

3. The following Members attended and participated in the 4th Extra-ordinary Session:
   - Commissioner Angela Melo – Vice Chairperson;
   - Commissioner Bahame Tom Mukriya Nyanduga;
   - Commissioner Mumba Malila;
   - Commissioner Reine Alapini-Gansou;
   - Commissioner Faith Pansy Tlakula;
   - Commissioner Musa Ngary Bitaye;
   - Commissioner Catherine Dupe Atoki;
   - Commissioner Soyata Maiga;
   - Commissioner Kayitesi Zainabo Sylvie;
   - Commissioner Yeung Kam John Yeung Sik Yuen.

4. In her welcoming statement, the Chairperson of the African Commission, Honourable Commissioner Justice Sanji Mmasenono Monageng, on behalf of the Members of the African Commission, and on her own behalf, expressed her gratitude to the Attorney General and Secretary of State for Justice of the Republic of The Gambia for sending a representative of the Government to officially open the 4th Extra-ordinary Session despite the Government’s busy schedule on the eve of the nation celebrating its Independence Day.

5. The Chairperson of the African Commission recalled that issues of poverty, underdevelopment, disease and conflicts continue to pose challenges to the promotion and protection of human rights, especially in Africa. She explained that, while these challenges are especially preoccupying for the African Commission, they were not in themselves the reason for holding this Extra-ordinary Session of the African Commission. This session is held, among other reasons to finalise consideration of the African Commission’s ‘Revised Rules of Procedure’ ahead of a meeting with the African Court later in the year, to harmonise the Rules of the two Institutions.
6. Tracing the history of the African Commission, she explained that the African Commission is mandated to collaborate with a range of human rights stakeholders and institutions on the continent. This collaboration, cooperation and harmonization of activities with other human rights bodies have meant that the African Commission needed to re-examine its own Rules of Procedure, especially with the African Court on Human and Peoples' Rights, with which the African Commission would be working very closely.

7. On the human rights situation in Kenya, following the Presidential and Legislative Elections in December 2007, the Chairperson said that it was a matter of grave concern to the African Commission. She informed the audience that she had already issued a statement calling for restraint, exhorting all sides to resolve their differences through peaceful dialogue, and urging the Kenyan Government and the People to honour its human rights obligations and duties under the African Charter.

8. The Chairperson of the African Commission concluded her statement by thanking the Government of the Republic of The Gambia for hosting the African Commission for the last twenty years. She also wished His Excellency, President Dr Alhaji Yahya A. J. J. Jammeh, his Government and the People of the Republic of The Gambia, a happy 43rd Independence Day Anniversary.

9. The 4th Extra-ordinary Session was officially opened by Mr. Sainey Suso, the Deputy Permanent Secretary in the Department of State for Justice, on behalf of the Attorney General and Secretary of State for Justice of the Republic of The Gambia, Honourable Marie Saine Firdaus. Mr Sainey Suso welcomed the Members of the African Commission to Banjul, and thanked them for choosing Banjul, The Gambia, to hold this most important Session. He further stated that The Gambian Government is proud to be associated with the development of the Rules of Procedure, a document that will guide the operations of the African Commission in the future.

10. Mr Sainey Suso also noted that this 4th Extra-ordinary Session is a milestone in the development of the African human rights system, because, following the establishment of an African Commission twenty years ago, and now an African Court on Human and Peoples’ Rights, there is a need for synergy and complementarity between these two bodies, to consolidate the gains made by the African Commission. Hence, in his view, the need to review the ‘Rules of Procedure’ of the African Commission could not be overemphasized. He concluded by reiterating that the Government of The Gambia is firmly committed to the work of the African Commission.

11. The 4th Extra-ordinary Session was preceded by a meeting of the African Commission’s Working Group on Specific Issues which took place from 15 to 17 February 2008. It undertook an initial review of the proposed Rules of Procedure in preparation for consideration and finalization by the Extra-ordinary Session.

12. After the opening ceremony, the Commission the adopted the agenda and discussed the current human rights situations in the Republic of Kenya and Somalia. Following the deliberations, the Commission adopted two resolutions in which it, among other things, decided to send Fact-finding Missions to Kenya and Somalia in due course to investigate serious human rights violations that are alleged to have taken place in the two countries.
13. Thereafter, the Commission started a week-long intensive and exhaustive deliberation on the Rules of Procedure, at the end of which it finalised some of the Rules, and decided to postpone to a future date those that could not be concluded during this Extra-ordinary Session.

14. The African Commission would also like to place on record that due to the intensity of the work involved in the consideration of the Rules of Procedure, it was able to consider only three of the items originally slated for this Extra-ordinary Session – namely, the Draft Rules of Procedure and the Human Rights situations in Kenya and Somalia.

15. The African Commission expresses its sincere appreciation and profound gratitude to the Government and People of the Republic of The Gambia for the facilities placed at its disposal, and for the warm welcome and hospitality accorded to the Commissioners and participants, all of which contributed to the success of the deliberations, discussions and debates at the 4th Extra-ordinary Session.

Done in Banjul, The Gambia, 23rd February 2008