

<p style="text-align: center;"><b>AFRICAN UNION</b></p> <p style="text-align: center;"><b>الاتحاد الأفريقي</b></p> <p style="text-align: center;"><i>African Commission on Human &amp; Peoples' Rights</i></p>		<p style="text-align: center;"><b>UNION AFRICAINE</b></p> <p style="text-align: center;"><b>UNIÃO AFRICANA</b></p> <p style="text-align: center;"><i>Commission Africaine des Droits de l'Homme et des Peuples</i></p>
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**FINAL COMMUNIQUÉ OF THE 73<sup>RD</sup> ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS**

**BANJUL, THE GAMBIA  
 20 OCTOBER - 9 NOVEMBER 2022**

1. In accordance with Article 64(2) of the African Charter on Human and Peoples' Rights (the African Charter), read together with Rule 27 of the Rules of Procedure (2020) of the African Commission on Human and Peoples' Rights (the Commission), the Commission held its 73<sup>rd</sup> Ordinary Session (Session), from 20 October to 9 November 2022 in Banjul, The Gambia.
2. This Session commemorated the 35<sup>th</sup> anniversary of the Commission, and marked the first time the Commission was meeting physically for a Session, since the outbreak of the COVID-19 pandemic in January 2020.
3. The 35<sup>th</sup> Anniversary celebrations, commenced on 20 October 2022, with the handing over of the Title Deed of a piece of land, by the Government of The Gambia to the Commission, for the construction of the Headquarters of the Secretariat of the Commission, in Bijilo, The Gambia.
4. This commemorative event, which also marked the laying of the foundation stone for the Headquarter building, was presided over by, the Honourable Minister of Interior of The Gambia, Mr. Seyaka Sonko, representing the Vice President of The Gambia H.E. Badara Alieu Joof; Honourable Minister of Foreign Affairs, Dr. Momodou Tangara; H.E. Ms. Jainaba Jagne, Ambassador of The Gambia to the African Union (AU); the Deputy Chairperson of the African Union Commission (AUC) Her Excellency Monique Nsazabaganwa; Commissioners; Mr. Hussein Thomasi, Solicitor General and Legal Secretary Ministry of Justice; Members of the Commission, and staff of its Secretariat; and other distinguished representatives from the AU Headquarters and the Government of The Gambia.
5. The Opening Ceremony of the Session was held on 21 October 2022 at the Sir Dawda Kairaba Jawara International Conference Center, and was presided over by H.E. Badara Alieu Joof, Vice President of the Republic of The Gambia; H.E. Ismaïla Madior Fall, Minister of Justice and Keeper of the Seal of the Republic of Senegal, representing H.E. Macky Sall President of the Republic of Senegal and Chairperson of the AU, Hon. Justice Hassan B. Jallow, Chief Justice of The Gambia and one of the Drafters of the African Charter; Her Excellency Monique Nsazabaganwa, representing His Excellency Mr. Moussa Faki Mahamat, Chairperson of the AUC; and Honourable Commissioner Rémy Ngoy Lumbu, Chairperson of the Commission.
6. While the Commission held its Public Session at the Sir Dawda Kairaba Jawara International Conference Center, the Private Session took place at the Kairaba Beach Hotel.
7. The substantive programs of the Session were presided over by Honourable Commissioner Remy Ngoy Lumbu, Chairperson of the Commission, assisted by Honourable Commissioner Maya Sahli-Fadel, Vice Chairperson of the Commission.

