The African Charter on Human and Peoples' Rights

Second Edition

The System in Practice, 1986–2006

EDITED BY MALCOLM EVANS
AND RACHEL MURRAY

CAMBRIDGE

THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS

2nd Edition

The System in Practice 1986-2006

Edited by

MALCOLM EVANS AND RACHEL MURRAY



CAMBRIDGE UNIVERSITY PRESS

Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, São Paulo, Delhi

Cambridge University Press The Edinburgh Building, Cambridge CB2 8RU, UK

Published in the United States of America by Cambridge University Press, New York

www.cambridge.org Information on this title: www.cambridge.org/9780521883993

© Cambridge University Press 2002, 2008

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First edition first published by Cambridge University Press 2002 Second edition first published by Cambridge University Press 2008

Printed in the United Kingdom at the University Press, Cambridge

A catalogue record for this publication is available from the British Library

Library of Congress Cataloguing in Publication data

The African Charter on Human and Peoples' Rights: the system in practice / edited by Malcolm Evans and Rachel Murray. – 2nd ed.

o. cm.

Includes bibliographical references and index. ISBN 978-0-521-88399-3 (hardback)

1. Human rights – Africa. 2. African Charter on Human and Peoples' Rights (1981) I. Evans, Malcolm D. (Malcolm David), 1959– II. Murray, Rachel, Dr.

> JC599.A36A36 2008 323.096 – dc22 2007049215

ISBN 978-0-521-88399-3 hardback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication, and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS

The African Charter of Human and Peoples' Rights came into force in 1986, and is unique in that it lacks a precedent. However, little scholarship exists that analyses it as an operational system in practice.

The success of the first edition of this book has led to this updated second edition. Contributors include experts who have been actively involved in the implementation of the Charter—commissioners, NGOs and academics. Offering a detailed evaluation of the Charter as a mechanism for the promotion and protection of human rights in Africa, the contributions cover the Charter's reporting system, the interpretation of different rights by the Commission, the prospects for the African Court on Human and Peoples' Rights and the role of NGOs. This authoritative and comprehensive volume will interest lawyers acting for government and non-governmental organisations, as well as academics and postgraduates.

MALCOLM EVANS OBE is Professor of Public International Law at the University of Bristol, and Dean of the Faculty of Social Sciences and Law.

RACHEL MURRAY is Professor of International Human Rights Law at the University of Bristol.

CONTRIBUTORS

Professor Malcolm Evans OBE is Professor of Public International Law at the University of Bristol, and currently Dean of the Faculty of Social Sciences and Law. His chief areas of interest in the field of human rights concern the freedom of religion and torture prevention, and he has written extensively on these topics, with principal works including Religious Liberty and International Law in Europe (Cambridge: Cambridge University Press, 1997) and, as co-author, Preventing Torture (Oxford: Oxford University Press, 1998), Protecting Prisoners (Oxford: Oxford University Press, 1999) and Combating Torture in Europe (Strasbourg: Council of Europe, 2001). He is a member of the OSCE Advisory Panel on Freedom of Religion and Belief, the ILA Human Rights Law and Practice Committee, and the Board of Management of the Association for the Prevention of Torture. He has co-edited, with Rachel Murray, a collection of Documents of the African Commission on Human and Peoples' Rights (Oxford: Hart Publishing, 2001 and 2007, forthcoming), and also continues his long-standing research and writing interests in the international law of the sea.

Professor Rachel Murray is Professor of International Human Rights Law at the University of Bristol. Her specialist areas are human rights in Africa, particularly the African Charter and its Commission on Human and Peoples' Rights, and the Organization of African Unity/African Union. She has written widely in this area, including books with Hart Publishing and Cambridge University Press (Human Rights in Africa: From the OAU to the African Union (Cambridge: Cambridge University Press, 2004); The African Charter on Human and Peoples' Rights. The System at Work (with Malcolm Evans) (Cambridge: Cambridge University Press, 2002); The African Commission on Human and Peoples' Rights and International Law (Oxford: Hart Publishing, 2000)), and articles in leading legal human rights journals. She also advises organisations and

individuals on how to use the African human rights system, including drafting cases and participating in its meetings. She is on the editorial board of a number of journals including the Journal of African Law and African Journal of International and Comparative Law. Her other area of interest is national human rights institutions, and she has published a number of pieces in this area (*The Role of National Human Rights Institutions at the International and Regional Level: The Experience of Africa* (Oxford: Hart Publishing, 2007)) and holds a major grant with the Arts and Humanities Research Council to evaluate the role of national preventive mechanisms under the Optional Protocol to the UN Convention against Torture. She has previously worked at the University of the West of England, Queens University Belfast – where she was Assistant Director of the Human Rights Centre – and Birkbeck College, University of London.

