

**FINAL COMMUNIQUE OF THE 26th ORDINARY SESSION OF THE
AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS**

***Kigali, Rwanda
1-15th November 1999***

1. At the invitation of the Government of the Republic of Rwanda, the 26th Ordinary Session of the African Commission on Human and Peoples' Rights was held in Kigali, Rwanda, from the 1st to the 15th of November 1999.
2. The opening ceremony was chaired by Commissioner Isaac Nguema, who represented Commissioner Youssoupha Ndiaye, the outgoing Chairman of the Commission who could not come.
3. The Session was opened by the Prime Minister of the Republic of Rwanda, His Excellency Mr. Pierre Célestin Rwigema.
4. Speeches were also delivered by the following speakers:
 - Commissioner Isaac Nguema;
 - His Excellency Mr. Harry Olympio, the Togolese Minister for the Promotion of Democracy and the Rule of Law, in his capacity as the representative of State delegates attending the ceremony;
 - Mr Bernard Muna, Deputy Prosecutor at the International Criminal Tribunal for Rwanda, on behalf of Mr. Agwu Ukiwe Okali, United Nations Under-Secretary General and Registrar of the International Criminal Tribunal for Rwanda.
 - Mr. Abdou Essaied, Representative, on behalf of Mr. Michel Moussalli, the Special Rapporteur of the United Nations Commission on Human Rights for Rwanda.
 - Mrs Tokumbo Ige of the International Commission of Jurists, on behalf of the Non- Governmental Organisations;
5. The following Commissioners, who were elected during the 35th Session of the General Assembly of Heads of State and Government, took the oath, in accordance with Article 38 of the Charter :
 - Prof. Emmanuel Victor O. Dankwa (Ghana)
 - Mrs. Vera Mlanguzwa Chirwa (Malawi)
 - Mr. Andrew Ranganayi Chigovera (Zimbabwe)
 - Mrs. Jainaba Johm (Gambia)
 - Mrs Florence Butegwa (Uganda)
6. Prof. Emmanuel V.O. Dankwa and Mrs. Julienne Ondziel-Gnelenga were respectively elected Chairman and Vice-Chairperson of the African Commission on Human and Peoples' Rights in accordance with Article 48 of the Charter and Rule 17 of the Rules of Procedure.

7. His Excellency Mr. Abdelaziz Bouteflika, the President of the Peoples' Democratic Republic of Algeria, and also the current OAU Chairman, sent a message of encouragement and support to the Commission for the smooth running of the proceedings of the 26th Session and invited the Commission to hold its 27th Ordinary Session in Algiers in April 2000.
8. The Commission heard statements made by State Delegates, representatives of NGOs and of National Human Rights Institutions on the human rights situations in various countries in Africa.
9. The Rwandese Minister for Justice, Mr. Jean de Dieu Mucyo, thanked the Commission for having kindly responded to the invitation by the Rwandese Government. He pointed out that the holding of the session in Kigali would enable the International Community to appreciate the advances made by Rwanda in the areas of the restoration of the rule of law and democratic principles. He also called upon those Rwandese living in exile to return to Rwanda, in order to participate in the reconstruction of the country. His Excellency Mr. Jean de Dieu Mucyo also expressed the wish of his Government to benefit from the assistance of the African Commission on Human and Peoples' Rights in its efforts for the promotion and protection of human rights.
10. Different NGOs expressed their concern about the human rights situations prevailing in Sierra Leone, Liberia, Algeria, Chad, Sudan, Djibouti, Somalia, Eritrea, Ethiopia, Uganda, Democratic Republic of Congo, Burundi, Congo Brazzaville, Cameroon and Angola. Those violations mainly covered extra-judicial, summary or arbitrary executions, inhuman conditions of imprisonment and detention, massive displacement of populations, obstacles to the freedoms of expression, movement and association and forced disappearances, the victims of which violations were mainly women, children, people with disabilities and the aged in countries undergoing armed conflicts.
11. The African Commission granted observer status to the Institute for Human Rights and Development, an NGO based in Banjul, The Gambia.
12. With the exception of members participating in the session for the first time, all the other members of the Commission presented their reports on activities carried out during the intersession. The Special Rapporteur on the rights of women in Africa, the Special Rapporteur on Extra-judicial, Summary or Arbitrary executions and the Special Rapporteur on Prisons and conditions of detention in Africa also presented their reports.
13. Mali presented its initial report, in accordance with Article 62 of the Charter, while the examination of the initial report of Seychelles was deferred to the 27th Ordinary Session. The Commission once again deplored the fact that Seychelles had not sent any delegate to present its report.
14. The disturbing situation of refugees and displaced persons captured the attention of the Commission. It held a working meeting with representative of the office of the High Commission for Refugees based in Rwanda and a representative of that

institution from Geneva. It decided to initiate cooperation between the High Commission for Refugees and the OAU refugee division.

15. The Commission noted that since the 25th session only the Gambia had ratified, in addition to Senegal and Burkina Faso, the Additional Protocol to the African Charter on Human and Peoples' Rights on the establishment of an African Court for Human and Peoples' Rights. Consequently, the Commission decided to continue its sensitisation campaign with a view to accelerating the ratification of the said Protocol.
16. The Commission examined and adopted the draft protocol to the African Charter on the rights of women in Africa. It decided to send the draft to the OAU General Secretariat for appropriate action.
17. Regarding promotional activities, the Commission decided to continue organising seminars, workshops and conferences.
18. Apart from its sessions, the Commission visited the genocide site at Murambi, in Gikongoro, as well as the burial ground of the victims of the University of Butare. The Chairman of the African Commission laid a wreath in memory of the victims of genocide and offered his most heartfelt condolences to the bereaved families as well as to all the people of Rwanda.
19. During the closed sessions, the Commission was presented with 82 (eighty-two) communications of which 77 (seventy seven) were examined.
20. The Commission adopted four resolutions, namely :
 - Resolution envisaging a Moratorium on Death Penalty;
 - Resolution on the Right to a Fair Trial;
 - Resolution on the 30th Anniversary of the OAU Convention governing specific aspects of refugees;
 - Resolution on Human Rights Situation in Africa.
21. The Commission decided to send missions to Sierra Leone, Djibouti, Kenya and Burundi.
22. The African Commission on Human and Peoples' Rights expressed its deep appreciation and communicated its best wishes to the Government of Rwanda during the ongoing efforts for the restoration of peace and national reconciliation, and for the reconstruction of the country.
23. Furthermore, the Commission thanked the Government of Rwanda for the warm welcome and brotherly hospitality extended to it, which had contributed towards the success of the Session.
24. The 27th Ordinary Session of the Commission will take place in Algiers, Algeria, from 27th April to 11th May 2000.

25. The session was closed on 15th November 1999 by His Excellency Mr. Jean de Dieu Mucyo, the Minister for Justice of the Republic of Rwanda.
26. After the closing ceremony, the Chairman of the Commission held a press conference.

***Dated this 15th day of November 1999
Kigali, Rwanda.***

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