8. The following Members of the Commission participated in the Session:
- i Honourable Commissioner **Rémy Ngoy Lumbu**, Chairperson;
  - ii Honourable Commissioner **Maya Sahli-Fadel**, Vice Chairperson;
  - iii Honourable Commissioner **Solomon Ayele Dersso**;
  - iv Honourable Commissioner **Hatem Essaïem**;
  - v Honourable Commissioner **Maria Teresa Manuela**;
  - vi Honourable Commissioner **Mudford Zachariah Mwandenga**;
  - vii Honourable Commissioner **Marie Louise Abomo**;
  - viii Honourable Commissioner **Janet Ramatoulie Sallah - Njie**; and
  - ix Honourable Commissioner **Idrissa Sow**.
9. Honourable Commissioner **Ourveena Geereesha Topsy-Sonoo** was unavoidably absent.
10. The newly elected Honourable Commissioner **Litha Musyimi Ogana**, made the Solemn Declaration, prior to taking up her duty as Commissioner, per Article 38 of the African Charter.
11. Key Statements were delivered by:
- Ms. Hannah Forster, Executive Director of the African Centre for Democracy and Human Rights Studies, on behalf of the Non-Governmental Organisation (NGO) Forum Steering Committee;
  - H.E. Dr. Elasto Mugwadi Chairperson of the Network of African National Human Rights Institutions (NANHRI) and Chairperson of Zimbabwe National Human Rights Commission, on behalf of NANHRI;
  - H.E. Corrado Pampalino, European Union (EU) Ambassador to The Gambia and European Union (EU) Special Representative for Human Rights;
  - Maymuchka Lauriston, Deputy Regional Representative, Office of the United Nations High Commissioner for Human Rights (OHCHR) to the AU/East Africa Regional Office;
  - H.E. Ambassador Hammad Salah, on behalf of the African Court on Human and Peoples' Rights (the African Court);
  - Ms. Ana Celeste C. Janúario, Secretary of State for Human and Citizens rights of Angola, on behalf of State Parties to the African Charter;
  - Honourable Commissioner Remy Ngoy Lumbu; Chairperson of the Commission;
  - H.E. Monique Nsazabaganwa, the AUC Deputy Chairperson, on behalf of H. E Mr. Moussa Faki Mahamat, the Chairperson of the AUC;

- Ms. Doreen Apollos, Communication Advisor at the AUC, on behalf of Ms Leslie Richer, AUC Director of Information and Communication;
- Hon. Justice Hassan B. Jallow, Chief Justice of The Gambia;
- H.E. Ismaïla Madior Fall, Minister of Justice and Keeper of the Seal of the Republic of Senegal, on behalf of H.E Macky Sall, President of the Republic of Senegal and Chairperson of the AU; and
- H.E. Badara Alieu Joof, Vice President of the Republic of The Gambia on behalf of H.E. President Adama Barrow, of the Republic of The Gambia.

12. **Ms. Hannah Foster**, speaking on behalf of the NGO Forum Steering Committee, highlighted that 35 years is indeed a milestone and offers an opportunity to contemplate successes and failures. She extended appreciation to the Gambian Government for its support, and congratulated the Commission for its progress over the years. She also noted that this year marked several trends of progress, including, 20 years of the AU; 20 years of the World Day Against the Death Penalty; 10 years of the Addis Ababa Road Map; 10 years of the African Charter on Democracy Elections and Governance; and 10 years of the Kampala Convention.

13. Ms. Hannah Foster noted that it is time for the Commission to pause, and strategize for the future, having been armed with the wisdom and experience of the past. On a positive note, she indicated that the NGO Forum noted an improvement in the respect for human rights, good governance, and the rule of law, and noted the Commission's instrumentality in establishing jurisprudence and setting standards and guidelines for human rights protection on the continent. The Forum also celebrated the fact that the Commission had examined State Reports for over 40 State Parties, granted Affiliate Status to 30 National Human Rights Institution (NHRIs) and Observer Status to over 500 NGOs, among other developments. Ms. Hannah Forster called for a moment of silence in recognition of all the victims of human rights violations and conflict, especially the 70 victims of the 21 October 2022 protests in Chad. The Forum also appealed to States and the international community to continue to support the Commission towards strengthening effective implementation of its mandate.

14. In his speech, **Dr. Elasto Mugwadi**, Chairperson of NANHRI celebrated the Commission's 35-year dedication to human rights, and for standing as a voice for the downtrodden and marginalised on the continent. He expressed concerns towards the multiple human rights violations which persist on the continent, particularly the growing issues of unconstitutional changes of Government, coups, and armed conflicts, which have defied the AU's call to silencing the guns, as one of the precursors to socio-economic development. He also raised concerns about, the rising refugee challenges, migration issues, epidemics and other diseases, environmental degradation, weak economic structures, and food crises, which continually leave millions in disadvantaged positions in society.