Fiona Adolu is a Ugandan lawyer. She is currently working with the United Nations Peacekeeping Mission in Liberia as a Human Rights Officer. Prior to that, she was a Legal Officer at the African Commission for Human and Peoples' Rights (ACHPR). As a Legal Officer, her work involved, inter alia, drafting decisions of communications for consideration by the ACHPR; analysing initial and periodic State reports and drafting concluding observations thereto; and drafting various legal documents, resolutions and reports of Meetings, Conferences, etc. for adoption by the ACHPR. She also assisted the Follow-Up Committee on the Implementation of the Guidelines for the Prevention and Prohibition of Torture, Cruel, Inhuman or Degrading Punishment and Treatment in Africa, the Working Group on Indigenous Populations/Communities in Africa, the Special Rapporteur on Freedom of Expression in Africa and the Special Rapporteur on Refugees, Asylum Seekers and Internally Displaced Persons in Africa. Before joining the ACHPR, Ms Adolu worked with the Uganda Law Society - which is the Bar Association of Uganda - and the Federation of Uganda Women Lawyers (FIDA(U)), where she assisted with the formation and development of human rights programmes in both governmental and non-governmental organisations within the subregion.

Fareda Banda is a Reader in the Laws of Africa at the School of Oriental and African Studies, which is part of the University of London. She is an expert on women's rights and has published widely in this area, including Women, Law and Human Rights: An African Perspective (Oxford: Hart Publishing, 2005).

Clive Baldwin has been Head of Advocacy at MRG since 2002. Previously, he practiced as a human rights lawyer in the United Kingdom and the United States, and worked for several years in Kosovo. He has degrees from Leeds, Princeton and City (London) universities. Minority Rights Group International have been responsible for the first case to be heard on the merits at the African Commission on Human and Peoples' Rights on indigenous land issues and the right to development.

Germain Baricako is the former Secretary of the African Commission on Human and Peoples' Rights.

Ibrahima Kane is Senior Lawyer for Africa at Interights. He qualified as a lawyer in Senegal and France, and has run a human rights programme focused on public education and women's human rights in five West-African countries (Cape Verde, Republic of Guinea, Republic of Guinea-Bissau, Mauritania and Senegal) for six years. He was a founding member of RADDHO, a Senegalese human rights organisation, before he joined Interights in 1998. He has a particular interest in Francophone countries, economic, social and cultural rights, torture and women's rights.

Bronwen Manby currently works for the Africa Governance Monitoring and Advocacy Project (AfriMAP), an initiative of the Open Society Institute's network of African foundations to monitor compliance with the commitments to good governance, democracy, human rights and the rule of law undertaken by Member States of the African Union. She was previously the Deputy Director of the Africa division of Human Rights Watch, and has also worked for human rights organisations in South Africa. She has degrees from Oxford and Columbia universities, and is trained as a solicitor in England and Wales. She has written on a wide range of human rights issues in Africa, especially South Africa and Nigeria.

Nobuntu Mbelle is a Consultant for the Africa Division of Human Rights Watch, and Co-ordinator for the Coalition for an Effective African Court on Human and Peoples' Rights.

Cynthia Morel has served as Legal Cases Officer at MRG since 2002, and as a part-time Lecturer on Minority Rights under International Law at the University of Essex since 2006. Her previous experience includes positions at the Inter-American Institute of Human Rights, the Canadian Commission for UNESCO and the Canadian International Development Agency.

Ahmed C. Motala, the Executive Director of the Centre for the Study of Violence and Reconciliation in South Africa, is a human rights lawyer and activist who has worked over the past eighteen years on an array of human rights and development issues at the national, continental and international level. Previously, he has been Executive Director of the Human Rights Institute of South Africa, Legal Adviser on Africa at the International Secretariat of Amnesty International and Human Rights Officer at Save the Children UK. In these capacities, he worked on human rights, child rights and development issues in a range of African, Middle Eastern and Asian countries. From 1989 to 1995, he worked as a litigating attorney and investigator at Lawyers for Human Rights, South Africa, and also managed the Litigation Fund. He has written on a range of human rights topics, including the African human rights system, and presented papers at numerous workshops and symposia. His formal training includes a Master of Laws (LLM) degree from The American University in Washington DC.

