


AFRICAN UNION		UNION AFRICAINE
<p style="text-align: center;">الاتحاد الأفريقي</p> <p style="text-align: center;"><i>African Commission on Human & Peoples' Rights</i></p>		<p style="text-align: center;">UNIÃO AFRICANA</p> <p style="text-align: center;"><i>Commission Africaine des Droits de l'Homme & des Peuples</i></p>
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**Final Communiqué of the 20th Extraordinary Session of the African Commission on
Human and Peoples' Rights**

Banjul, Islamic Republic of The Gambia

9 - 18 June 2016

1. The African Commission on Human and Peoples' Rights (the Commission) held its 20th Extraordinary Session from 9 to 18 June 2016 in Banjul, Islamic Republic of The Gambia.
2. The Session was convened to deal with Communications and other urgent and outstanding matters from previous Sessions.
3. The Session was chaired by **Honourable Commissioner Pansy Tlakula, Chairperson** of the Commission, assisted by **Honourable Commissioner Soyata Maïga, Vice-Chairperson** of the Commission.
4. The 20th Extraordinary Session was attended by the following Commissioners:
 - i. Honourable Commissioner **Pansy Tlakula**, Chairperson;
 - ii. Honourable Commissioner **Soyata Maïga**, Vice-Chairperson;
 - iii. Honourable Commissioner **Reine Alapini-Gansou**;
 - iv. Honourable Commissioner **Kayitesi Zainabo Sylvie**;
 - v. Honourable Commissioner **Lucy Asuagbor**;
 - vi. Honourable Commissioner **Med S. K. Kaggwa**;
 - vii. Honourable Commissioner **Lawrence Murugu Mute**;
 - viii. Honourable Commissioner **Jamesina Essie L. King**;

- ix. Honourable Commissioner **Solomon Ayele Dersso**;
5. Honourable Commissioner **Yeung Kam John Yeung Sik Yuen** and Honourable Commissioner **Maya Sahli-Fadel** were absent with apologies.
 6. The Commission considered twenty-seven (27) Communications:
 - i. Thirteen (13) Communications on Seizure: eleven (11) were seized, one (01) was not seized and one (01) was deferred; also, three (03) requests for Provisional Measures were granted;
 - ii. Ten (10) Communications on Admissibility: seven (07) declared admissible, one (01) declared inadmissible and two (02) deferred;
 - iii. Three (03) Communications on Merits: one (01) adopted and two (02) deferred.
 - iv. The Commission decided to reverse its decision on the referral of one (01) Communication to the Court.
 7. The Commission also provided guidance on issues relating to the implementation of its recommendations regarding one Communication and discussed strategies for the effective implementation of its decisions.
 8. The Commission reviewed the Paper on Consideration of Communications against South Sudan and reiterated its earlier position that since the country has not yet ratified the African Charter on Human and Peoples' Rights, the Commission cannot consider Communications against South Sudan prior to its ratification of the Charter.
 9. The Commission considered and adopted the following documents:
 - i. Expansion on the Declaration of Principles on Freedom of Expression;
 - ii. Paper on Preparation of Documents/Questions for State Reports;

- iii. Paper on Challenges Affecting the Commission /Secretariat with Respect to Communications
- iv. Addendum to the 40th Activity Report of the Commission; and
- v. The Commission's 2017 Budget.

10. The Commission considered its 2016 Annual Work Plan and adopted its activities for the second half of the year.

11. The Commission considered and adopted recommendations on:

- i. Draft Document on the Commemoration of "2016: African Year of Human Rights with Particular Focus on the Rights of Women";
- ii. Paper on the Criteria for Granting of Observer Status;
- iii. Status of Allotment and 2016 Budget;
- iv. Update on PanAf Support;
- v. Update on GIZ Support;
- vi. Concept Note on the Africa Awards 2016;
- vii. Capacity Building for Commissioners and Staff of the Secretariat;
- viii. Request from the University of Bristol to be allowed to provide Amicus Briefs on cases before the ACHPR and to engage with the ACHPR on a Project that they are undertaking on monitoring implementation of the decisions of the Commission and the Court on selected countries;
- ix. Proposed collaboration between the Commission and the Inter-American Commission on Human Rights for capacity building;
- x. Proposal from the Network of African National Human Rights Institutions (NANHRI) to adopt 25 April as Pre-trial Detention Day;
- xi. Promotion Missions;
- xii. Request for a Fact-Finding Mission to Nigeria;

- xiii. NANHRI Report on Implementation of the Commission's Recommendations;
 - xiv. Request for partnership by the International Organisation of the Francophonie; and
 - xv. Request for collaboration by the Organisation of Islamic Cooperation (OIC).
12. The Commission considered and deferred the adoption of the following documents:
- i. Brief on Violation of Article 1 of the Charter.
 - ii. Guidelines on Referral of Cases to the AfCHPR; and
 - iii. Paper on the Role of Commissioners participating in missions to their country of nationality;
13. The Commission considered and adopted Concluding Observations on periodic reports presented at its 57th and 58th Ordinary Sessions by the following Member States:
- i. People's Democratic Republic of Algeria;
 - ii. Republic of South Africa; and
 - iii. Republic of Namibia;
14. The Commission was briefed on the consideration by the Peace and Security Council of the Report on the Fact-finding Mission to the Republic of Burundi.
15. The Commission held a meeting with a delegation of the African Peer Review Mechanism and discussed areas of cooperation and collaboration.
16. The Commission adopted five (05) resolutions:

- i. Resolution to Revise the Declaration of Principles on Freedom of Expression in Africa;
- ii. Resolution on Attacks on Persons with Albinism in Malawi;
- iii. Resolution to Renew the Mandate of the Focal Point between the African Commission on Human and Peoples' Rights and the African Peer Review Mechanism;
- iv. Resolution on the Renewal of the Mandate of Expert Members of the Committee on the Protection of the Rights of People Living with HIV and Those at Risk, Vulnerable to and Affected by HIV; and
- v. Resolution on the Renewal of the Mandate of Expert Members of the Working Group on Extractive Industries, Environment and Human Rights Violations in Africa.

17. The Commission expresses its profound gratitude to the Government and people of the Islamic Republic of The Gambia for the warm welcome and hospitality extended to members of the African Commission on Human and Peoples' Rights during the 20th Extraordinary Session.

Done in Banjul, Islamic Republic of The Gambia, on 18 June 2016