peoples’ Rights wishes to express its heartfelt gratitude to the Government of the Republic of Niger and to the National Commission on Human Rights and
Fundamental Freedoms of Niger for all the facilities put at its disposal and the warm welcome and hospitality extended to it, which contributed to the smooth running and success of the session.

25. The 33rd Ordinary Session will be officially closed by Honourable Mr Matty Elhadj Moussa, Minister of Justice and Minister responsible for Relations with Parliament of the Republic of Niger.

26. Mrs Salama Sawadogo, Member of the African Commission and responsible for promotion activities in Niger, will hold a Press Conference after the closing ceremony.

Done at Niamey, on 29th May 2003