Gino J. Naldi studied Law at the University of Birmingham, where he was awarded his PhD. He is Senior Lecturer at the Norwich Law School, University of East Anglia, lecturing in public international law and EC law. He has a special interest in Africa, especially the Organization of African Unity/African Union, on which he has published widely. He is author of *The Organization of African Unity: An Analysis of its Role*, 2nd edn (London: Mansell, 1999).

Bahame Tom Mukirya Nyanduga is a member of the African Commission on Human and Peoples' Rights. He is an LLB (Hons) graduate of the University of Dar es Salaam, Tanzania. He holds an LLM degree from the LSE, University of London, and a Post Graduate Diploma in International Law from the Institute of Social Studies, The Hague. He was elected to the African Commission by the 2nd AU Summit held in Maputo, Mozambique, July 2003. He practices law in Tanzania and was President of the East Africa Law Society from 2004 to 2006. He is Special Rapporteur on Refugees, Asylum Seekers, Migration and IDPs in Africa.

Kolawole Olaniyan is Acting Africa Program Director and Africa Legal Adviser at the International Secretariat of Amnesty International London, LLB, Lagos State University, 1989; BL, Nigerian Law School, 1990; LLM, Notre Dame Law School, 1998; JSD, Notre Dame Law School, 2003; Head of the Legal Services Unit of the Constitutional Rights Project, Lagos, 1993–7; Legal counsel, Office of the Prosecutor of the United Nations

International Criminal Tribunal for the former Yugoslavia, The Hague, 1998; Research Fellow, Danish Center for Human Rights, Denmark, 1999; and Teaching Assistant, University of Notre Dame, 2000. He acted as General-Secretary of the African Students Association, University of Notre Dame and Saint Mary College, Indiana, 2000–1, and is a member of the board of trustees of the Socio-Economic Rights and Accountability Project, Nigeria. He is also the author of many articles on international and comparative human rights law and corruption. This current work, relating to corruption and human rights, is focused on combating corruption through the framework of human rights. He is completing the writing of his new book, Corruption & International Human Rights Law.

Frans Viljoen is Professor of Law at the Faculty of Law in the University of Pretoria, South Africa. He obtained the degree LLD (with a thesis on the African regional human rights system) from the University of Pretoria, and the degree LLM from Cambridge University. He also heads the AIDS and Human Rights Research Unit at the University of Pretoria. He teaches on, and is the academic co-ordinator of, the LLM (Human Rights and Democratisation in Africa), presented by the Centre for Human Rights, in collaboration with seven partner law faculties across Africa. He has taught widely on the African regional human rights system at other universities and at training events, is the author of numerous articles (especially dealing with human rights issues), has conducted research for the United Nations and the African Union, and is editor-in-chief of the African Human Rights Law Journal and co-editor of the English and French versions of the African Human Rights Law Reports.

TABLE OF CASES

Note: references to *Documents of the African Commission* are references to R. Murray and M. Evans (eds.), *Documents of the African Commission on Human and Peoples' Rights* (Oxford, Hart Publishing, 2001).

- Communication 1/88, Frederick Korvah v. Liberia, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 337 96, 159
- Communication 2/88, Iheanyichukwu A. Ihebereme v. United States, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 337 100
- Communication 3/88, Centre for the Independence of Judges and Lawyers v. Yugoslavia, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 337 100
- Communication 4/88, Co-ordinating Secretary of the Free Citizens Convention v. Ghana, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 338 101
- Communication 5/88, Prince J. N. Makoge v. United States, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 338 100
- Communication 6/88, Dr Kodji Kofi v. Ghana, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 338 101
- Communication 7/88, Committee for the Defence of Political Prisoners v. Bahrain, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 339 100
- Communication 9/88, International Lawyers Committee for Family Reunification v. Ethiopia, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 339 100
- Communication 10/88, Getachew Abebev. Ethiopia, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 339 100
- Communication 11/88, Henry Kalenga v. Zambia, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 339 81
- Communication 12/88, Mohamed El-Nekheily v. OAU, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 340 101
- Communication 13/88, Hadjali Mohamad v. Algeria, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 340 101, 159

