

AFRICAN UNION
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REPORT ON THE ELECTION OF MEMBERS OF THE AFRICAN
COMMISSION ON HUMAN AND PEOPLES' RIGHTS

**REPORT ON THE ELECTION OF MEMBERS OF THE AFRICAN
COMMISSION ON HUMAN AND PEOPLES' RIGHTS**

I. INTRODUCTION

1. The African Commission on Human and Peoples' Rights (the Commission) is established within the Union, in terms of Article 30 of the African Charter on Human and Peoples' Rights (the Charter).
2. The main mandate of the Commission is to promote human and People rights in the continent and ensure their protection.

II. COMPOSITION

3. The Commission is composed of eleven (11) members, who must serve in their personal capacity. The first members were elected in July 1987.
4. In terms of Article 32 of the Charter, the Commission shall not include more than one (1) national of the same state.

III. REQUIREMENTS FOR APPOINTMENT

5. These requirements are set out in Article 31 and 33 of the Charter, which require members of the Commission to be:
 - a) **“of highest reputation, high morality, integrity, impartiality and competence in matters of the human and peoples' rights and have legal experience.**
 - b) **Nationals of States Parties to the Charter.”**

IV. TERMS OF OFFICE

6. Since the elections in Maputo, Mozambique in July 2003, the Commission was composed as follows:

1.	E.V.O. Dankwa	GHANA	6 years from July 1999
2.	Andrew Chigovera	ZIMBABWE	6 " " " 1999
3.	Vera Mlangazuwa Chirwa	MALAWI	6 " " " 1999
4.	Jainaba Johm	GAMBIA	6 " " " 1999
5.	Yasin Sed Ahmed El Hassan	SUDAN	6 years from July 2001
6.	Angela Melo	MOZAMBIQUE	6 " " " 2001
7.	Mohamed Kamel Rezzag-Bara	ALGERIA	6 " " " 2001

8.	Salamata Sawadogo née Tabsoba	BURKINA FASO	6	"	"	"	2001
9.	Sanji Monageng	BOTSWANA	6	years from July			2003
10	Mohamed Abdellahi Ould Babana	MAURITANIA	6	"	"	"	2003
11	Bahame Tom Mukirya Nyanduga	TANZANIA	6	"	"	"	2003

7. The term of the following members elected in 1999 expired in 2005:

- i) Commissioner Janaiba JOHM (The Gambia)
- ii) Commissioner Victor Oware DANKWA (Ghana)
- iii) Commissioner Andrew Ranganayi CHIGOVERA (Zimbabwe)
- iv) Commissioner Vera Mlanguzuwa CHIRWA (Malawi)

These members were eligible for re-election.

V. NOMINATIONS AND ELECTIONS

8. The following members were elected in July 2005, in Sirte, Libya:

1.	Mrs. Reine ALAPINI-GANSOU	BENIN	6	years from July			2005
2.	Mr. Musa Ngary BITAYE	THE GAMBIA	6	"	"	"	2005
3.	Adv. Faith Pansy TLAKULA	SOUTH AFRICA	6	"	"	"	2005
4.	Mr. Mumba MALILA	ZAMBIA	6	"	"	"	2005

9. The composition of the ACHPR was as follows as at July 2005:

NO	NAME/NOM	COUNTRY/PAYS	TERM OF OFFICE/ MANDAT
1.	Yasin Sed Ahmed El Hassan	SUDAN	6 years from July 2001
2.	Angela Melo	MOZAMBIQUE	6 " " " 2001
3.	Mohamed Kamel Rezzag-Bara	ALGERIA	6 " " " 2001
4.	Salamata Sawadogo née Tabsoba	BURKINA FASO	6 " " " 2001
5.	Sanji Monageng	BOTSWANA	6 years from July 2003
6.	Mohamed Abdellahi Ould Babana	MAURITANIA	6 " " " 2003
7.	Bahame Tom Mukirya Nyanduga	TANZANIA	6 " " " 2003
8.	Mrs. Reine ALAPINI-GANSOU	BENIN	6 years from July 2005

9.	Mr. Musa Ngary BITAYE	THE GAMBIA	6	"	"	"	2005
10	Adv. Faith Pansy TLAKULA	SOUTH AFRICA	6	"	"	"	2005
11	Mr. Mumba MALILA	ZAMBIA	6	"	"	"	2005

10. Vide its Note Verbale reference BC/OLC/66/4/Vol.XX dated 29 March 2007, the Commission informed Member States that the terms of office of the following members of the African Commission elected in 2001, who are also eligible for re-election, were due to expire in July 2007:

1. Commissioner Yasin Sed Ahmed El Hassan (The Sudan)
2. Commissioner Angela Melo (Mozambique)
3. Commissioner Mohamed Kamel Rezzag-Bara (Algeria)
4. Commissioner Salamata Sawadogo née Tabsoba (Burkina Faso).

11. In conformity with the relevant provisions of the African Charter, the members of the ACHPR unanimously decided to declare vacant the seat of Commissioner Ould Babana and informed the Chairperson of the Commission accordingly. The said vacancy shall also be filled during the Eleventh Ordinary Session of the Executive Council scheduled for Accra, Ghana in July 2007.

