Final Communiqué of the 12th Extra-Ordinary Session of the African Commission on Human and Peoples’ Rights

Algiers,
People’s Democratic Republic of Algeria
30 July – 04 August 2012

1. The African Commission on Human and Peoples’ Rights (the Commission) held its 12th Extra-Ordinary Session from 30 July to 4 August 2012, in Algiers, People’s Democratic Republic of Algeria.

2. The following Commissioners attended and participated in the 12th Extra-Ordinary Session:
   - Honourable Commissioner Catherine Dupe Atoki, Chairperson;
   - Honourable Commissioner Kayitesi Zainabo Sylvie, Vice-Chairperson;
   - Honourable Commissioner Reine Alapini-Gansou;
   - Honourable Commissioner Soyata Maiga;
   - Honourable Commissioner Mohamed Béchir Khalfallah;
   - Honourable Commissioner Lucy Asuagbor;
   - Honourable Commissioner Med S. K. Kaggwa;
   - Honourable Commissioner Pacifique Manirakiza; and
Honourable Commissioner Maya Sahli-Fadel.

3. Honorable Commissioner Pansy Tlakula and Commissioner Yeung Kam John Sik Yuen were absent with apologies.

4. The Session was chaired by Honourable Commissioner Catherine Dupe Atoki, Chairperson of the Commission.

5. Following the opening remarks of the Chairperson, the Commission discussed and adopted the Agenda of the Session.

6. The Chairperson briefed Members of the Commission on the outcome of the 24th Session of the Permanent Representatives Committee, the 21st Ordinary Session of the Executive Council and the 19th Summit of the Assembly of Heads of State and Government of the African Union (AU).

7. The Chairperson informed Members that the Commission could not present its Report to the Executive Council in July 2012 because of Executive Council Decisions Numbers EX.CL DEC/655-7, adopted in Malabo, which require the named AU Organs to present only one Report per year before the Assembly.

8. On budgetary matters the Chairperson informed Members that the Summit approved only a two-percent increase on the Operational Budget of the Commission, and that no allocation had been made from Member States’ contributions for the Commission’s program activities. The Chairperson indicated this will pose a challenge for the program activities of the Commission, as well as for staff recruitment.
9. With regards to the fact that no provision had been made for the Programs Budget for 2013, the Chairperson indicated that the Summit had encouraged the Commission to seek funding from partners.

10. The Commission discussed Executive Council Decision, EX.CL/DEC.689 (XX) which requests the “Commission to carry out a Mission to the occupied territories of Sahrawi Arab Democratic Republic (SADR) with a view to investigate human rights violations and to report to the next Ordinary Session of the Executive Council in January 2013.” The Commission decided to undertake the said Mission from 24 to 28 September 2012.

11. The Commission discussed Assembly Decision, Assembly/AU Dec1.1 (XX0 of July 2012, which calls upon “the Commission to investigate the human rights situation in northern Mali, including the atrocities committed against the Malian military and their families in Aguel’hoc, in January 2012, and to submit a comprehensive report with concrete recommendations on the way forward before the Assembly of Heads of State and Governments.” The Commission decided to undertake the said Mission in 2012, conditions permitting.

12. The Commission reviewed the draft Memorandum of Understanding between the United Nations International Criminal Tribunal for Rwanda and the Commission on the monitoring of the trial of Jean Bosco Uwinkindi in Rwanda.

13. The Commission considered and adopted the Reports of the following:
   i. Working Group on Communications;
   ii. Audit of Communications;
iii. Preparation of the 25th Anniversary of the Commission; and
iv. The Pre-mission to Cote d’ Ivoire.

14. The Commission adopted the Reports of the 49th and 50th Ordinary Sessions, as well as that of the 12th Extra-Ordinary Session

15. The Commission examined Eighteen (18) Communications:
   a. Eight (8) on Seizure;
   b. Four (4) on Admissibility;
   c. One (1) on Merits;
   d. One (1) on Review;
   e. Three (3) on Provisional Measures; and
   f. One (1) concerning implementation of the Commission’s recommendations.

16. The Commission considered and adopted the following Mission Reports:
   i. The Promotion Mission to the Central African Republic; and
   ii. The Promotion Mission undertaken by the Committee for the Prevention of Torture in Africa to the Islamic Republic of Mauritania.

17. The Commission adopted Concluding Observations on the following Periodic Reports from State Parties:
   i. The Combined Second, Third, Fourth and Fifth Periodic Reports of the Republic of Angola; and
   ii. The Combined Fourth and Fifth Periodic Reports of the Republic of Sudan.


20. The Commission expresses its profound gratitude to the Government and People of the People’s Democratic Republic of Algeria for the hospitality extended to the Commission, which contributed considerably to the success of the 12th Extra-Ordinary Session.

Done in Algiers, People’s Democratic Republic of Algeria, 4 August 2012