- Communication 14/88, Dr Abd Eldayem A. E. Sanussiv. Ethiopia, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 340 100
- Communication 15/88, Mpaka-Nsusu Andre Alphonse v. Zaire, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 340 127
- Communications 16/88, 17/88 and 18/88, Comité Culturel pour la Démocratie au Benin,
 Badjogoume Hilaire, El Hadj Boubacar Diawara v. Benin, Seventh Activity Report
 1993–1994, Annex IX; Eighth Activity Report 1994–1995, Annex VI; Documents of
 the African Commission, pp. 340 and 381
- Communication 19/88, International Pen v. Cameroon, Ethiopia, Kenya, Malawi, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 341 101
- Communication 20/88, Austrian Committee Against Torturev. Morocco, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 341 101
- Communication 21/88, Centre Haitien des Libertés Publiques v. Ethiopia, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 342 100
- Communication 22/88, International Penv. Burkina Faso, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 342 88
- Communication 24/89, Union Nationale de Libération de Cabinda v. Angola, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 342 100
- Communications 25/89, 47/90, 56/91 and 100/93, Free Legal Assistance Group, Lawyers'
 Committee for Human Rights, Union Interafricaine des Droits de l'Homme, Les Témoins
 de Jehovah v. Zaire, Ninth Activity Report 1995–1996, Annex VIII; Documents of the
 African Commission, p. 444 111, 146, 193, 216
- Communication 26/89, Austrian Committee Against Torture v. Burundi, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 342
- Communications 27/89, 46/91, 49/91 and 99/93, Organisation Mondiale Contre la Torture and Association Internationale des Juristes Democrates, Commission Internationale des Juristes (CIJ), Union Interafricaine des Droits de l'Hommev. Rwanda, Tenth Activity Report 1996–1997, Annex X; Documents of the African Commission, p. 551 151, 179, 252
- Communication 28/89, Association Internationale des Juristes Democrates v. Ethiopia, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 343 100
- Communication 29/89, Commission Française Justice et Paix v. Ethiopia, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 343
- Communication 31/89, Maria Baes v. Zaire, Eighth Activity Report 1994–1995, Annex VI; Documents of the African Commission, p. 383 103
- Communication 33/89, Simon B. Ntaka v. Lesotho, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 343 101
- Communication 35/89, Seyoum Ayelev. Togo, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 343

- Communication 37/90, Georges Eugene v. United States, Haiti, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 344 100
- Communication 38/90, Wesley Parish v. Indonesia, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 344 100
- Communication 39/90, Annette Pagnoulle (on behalf of Abdoulaye Mazou) v. Cameroon, Eighth Activity Report 1994–1995, Annex VI; Tenth Activity Report 1996–1997, Annex X; Documents of the African Commission, pp. 384 and 555 31, 106, 116, 155, 197
- Communication 40/90, Bob Ngozi Njoku v. Egypt, Eleventh Activity Report 1997–1998, Annex II; Documents of the African Commission, p. 604 115, 126, 141, 156
- Communication 41/90, Andre Houver v. Morocco, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 344 101
- Communication 43/90, Union des Scolaires Nigeriens, Union Générale des Etudiants Nigériens au Benin v. Niger, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 345
- Communication 44/90, Peoples' Democratic Organisation for Independence and Socialism v. The Gambia, Tenth Activity Report 1996–1997, Annex X; Documents of the African Commission, p. 559 81, 91, 117, 160
- Communication 45/90, Civil Liberties Organisation v. Nigeria, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 345 89, 104
- Communications 48/90, 50/91, 52/91 and 89/93, Amnesty International; Comité Loosli Bachelard; Lawyers' Committee for Human Rights; Association of Members of the Episcopal Conference of East Africa v. Sudan, Thirteenth Activity Report 1999–2000, Addendum 106, 147, 174, 216, 263, 323
- Communication 53/91 and 53/90, Alberto T. Capitao v. Tanzania, Seventh Activity Report 1993–1994, Annex IX; Eighth Activity Report 1994–1995, Annex VI; Documents of the African Commission, pp. 346 and 384
- Communications 54/91, 61/91, 98/93, 164/97 and 210/98, Malawi African Association; Amnesty International; Ms Sarr Diop, Union Interafricaine des Droits de l'Homme and RADDHO; Collectif des Veuves et Ayants-droits; Association Mauritanienne des Droits de l'Homme v. Mauritania, Thirteenth Activity Report 1999–2000, Addendum 32, 33, 79, 147, 174, 176, 179, 202, 204, 232, 251
- Communication 55/91, International Pen v. Chad, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 346 147, 176, 251, 323
- Communication 57/91, Tanko Bariga v. Nigeria, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 346 93, 159
- Communication 59/91, Embga Mekongo Louis v. Cameroon, Eighth Activity Report 1994–1995, Annex VI; Documents of the African Commission, p. 385 34, 35, 143, 152

