

AFRICAN UNION		UNION AFRICAINE
<b>الاتحاد الأفريقي</b> African Commission on Human & <b>Peoples' Rights</b>		UNIÃO AFRICANA <u>Commission Africaine des Droits de</u> <u><b>l'Homme &amp; des Peuples</b></u>
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**Final Communiqué of the 26<sup>th</sup> Extra-Ordinary Session of the African  
Commission on Human and Peoples' Rights**

**Banjul, The Gambia**

**16 – 30 July 2019**

1. The African Commission on Human and Peoples' Rights (the Commission) held its 26<sup>th</sup> Extraordinary Session from 16 to 30 July 2019 in Banjul, The Gambia.
2. The Session was convened to consider items on its agenda, including Communications; Concluding Observations on States Reports; draft Normative Documents such as draft Guidelines and Papers; various Reports and other outstanding issues from its previous sessions, as well as, pressing issues emerging in the intersession period.
3. The Session was chaired by Honourable Commissioner Soyata Maïga, Chairperson of the Commission, assisted by Honourable Commissioner Lawrence Murugu Mute, Vice-Chairperson.
4. The 26<sup>th</sup> Extraordinary Session was attended by the following members of the Commission:
  - i. Honourable Commissioner **Soyata Maïga**, Chairperson;
  - ii. Honourable Commissioner **Lawrence Murugu Mute**, Vice-Chairperson;
  - iii. Honourable Commissioner **Kayitesi Zainabo Sylvie**;
  - iv. Honourable Commissioner **Yeung Kam John Yeung Sik Yuen**;
  - v. Honourable Commissioner **Lucy Asuagbor**;
  - vi. Honourable Commissioner **Maya Sahli-Fadel**;
  - vii. Honourable Commissioner **Jamesina Essie L. King**;
  - viii. Honourable Commissioner **Solomon Ayele Derso**;
  - ix. Honourable Commissioner **Essaiem Hatem**;
  - x. Honourable Commissioner **Maria Teresa Manuela**; and
  - xi. Honourable Commissioner **Rémy Ngoy Lumbu**.
5. The Commission considered and adopted its agenda.
6. The Commission also considered and adopted the following documents with amendments:
  - i. Report of the Chairperson on the Meetings of the AU Policy Organs held in June and July 2019, in Addis Ababa, Ethiopia and Niamey, Niger, respectively;
  - ii. Concept Note for the Regional Sensitization Seminar on the Work of the Commission and its Special Mechanisms;
  - iii. Pilot Study on Violations of the Human Rights of Migrants in Niger;
  - iv. Guidelines on the Right to Water;
  - v. Internal Guidelines on the Organization of Panels during Public Sessions of the Commission;

- vi. Report on Follow-up Actions;
  - vii. Report on Communications Audit; and
  - viii. Report of the Committee on Administrative, Staff and Budgetary Matters.
7. The Commission considered and adopted the following Concluding Observations:
- i. Concluding Observations on the 6<sup>th</sup> and 7<sup>th</sup> Combined Periodic Report of the Republic of Angola, on the Implementation of the African Charter on Human and Peoples' Rights; and the Initial Report under the Protocol to the African Charter on the Rights of Women in Africa; and
  - ii. Concluding Observations on the 2<sup>nd</sup> and 3<sup>rd</sup> Combined Periodic Report of the Republic of Botswana, on the African Charter on Human and Peoples' Rights.
8. The Commission examined the following:
- i. Decision on Contestation by Egypt - Request for Recusal;
  - ii. Review of the Approach for Preparing Activity Reports;
  - iii. Update on the PANAF Project;
  - iv. The African Union (AU) Human Rights Action Plan; and
  - v. Information Note on the Rights of Intersex Persons.
9. The Commission considered and requested the revision of the Declaration on Freedom of Expression and Access to Information in Africa, for re-submission for consideration and adoption at its next session.
10. The Commission considered a total of **Eighteen (18)** Communications:
- i. **Five (5)** Communications on Seizure: the Commission decided to be seized of **four (4)** and dismissed **one (1)**. The Commission also granted **one (1)** request for Provisional Measures;
  - ii. **Seven (7)** Communications on Admissibility: the Commission declared **two (2)** admissible; **two (2)** inadmissible and deferred **three (3)**;
  - iii. **One (1)** Communication on the Merits: the Commission deferred its finalization to the next session;
  - iv. **Three (3)** Communications for Strike-out: the Commission struck-out all the Communications for want of diligent prosecution;
  - v. The Commission gave guidance on **one (1)** Communication; and

- vi. An Oral Hearing during which it heard the Complainants to a Communication; who requested for the oral hearing.
11. The Commission held consultations with a delegation of the African Union Commission (AUC) comprised of representatives of the Bureaux of the Chairperson and Deputy Chairperson, and other departments of the AUC on governance issues as per the recommendations of the Performance Audit Report of the AU.
12. The Commission received updates on the finalization process of its Rules of Procedure.
13. The Commission also received updates on the Sensitization Seminar on Ratification of the Protocol on the Rights of Older Persons in Africa and the Protocol on the Rights of Persons with Disabilities in Africa held in Kigali, Rwanda, from 5 to 6 July 2019.
14. The Commission engaged with Consultants under the European Union PANAF Project, regarding the Implementation of the ACHPR Communication and Media Strategy and the Development of Standard Operating Procedures on Effective Consultation by the ACHPR with Stakeholders on Norm Elaboration.
15. The Commission adopted the following three (3) Resolutions:
  - i. Resolution on the Human Rights Situation in Libya;
  - ii. Resolution on the Threat of the Ebola Epidemic in the Democratic Republic of Congo; and
  - iii. Resolution on Human Rights and Humanitarian Law Violations resulting from Foreign Air Strikes.
16. The Commission decided to hold its 65th Ordinary Session from 21 October to 10 November 2019 in Banjul, The Gambia.
17. The Commission expresses its sincere gratitude to the Government and people of the Republic of The Gambia, for the hospitality extended to members of the Commission during the 26<sup>th</sup> Extraordinary Session.

**Done in Banjul, Republic of The Gambia, 30 July 2019**