15. The EU Special Representative for Human Rights, **H.E. Corrado Pampalino**, in his speech commended the relentlessness of the Commission, and its dedication, through the challenges of the COVID-19 Pandemic. He especially appreciated the Commission's Special Mechanisms in their work on issues of women's rights, enforced disappearances, conditions of prisons and efforts towards holding States accountable. H.E. Pampalino further celebrated the flourishing AU-EU cooperation and looked forward to continuous cooperation, as well as the Commission's presence at the upcoming 18<sup>th</sup> EU-AU Human Rights Dialogue, which would finally take place, physically, on 5<sup>th</sup> December 2022.
16. **Ms. Maymuchka Lauriston**, Deputy Regional Representative of the OHCHR also congratulated the Commission for 35 years of establishing itself as the central pillar for the promotion and protection of human and peoples' rights in Africa. She celebrated the good cooperation that has existed between the OHCHR and the Commission, entrenched through the establishment of the Addis Ababa Road Map, which now marks 10 years of existence. She remarked that the 35<sup>th</sup> anniversary of the Commission indeed highlights a huge milestone in cooperation between both institutions. He said that this year also constituted the 40<sup>th</sup> anniversary of the UN Voluntary Fund for Victims of Torture; and the 30<sup>th</sup> anniversary of the UN Voluntary Trust Fund on Contemporary Forms of Slavery, which have been providing vital assistance to victims of grave human rights violations, through yearly grants to Civil Society Organizations (CSOs). Ms. Maymuchka reiterated the OHCHR's dedication to a seamless cooperation in the promotion and protection of human rights in Africa.
17. Presenting a Statement on behalf of the **Hon. Lady Justice Imani D Aboud**, President of the African Court, **H.E. Ambassador Hammad Salah** lauded Africa's progress over the years, through the adoption of *Resolution ACHPR/Res.1(V)89 on the celebration of an African Day of Human Rights*. He celebrated the fact that this had resulted in the birth of the African Charter and the Commission, which over the years has continually galvanised the human rights community to reflect on the past, the present and the way forward for the continent.
18. H.E. Ambassador Hammad Salah also highlighted the Commission's pivotal position in Africa's human rights history, and the need for the Commission, the African Court and the African Committee of Experts on the Rights and Welfare of the Child, to continue to cooperate in enhancing their commitment to delivering on human rights for all Africans.
19. **Ms. Ana Celeste C. Janúario**, Secretary of State for Human and Citizens rights of Angola, representing the expressions of State Parties to the African Charter, recognised the multiple reasons to celebrate during this Session. This she felt was the fact that this 35<sup>th</sup> anniversary also marked 41 years of the African

Charter, and 55 years of the UN Convention on Civil and Political Rights, and the Convention on Economic, Social and Cultural Rights, which have all impacted the state of human rights on the African continent. She noted several challenges which have continued to plague Africa, and which were recently exacerbated by the COVID-19 pandemic. In the name of all Member States to the African Charter, she restated the need for State collaboration and commitment to the realisation of Africa's Agenda 2040, for "*an Africa fit for Children*", and Agenda 2063 for "*the Africa we Want*".

20. **Honourable Commissioner Rémy Ngoy Lumbu**, Chairperson of the Commission, saluted the deserved celebration of the Commission's 35-year-engagement on the continent, and the chance to finally engage physically in human rights deliberations, after three years of being stalled by the Covid-19 pandemic. He expressed profound appreciation to the Government of The Gambia, to the dignitaries present and to everyone participating at the Session. He especially thanked all former and present Commissioners and partner institutions, who have been supporting the work of the Commission, in delivering on its mandate.
21. The Chairperson expressed the Commission's concern and disappointment in the general trend of regression in human rights on the continent, and urged States to uphold their human rights commitments, through the establishment of appropriate legislative and policy measures that cater to the needs of their citizens. He further expressed the need for citizens of Member States to approach the Commission's protection mechanisms to seek redress for rights violations, and on the other hand appreciated States that have made progress on various areas of human rights. He celebrated the work of complementarity between the Commission and the African Court and called for continuous collaboration with all relevant stakeholders in the move towards a more human-rights friendly continent.
22. Celebrating the uniqueness of this Ordinary Session, **H.E. Monique Nsazabaganwa**, Deputy Chairperson of the AUC, spoke on behalf of H. E Mr. Moussa Faki Mahamat, Chairperson of the AUC. She applauded the Session's coincidence with the historic 35<sup>th</sup> anniversary of the Commission, as well as the African Human Rights Day - 21 October. H.E. Monique Nsazabaganwa emphasized that while this is a time for celebration, the commemoration must serve as a platform for discussion and exchange among all actors and stakeholders, in order to jointly engage in an objective introspection and evaluation of the many contributions and the persistent and emerging challenges that prevail in the promotion and protection of human rights on the continent. She remarked that the consultations around the preparation of Africa's Agenda 2063 reveals that human rights continue to be of particular concern, despite significant improvements recorded since the adoption of the African Charter and the establishment of the Commission.