- Communication 60/91, Constitutional Rights Project (in respect Wahab Akamu, G. Adega and others) v. Nigeria, Eighth Activity Report 1994–1995, Annex VI; Documents of the African Commission, p. 385 116, 152, 205
- Communication 63/92, Congress for the Second Republic of Malawi v. Malawi, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 346 159
- Communications 64/92, 68/92 and 78/92, Krischna Achuthan, Amnesty International, Amnesty International v. Malawi, Seventh Activity Report 1993–1994, Annex IX; Eighth Activity Report 1994–1995, Annex VI; Documents of the African Commission, pp. 347 and 387 172
- Communication 65/92, Ligue Camerounaise des Droits de l'Homme v. Cameroon, Tenth Activity Report 1996–1997, Annex X; Documents of the African Commission, p. 562 108, 143, 150
- Communication 67/92, Civil Liberties Organisation v. Nigeria, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 346 81, 89, 164
- Communication 69/92, Amnesty International v. Tunisia, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 347
- Communication 70/92, Ibrahim Dioumessi, Sekou Kande, Ousmane Kaba v. Guinea, Seventh Activity Report 1993–1994, Annex IX; Ninth Activity Report 1995–1996, Annex VIII; Documents of the African Commission, pp. 347 and 448
- Communication 71/92, Rencontre Africaine pour la Defense de Droits de l'Homme v. Zambia, Tenth Activity Report 1996–1997, Annex X; Documents of the African Commission, p. 563 111, 180
- Communication 73/92, Mohamed Lamine Diakité v. Gabon, Seventh Activity Report 1993–1994, Annex IX; Thirteenth Activity Report 1999–2000, Annex V; Documents of the African Commission, p. 348 234
- Communication 74/92, Commission Nationale des Droits de l'Homme et des Libertés v. Chad, Ninth Activity Report 1995–1996, Annex VIII; Documents of the African Commission, p. 449 28, 94, 144, 175
- Communication 75/92, Katangese Peoples' Congress v. Zaire, Eighth Activity Report 1994–1995, Annex VI; Documents of the African Commission, p. 389 33, 95, 97, 160, 246
- Communications 83/92, 88/93 and 91/93, Jean Y. Degli (on behalf of N. Bikagni), Union Interafricaine des Droits de l'Homme, Commission Internationale des Juristes v. Togo, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, pp. 348 and 390 144
- Communication 86/93, M. S. Ceesay v. The Gambia, Eighth Activity Report 1994–1995, Annex VI; Documents of the African Commission, p. 390 117
- Communication 87/93, Constitutional Rights Project (in respect of Zamani Lakwot and six others) v. Nigeria, Eighth Activity Report 1994–1995, Annex VI; Documents of the African Commission, p. 391 94, 120, 152, 203