12. The Commission further informed Member States that the elections of new members would be conducted during the Eleventh Ordinary Session of the Executive Council scheduled for Accra, Ghana in July 2007.

13. In the circumstances, there are five (5) vacancies to be filled in the forthcoming elections.

14. Article 33 of the Charter provides that members of the Commission are elected by the Assembly by secret ballot from a list of persons nominated by the States parties. However, following delegation of power, by virtue of Rule 5 (1) (f) of the Rules of Procedure of the Executive Council, the members of the Commission will be elected by the Executive Council in July 2005 and appointed by the Assembly.

15. The Commission also drew the attention of Member States, inter alia, to the following requirements for election as member of the Commission as set out in its Note Verbale reference BC/OLC/66/4/Vol.XX dated 29 March 2007:

- **“Article 31(1) of the African Charter which sets out the composition and qualifications for membership, as follows:**

“The Commission [on Human and Peoples' Rights] shall consist of eleven members chosen from amongst African personalities of the highest reputation, known for their high morality, integrity, impartiality and competence in matters of human and peoples' rights; particular consideration being given to persons having legal experience.”

• **Article 34 of the African Charter provides that:**

“Each State Party... may not nominate more than two candidates. The candidates must have the nationality of one of the States parties to the present Charter. When two candidates are nominated by a State, one of them may not be a national of that State.”

16. Accordingly, States Parties should request nominees to complete biographical information indicating judicial, practical, academic, activist, professional and other relevant experience in the field of human and peoples' rights. Such biographical information should also include information on political and other associations relevant to determining questions of both eligibility and incompatibility. In addition, nominees should submit statements indicating how they fulfil the criteria for eligibility contained in the Charter.

17. As a guide for States Parties in interpreting the question of incompatibility or impartiality, the Advisory Committee of Jurists in the establishment of the Permanent Court of International Justice (now the International Court of Justice (ICJ) had pointed out that **“(A) member of government, a Minister or under-secretary of State, a diplomatic representative, a director of a ministry, or one of his subordinates, or the legal adviser to a foreign office, though they would be eligible for appointment as arbitrators to the Permanent Court of Arbitration of 1899, are certainly not eligible for appointment as judges upon our Court .**

18. States Parties are also reminded to ensure adequate gender representation in their nominations and to bear in mind the need to continue to enhance the independence and operational integrity of the Human Rights Commission in the spirit of the Grand Bay Declaration of 1999 and the Kigali Declaration of 8 May 2003”.

VI. CANDIDATURES SUBMITTED

19. The Commission received the following candidatures to fill in the five (5) available vacancies, for a term of six (6) years:

	<u>Name</u>	<u>Country</u>	<u>Region</u>
1.	Dr (Mr). Ibrahim Musbah ABUKHZAM	Libya	Northern
2.	Mrs. Catherine Dupe ATOKI	Nigeria	Western
3.	Mr. Mohamed El Habib BAL	Mauritania	Northern
4.	Mr. Chekib DHAOUADI	Tunisia	Northern
5.	Mr. Yasir Sed Ahmed EI HASSAN	The Sudan	Eastern
6.	Dr (Mr) Ibrahim A. Badawi EL-SHEIKH	Egypt	Northern
7.	Mr. Mohamed FADENE	Algeria	Northern
8.	Mrs. Zainabu Sylvie KAYITESI	Rwanda	Eastern
9.	Mr. Garba LOMPO	Niger	Western

10.	Dr. (Mr) Michel MAHOUE	Cameroon	Central
11.	Mrs. Soyata MAIGA	Mali	Western
12.	Mr. David MANGOTA	Zimbabwe	Southern
13.	Ms. Lydie Euloge MBELLET-KOUNDJA	CAR	Central
14.	Dr. (Ms) Angela MELO	Mozambique	Southern
15.	Mr. Yeung Kam John YEUNG SIK YUEN	Mauritius	Eastern

ANNEXES: List of Candidates and Curriculum Vitae

**CANDIDATURES FOR MEMBERSHIP OF THE AFRICAN COMMISSION
ON HUMAN AND PEOPLES' RIGHTS**

No.	Name	Gender	Country
1.	Dr. Ibrahim Musbah ABUKHZAM	Male	Libya
2.	Mrs. Catherine Dupe ATOKI	Female	Nigeria
3.	Mr. Mohamed El Habib BAL	Male	Mauritania
4.	Mr. Chekib DHAOUADI	Male	Tunisia
5.	Mr. Yasir Sed Ahmed EI HASSAN	Male	The Sudan
6.	Amb. Ibrahim A. Badawi EL-SHEIKH	Male	Egypt
7.	Mr. Mohamed FADENE	Male	Algeria
8.	Mrs. Zainabu Sylvie KAYITESI	Female	Rwanda
9.	Mr. Garba LOMPO	Male	Niger
10.	Dr. Michel MAHOUE	Male	Cameroon
11.	Mrs. Soyata MAIGA	Female	Mali
12.	Mr. David MANGOTA	Male	Zimbabwe
13.	Ms. Lydie Euloge MBELLET-KOUNDJA	Female	C.A.R.
14.	Dr. (Ms) Angela MELO	Female	Mozambique
15.	Mr. Yeung Kam John YEUNG SIK YUEN	Male	Mauritius

CURRICULUM VITAE OF CANDIDATES

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