23. The Deputy Chairperson reiterated that human rights remain at the heart of the AU's policy, and it is in this context that the latter has recently adopted a *Strategic Plan for the Promotion and Protection of Human and Peoples' Rights 2021-2030*. She further encouraged engagement of all States and stakeholders in the realisation of this collective goal.
24. **Hon. Justice Hassan B. Jallow**, Chief Justice of The Gambia, who was the commemorative Guest Speaker and one of the drafters of the African Charter, expressed profound honour to grace this special occasion. He recounted an honourable history of sacrifice and dedication, as well as a celebration of Africa's progress. He recognised the contributions and instrumentality of several African leaders at the time, including the instrumentality of The Gambia's Sir Dawda Kairaba Jawara and the honoured members of the Charter's Drafting Committee, led by Judge Keba M'baye of Senegal. He underscored that the drafting team was particularly inspired and guided by the words of Senegal's President at the time - Leopold Sedar Senghor, who urged the delegates to draw from Africa's "*beautiful and positive tradition*" and to constantly bear in mind the values of civilisation, the real needs of Africa, and the fact that Africans need a consistent system to promote and protect and their rights and freedoms.
25. Hon. Justice Jallow also highlighted some of the key challenges which clogged the process, such as unsettled debates around the principle of self-determination and the right to private property. He underscored that the drafting and eventual adoption of the African Charter was truly a revolutionary achievement, through the multiple challenges and deliberations which took place from 1979 to 1981. He noted that the critical question to all of us would always be whether the African Charter has made any difference to the lives of Africans.
26. The honourable Chief Justice highlighted the need to strengthen the capacity of the Commission as well as the need for continuous efforts of all stakeholders in addressing the numerous human rights challenges on the continent. He further celebrated the hard work and dedication of the Commissioners, the Commission's Secretariat, State Parties, civil society, and all partners in their contribution towards realising the goals of the African Charter. Hon. Chief Justice Jallow further called on African States to engage fully with the African Court and Regional Courts to enhance access to justice for their citizens, as these institutions complement the work of the Commission.
27. **H.E. Ismaïla Madior Fall**, Minister of Justice and Keeper of the Seal of the Republic of Senegal, speaking on behalf of H.E Macky Sall, President of the Republic of Senegal and Chairperson of the AU, congratulated the Commission's 35-year milestone, and The Gambia's dedicated support to the Commission over the years.
28. While acknowledging that Africa is far from addressing all its human rights challenges, H.E. Ismaïla Madior Fall celebrated the growing engagements

around the promulgation of the rights of older persons and persons with disabilities. Among other things, he also highlighted the need for collaboration amongst all stakeholders in working towards addressing the concerns of food security, and all other socio-economic and political challenges. He further expressed President Macky Sall's commitment as the AU Chairperson, to enhancing Africa's full collaboration towards a human rights success across the continent.