- Communication 90/93, Paul S. Haye v. The Gambia, Eighth Activity Report 1994–1995, Annex VI; Documents of the African Commission, p. 393
- Communication 92/93, International Pen (in respect of Kemal al-Jazouli) v. Sudan, Eighth Activity Report 1994–1995, Annex VI; Documents of the African Commission, p. 394 116
- Communication 97/93, John K. Modisev. Botswana, Seventh Activity Report 1993–1994,
 Annex IX; Tenth Activity Report 1996–1997, Annex X; Fourteenth Activity Report 2000–2001, Annex V, Documents of the African Commission, pp. 349 and 567
 83, 144, 178, 235
- Communication 101/93, Civil Liberties Organisation (in respect of the Nigerian Bar Association) v. Nigeria, Eighth Activity Report 1994–1995, Annex VI; Documents of the African Commission, p. 394
 201
- Communication 102/93, Constitutional Rights Project and Civil Liberties Organisation
 v. Nigeria, Twelfth Activity Report 1998–1999, Annex V; Documents of the African Commission, p. 712 30, 144, 174, 217, 222
- Communication 103/93, Alhassan Abubakarv. Ghana, Tenth Activity Report 1996–1997, Annex X; Documents of the African Commission, p. 571 121, 152, 197, 232
- Communications 104/94 and 109–126/94, Centre for Independence of Judges and Lawyers v. Algeria and others, Eighth Activity Report 1994–1995, Annex VI; Documents of the African Commission, pp. 349 and 396 97, 160
- Communications 105/93, 128/94, 130/94 and 152/96, Media Rights Agenda, Constitutional Rights Project, Media Rights Agenda and Constitutional Rights Project v. Nigeria, Twelfth Activity Report 1998–1999, Annex V; Documents of the African Commission, p. 718 26, 89, 120, 142, 151, 177, 217
- Communication 106/93, Amuh Joseph Vitine v. Cameroon, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 350 160
- Communication 107/93, Academic Staff of Nigerian Universities v. Nigeria, Seventh Activity Report 1993–1994, Annex IX; Documents of the African Commission, p. 350 150
- Communication 108/93, Monja Joana v. Madagascar, Tenth Activity Report 1996–1997, Annex X; Documents of the African Commission, p. 573 93
- Communication 127/94, Sana Dumbaya v. The Gambia, Eighth Activity Report 1994–1995, Annex VI; Documents of the African Commission, p. 397 114
- Communication 129/94, Civil Liberties Organisation v. Nigeria, Ninth Activity Report 1995–1996, Annex VIII; Documents of the African Commission, p. 452 120, 201
- Communication 133/94, Association pour la Défense des Droits de l'Homme et des Libertés v. Djibouti, Thirteenth Activity Report 1999–2000, Annex V 82, 169
- Communication 135/94, Kenya Human Rights Organisation v. Kenya, Ninth Activity Report 1995–1996, Annex VIII; Documents of the African Commission, p. 455
- Communication 136/94, William A. Courson v. Zimbabwe, Eighth Activity Report 1994–1995, Annex VI; Documents of the African Commission, p. 397
- Communications 137/94, 139/94, 154/96 and 161/97, International Pen, Constitutional Rights Project, Interights on behalf of Ken Saro-Wiwa Jr and Civil Liberties Organisation

- v. Nigeria, Twelfth Activity Report 1998–1999, Annex V; Documents of the African Commission, p. 729 30, 144, 174, 217, 222
- Communications 140/94, 141/94 and 145/95, Constitutional Rights Project, Civil Liberties
 Organisation and Media Rights Agenda v. Nigeria, Thirteenth Activity Report 1999–
 2000, Annex V 151, 182, 219, 269
- Communication 142/94, Muthuthirin Njokav. Kenya, Eighth Activity Report 1994–1995, Annex VI; Documents of the African Commission, p. 398 106, 159
- Communications 143/95 and 150/96, Constitutional Rights Project and Civil Liberties Organisation v. Nigeria, Thirteenth Activity Report 1999–2000, Annex V 80, 151, 202
- Communication 144/95, William Courson (acting on behalf of Severo Moto) v. Equatorial Guinea, Eleventh Activity Report 1997–1998, Annex II; Documents of the African Commission, p. 609 143, 182
- Communications 147/95 and 149/96, *Sir Dawda K. Jawara* v. *The Gambia*, Thirteenth Activity Report 1999–2000, Annex V 96, 110, 141, 142, 174, 220, 247
- Communication 148/96, Constitutional Rights Project v. Nigeria, Thirteenth Activity Report 1999–2000, Annex V 152, 197
- Communication 151/96, Civil Liberties Organisation v. Nigeria, Thirteenth Activity Report 1999–2000, Annex V 152, 202
- Communication 153/96, Constitutional Rights Project v. Nigeria, Thirteenth Activity Report 1999–2000, Annex V 204
- Communication 155/96, The Social and Economic Rights Action Center and the Center for Economic and Social Rights v. Nigeria, Fifteenth Activity Report 2001–2002, Annex V 30, 32, 172, 246, 278, 309, 389
- Communication 157/96, Association Pour la Sauvegarde de la Paix au Burundi v. Tanzania, Kenya, Uganda, Rwanda, Zaire and Zambia, Seventeenth Activity Report, 2003–2004, Annex VII 21, 78, 104, 185, 281
- Communication 159/96, Union Interafricaine des Droits de l'Homme, Fédération International des Ligues des Droits de l'Homme, Rencontre Africaine des Droits de l'Homme, Organisation Nationale des Droits de l'Homme au Sénégal and Association Malienne des Droits de l'Homme v. Angola, Eleventh Activity Report 1997–1998, Annex II; Documents of the African Commission, p. 615 91, 152, 180, 233
- Communication 162/97, Mouvement des Réfugiés Mauritaniens au Sénégal v. Senegal, Eleventh Activity Report 1997–1998, Annex II; Documents of the African Commission, p. 613 97
- Communication 197/97, Bah Ould Rabah v. Mauritania, Seventeenth Activity Report 2003–2004, Annex VII 77, 195
- Communication 198/97, SOS-Esclaves v. Mauritania, Twelfth Activity Report 1998–1999, Annex V; Documents of the African Commission, p. 742 112, 114, 160, 179
- Communication 199/97, Odjouoriby Cossi Paul v. Benin, Seventeenth Activity Report 2003–2004, Annex VII 205