29. In his opening statement, delivered on behalf of President of the Republic of The Gambia, H.E. President Adama Barrow, the Vice President of The Gambia, **H.E. Badara Alieu Joof**, heartily welcomed all participants to The Gambia and commended the Commission for its human rights engagements through the past 35 years, in creating a better Africa.
30. Highlighting The Gambia's commitment to the human rights course, H.E. Badara Alieu Joof celebrated The Gambia's instrumentality in the birth of the African Charter and the Commission, as well as The Gambia's move towards creating its own National Human Rights Commission in 2017. He also highlighted the work of The Gambia's Truth, Reconciliation and Reparations Commission (TRRC), which conducted investigations of human rights abuses committed from 1994 - 2017. He assured Africa that the Government of The Gambia is committed to addressing issues of sexual and gender-based violence and enforced disappearances, which were prevalent in the TRRC's report, as well as guaranteeing justice and reparations to victims. He noted that the TRRC submitted its report in 2021 to the President and out of its 265 recommendations, only two were rejected by the Government.
31. Before finally declaring the 73<sup>rd</sup> Ordinary Session open, H.E. Badara Alieu Joof further underscored the need for African States to enhance cooperation in the realisation of the AU's 2022 theme aimed at "*Strengthening resilience in Nutrition and Food Security on the African Continent*", as well as in addressing the multiple and compounding challenges to development in Africa.
32. During the Opening Ceremony, as part of its 35<sup>th</sup> Anniversary commemorative interlude, the Commission also launched its rebranded website and new logo. The rebranding of the logo was part of a Union-wide drive to harmonise brands across all AU Organs as directed by **Ex.CL: 1144 (XL)** of February 2022. The interlude was led by **Ms. Doreen Apollos**, Communication Advisor at the AUC, speaking on behalf of Ms Leslie Richer, AUC Director of Information and Communication, Ms. Doreen explained that this rebranding is aligned with Agenda 2063 She said it underscores the people-centred nature of the AU, and the Commission, and the duty of the Commission to guarantee awareness of its existence, mandate, and projects. She emphasised this as a reflection of the need to engage all Africans in co-creating solutions to Africa's challenges.



33. Ms. Doreen underscored the need for a clear identity and highlighted that the new logo is inspired by the AU's logo, whose elements symbolize peace, Africa's wealth and bright future, solidarity and liberation. She explained that the new logo therefore represents family, humanity and equal rights for all Africans on the continent and in the diaspora. She emphasised that the gold encircling hands reflect both the protection and promotion of human rights.
34. The Commission also launched a Compendium of African Human and Peoples' Rights Law, as part of its commemorative events. .
35. A total number of **eight hundred and seventy-four (874)** Delegates attended the Session, including: one hundred and fifty-four (154) representatives of State Delegates, nine (9) representatives of the Permanent Representatives Committee, seven (7) representatives of Embassies in Ethiopia, three (3) representatives of UN Organs, eighty-five (85) representatives of NHRIs, five hundred and thirty-seven (537) representatives of NGOs, seventeen (17) representatives of the AU, thirty-one (31) International Organizations, twenty-five (25) Observers and six (6) press and media organizations.
36. The representatives of the following seventeen (17) State Parties made statements on the human rights situation in their respective countries: Algeria, Angola, Burkina-Faso, Burundi, Eritrea, Ethiopia, Kenya, Malawi, Mauritania, Mozambique, Niger, Sahrawi Arab Democratic Republic, Rwanda, South Africa, Tanzania, Togo, and Zimbabwe.
37. Representatives of twenty (20)<sup>1</sup> NHRIs with Affiliate Status with the Commission and one (1) Specialised Human Rights Institution,<sup>2</sup> made statements on the human rights situation in their respective countries.
38. About thirty (30) NGOs with Observer Status at the Commission made statements on the human rights situation in Africa.<sup>3</sup>

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<sup>1</sup> The South African Human Rights Commission, the National Human Rights Council of Algeria, the National Human Rights Commission of Burkina Faso, the Independent National Commission on Human Rights of Burundi, the National Commission on Human Rights and Freedoms of Cameroon, the National Commission on Human Rights and Citizenship of Cape Verde, the Ethiopian Human Rights Commission, the National Human Rights Commission of The Gambia, the National Human Rights Commission of Kenya, the Human Rights Commission of Malawi, the National Human Rights Commission of Mali, the National Human Rights Commission of Mauritania, the National Human Rights Commission of Niger, the National Human Rights Commission of Rwanda, the National Human Rights Commission of the Democratic Republic of Congo, the National Human Rights Commission of Sudan, the National Human Rights Commission of South Sudan, the Commission on Human Rights and Good Governance of Tanzania, the Human Rights Commission of Zimbabwe

<sup>2</sup> The Institute of Human Rights and Peace of the Cheikh Anta Diop University of Senegal.

<sup>3</sup> Association Mauritanienne des Droits de l'Homme (AMDH) ;Mouvement Ivoirien des Droits Humains (MIDH) ; La Voix Des Sans Voix pour les Droits de l'Homme (VSV) ; International Federation for Human Rights (FIDH) ; Center for Reproductive Rights ;ACDHRS ;Open Society Initiative of South Africa (OSISA) ;La Fédération Internationale des Actions des Chrétiens pour

39. Four (4) International and Intergovernmental Organizations with Observer Status at the Commission also made statements.
40. Seven (7) State Parties to the African Charter, Angola, Benin, Egypt, Eritrea, Ethiopia, South Africa and Zimbabwe exercised their right of reply.
41. With a view to strengthening the promotion and protection of human rights on the continent, several panel discussions on various themes were organized during the Session:
- i. Panel on the theme of the Year of the AU: Year of Nutrition, Strengthening Nutritional Resilience and Food Security on the African Continent;
  - ii. Panel on the Obligations and Guidelines on the Preparation of State Reports under the Protocol to the African Charter on the Rights of Women in Africa;
  - iii. Panel on the Next Decade of the Addis Ababa Roadmap;
  - iv. Panel on the 10<sup>th</sup> Anniversary of the Kampala Convention;
  - v. Panel on Stakeholder Consultation on the Draft Guidelines on Adherence to Human and Peoples' Rights Standards under the African Charter during Declared States of Emergency and Disasters (ACHPR Resolution 447);
  - vi. Panel on the revitalization of civic space after the resumption of the activities of the Post-COVID-19;
  - vii. Panel on the Inaugural Regional Forum on the State of Extractive Industries, Human Rights and the Environment in Africa;
  - viii. Panel on Women in Prison Conditions;
  - ix. Panel on Human Rights and the Excessive Use of Force;
  - x. Panel on Ratification of the Protocol on the Rights of Older Persons and Persons with Disabilities in Africa; and
  - xi. Panel on African Response to Migration.

42. The Commission launched the following documents:

- i. Guidelines for Alternative Reports of the African Commission on Human and Peoples' Rights;

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l'Abolition de la Torture (FIACAT) ;Centre for Rights Education and Awareness ;SOS Information Juridique Multisectorielle (SOS IJM) ; Fédération Internationale des Ligues Droits de l'Homme ; DefendDefenders ;Ogiek Peoples' Development Program; Minority Rights Group International; Ensemble contre la Peine de Mort ; SOS Information Juridique Multisectorielle en République Démocratique du Congo ; Amnesty International ; Open Society South Africa; Institute for Human Rights and Development in Africa; Front Commun pour la Protection de l'Environnement et des Espaces Protégés ; Public- Private Integrity; Equality Now; OMNA Tigray ; Alternatives Cameroun ; Zimbabwe Lawyers for Human Rights; The African Policing Civilian Oversight Forum (APCOF); AJPD Angola; Zimbabwe Human Rights NGO Forum

- ii. General Observations on the Regulation of Private Actors involved in the Provision of Social Services;
  - iii. Guidelines on the Protection of All Persons from Enforced Disappearance; and
  - iv. SOPs on Torture (Abidjan Rules) and the CPTA Newsletter.
43. The Commission reported on the status of its relations and cooperation with NHRIs and NGOs as well as the status of submission of Activity Reports by NHRIs and NGOs.
44. Pursuant to its Resolution on the criteria for granting Affiliate Status, the Commission considered three (3) applications during this Session, bringing the total number of NHRIs enjoying affiliate status with the Commission to thirty-six (36). These NHRIs are as follows:
- i. The National Council for Human Rights of the Arab Republic of Egypt;
  - ii. The Independent National Commission on Human Rights of Liberia; and
  - iii. The Independent National Commission on Human Rights of Madagascar.
45. Pursuant to its Resolution on the Criteria for Granting and Maintaining Observer Status to NGOs working on Human and Peoples' Rights in Africa, the Commission granted Observer Status to the following three (3) NGOs:
- i. Collaboration on International ICT Policy for East and Southern Africa;
  - ii. Protection International Africa; and
  - iii. Rule of Law and Empowerment - Partners West Africa Nigeria.
46. This brings the total number of NGOs with Observer Status with the Commission to five hundred and **forty-four (544)**.
47. The Commission considered the Periodic Reports of the following State Parties:
- i. Periodic Report 2016 -2019 of the Republic of Côte d'Ivoire submitted in accordance with Article 62 of the African Charter; and
  - ii. Combined 15<sup>th</sup>, 16<sup>th</sup> and 17<sup>th</sup> (2018 to 2021) Periodic Report of the Islamic Republic of Mauritania submitted in accordance with Article 62 of the African Charter, and Article 26 (1) of the Maputo Protocol.
48. Members of the Commission presented their intersessional reports to highlight the activities undertaken in their capacities as Commissioners, Country Rapporteurs and Special Mechanism mandate holders.
49. The presentation of these reports generated reactions, contributions and questions from State delegates, NHRIs and representatives of CSOs.
50. During the private Session, the Commission redistributed Mandates, and allocated Membership of Special Mechanisms and countries of coverage/responsibility as follows:

- i. Honourable Commissioner **Rémy Ngoy Lumbu**: Special Rapporteur on Human Rights Defenders and Focal Point on Reprisals in Africa; Country Rapporteur for **Algeria, Cameroon, Cote d'Ivoire, Mali, and Togo**;
- ii. Honourable Commissioner **Maya Sahli-Fadel**: Special Rapporteur on Refugees, Asylum Seekers, Internally Displaced Persons and Migrants in Africa; Country Rapporteur for **Libya, Mauritania, Niger, Senegal, and Tunisia**;
- iii. Honourable Commissioner **Solomon Ayele Dersso**: Chairperson of the Working Group on Extractive Industries, Environment and Human Rights Violations in Africa; Country Rapporteur for **Kenya, Nigeria, Seychelles, South Africa, and South Sudan**;
- iv. Honourable Commissioner **Essaiem Hatem**: Chairperson of the Committee for the Prevention of Torture in Africa; Country Rapporteur for **Djibouti, Guinea, Madagascar, Mauritius, and Sudan**;
- v. Honourable Commissioner **Maria Teresa Manuela**: Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa; Country Rapporteur for **Cabo Verde, Equatorial Guinea, Guinea-Bissau, Mozambique and São Tomé and Príncipe**;
- vi. Honourable Commissioner **Mudford Zachariah Mwandenga**: Chairperson of the Working Group on Economic, Social and Cultural Rights in Africa; Country Rapporteur for **Ethiopia, Liberia, Malawi, Rwanda and Uganda**;
- vii. Honourable Commissioner **Marie Louise Abomo**: Chairperson of the Working Group on the Rights of Older Persons and People with Disabilities in Africa; Country Rapporteur for **Angola, Burundi, Congo-Brazzaville, DRC, and Gabon**;
- viii. Honourable Commissioner **Janet Ramatoulie Sallah-Njie**: Special Rapporteur on the Rights of Women in Africa; Country Rapporteur for **Ghana, Namibia, Somalia, Sahrawi Arab Democratic Republic, and Zimbabwe**;
- ix. Honourable Commissioner **Ourveena Geereesha Topsy-Sonoo**: Special Rapporteur on Freedom of Expression and Access to Information in Africa; Country Rapporteur for **Botswana, Lesotho, Tanzania, and Zambia**;
- x. Honourable Commissioner **Idrissa Sow**: Chairperson of the Working Group on Death Penalty, Extrajudicial, Summary or Arbitrary Killings and Enforced Disappearances in Africa; Country Rapporteur for **Benin, Burkina Faso, Central African Republic, Chad and Comoros**; and
- xi. Honourable Commissioner **Litha Musyimi-Ogana**, Chairperson, Working Group on Indigenous Populations/Communities and Minorities in Africa & Chairperson, Committee on the Protection of the Rights of People Living with HIV and those at Risk, Vulnerable to and Affected by HIV in Africa; Country Rapporteur for **Egypt, Eswatini, Eritrea, Sierra Leone and The Gambia**.

51. During its private Session, the Commission also considered and adopted the following documents, with comments and/or amendments:

- i. Concluding Observations of the Periodic Report of Cameroon;
- ii. Concluding Observations on Periodic Report of Kenya; and
- iii. Proposed New Structure of its Secretariat.

52. The Commission considered the following Reports:

- i. Report of the Secretary to the Commission;
- ii. Report on the Status of Follow-up Actions from the 72<sup>nd</sup> Ordinary Session;
- iii. Report of the Advisory Committee on Budgetary & Staff Matters;
- iv. Report on Administrative Seizures;
- v. Report of the Working Group on Communications;
- vi. Report on the Audit of Communications; and
- vii. Report of the Promotion Mission to Tunisia (September 2018).

53. The Commission considered eighteen (18) Communications as follows:

- i. Five (5) Communications on Admissibility, of which three (3) were declared admissible; and two (2) declared inadmissible; and
- ii. Four (4) Communications on the Merits.

54. The Commission struck out nine (9) Communications for want of diligent prosecution.

55. The Commission adopted Resolutions renewing the mandate and reconstituting fifteen (15) Special Mechanisms, including internal Committees.<sup>4</sup>

56. The Commission adopted three (3) Country Resolutions:

- i. Resolution on the Re-Allocation of Country Rapporteurship amongst Commissioners;

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<sup>4</sup> The Special Rapporteur on Refugees, Asylum Seekers, Displaced Persons and Migrants in Africa; The Special Rapporteur on Human Rights Defenders and Focal Point on Reprisals in Africa; The Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa; The Special Rapporteur on Freedom of Expression and Access to Information in Africa; The Special Rapporteur on the Rights of Women in Africa; The Working Group on Indigenous Populations/Communities, in Africa; The Working Group on Economic, Social and Cultural Rights in Africa and Appointment of its Chairperson and Members; The Working Group on Extractive Industries, Environment and Human Rights Violations in Africa; The Committee on the Protection of the Rights of People Living with HIV (PLHIV) and those at Risk, Vulnerable to and Affected by HIV; The Committee for the Prevention of Torture in Africa; The Advisory Committee on Budgetary and Staff Matters; The Committee on Resolutions; The Working Group on the Death Penalty, Extrajudicial, Summary or Arbitrary Killings and Enforced Disappearances in Africa; The Working Group on Communications; and The Working Group on Specific Issues related to the Work of the Commission.

- ii. Resolution on the Human Rights Situation in Chad; and
  - iii. Resolution on the Situation of Human Rights in the Republic of South Sudan.
57. The Commission adopted five (5) thematic Resolutions:
- i. Resolution on the Renewal of the Mandate of the Support Group to the Special Rapporteur on Human Rights Defenders and Focal Point on Reprisals in Africa for the Promotion and Monitoring of the Effective Implementation of the Guidelines on Freedom of Association and Assembly in Africa;
  - ii. Resolution on Africa's Reparations Agenda and the Human Rights of Africans in the Diaspora and People of African Descent Worldwide;
  - iii. Resolution on the Principles on Effective Interviewing in Investigations and Information Gathering (Méndez Principles);
  - iv. Resolution on the Death Penalty and the prohibition of Torture and cruel, inhuman or degrading punishment or treatment; and
  - v. Resolution on the Review of the Study on the Death Penalty in Africa.
58. During its private Session, the Commission also considered and rejected applications for Observer Status of three (3) NGOs- **Alternative Cote d'Ivoire; Human Rights First Rwanda; and Synergía - Initiatives for Human Rights**, on the grounds that sexual orientation is not an expressly recognized right or freedom under the African Charter, and contrary to the virtues of African values, as envisaged by the African Charter.
59. The Commission considered and adopted its combined 52<sup>nd</sup> & 53<sup>rd</sup> Activity Report.
60. The Commission decided to hold its 74<sup>th</sup> Ordinary Session virtually from **14 to 28 February 2022**. Details of the next Ordinary Session will be made available on the Commission's website in due course.
61. The Commission expresses its sincere gratitude to State Parties, international organisations, NHRIs, NGOs and all stakeholders who participated in this Ordinary Session.
62. The Commission also expresses its deep gratitude to the Government of the Republic of The Gambia for the facilities provided for the organisation of the Session.
63. The Closing Ceremony of the 73<sup>rd</sup> Ordinary Session took place on 9 November 2022.