- Communication 204/97, Mouvement Burkinabé des Droits de l'Homme et des Peuples v. Burkina Faso, Fourteenth Activity Report 2000–2001, Annex V 84, 204
- Communication 205/97, Kazeem Aminu v. Nigeria, Thirteenth Activity Report 1999–2000, Annex V 122, 158, 182
- Communication 206/97, Centre for Free Speech v. Nigeria, Thirteenth Activity Report 1999–2000, Annex V 152, 203
- Communication 209/97, Africa Legal Aid v. The Gambia, Thirteenth Activity Report 1999–2000, Annex V 165
- Communicatoin 211/98, Legal Resources Foundation v. Zambia, Fourteenth Activity Report 2000–2001, Annex V 174, 235, 248, 251, 407
- Communication 212/98, Amnesty International v. Zambia, Twelfth Activity Report 1998–1999, Annex V; Documents of the African Commission, p. 745 26, 89, 91, 99, 142, 180, 216
- Communication 215/98, Rights International v. Nigeria, Thirteenth Activity Report 1999–2000, Annex V 121, 152, 193
- Communication 218/98, Civil Liberties Organisation, Legal Defence Centre, Legal Defence and Assistance Project v. Nigeria, Fourteenth Activity Report 2000–2001, Annex V 172
- Communication 219/98, Legal Defence Centre v. The Gambia, Thirteenth Activity Report 1999–2000, Annex V 122
- Communication 221/98, Alfred B. Cudjoe v. Ghana, Twelfth Activity Report 1998–1999, Annex V; Documents of the African Commission, p. 753 114, 116
- Communications 222/98 and 229/99, Law Office of Ghazi Suleiman v. Sudan, Sixteenth Activity Report 2002–2003, Annex VII 198, 202, 204, 205
- Communication 223/98, Forum of Conscience v. Sierra Leone, Fourteenth Activity Report 2000–2001, Annex V 152, 190
- Communication 224/98, Media Rights Agenda v. Nigeria, Fourteenth Activity Report 2000–2001, Annex V 79, 107, 152, 178, 220
- Communication 225/98, *Huri-Laws* v. *Nigeria*, Fourteenth Activity Report 2000–2001, Annex V 144, 152, 193, 227, 240
- Communication 227/99, Democratic Republic of Congo v. Burundi, Rwanda and Uganda, Twentieth Activity Report, January – June 2006, Annex IV 76, 180, 232, 239, 240, 309
- Communication 228/99, *The Law Office of Ghazi Suleiman* v. *Sudan*, Sixteenth Activity Report 2002–2003, Annex VII 28, 38, 119, 222
- Communication 231/99, Avocats sans Frontières (on behalf of Gaëtan Bwampamye) v. Burundi, Fourteenth Activity Report 2000–2001, Annex V 174
- Communication 232/99, *John D. Ouko* v. *Kenya*, Fourteenth Activity Report 2000–2001, Annex V 193, 220, 241
- Communication 233/99, Interights (on behalf of Pan-African Movement and Citizens for Peace in Eritrea) v. Ethiopia, Sixteenth Activity Report 2002–2003, Annex VII 90, 128, 136

- Communication 236/2000, *Curtis Francis Doebbler* v. *Sudan*, Sixteenth Activity Report 2002–2003, Annex VII 90, 194, 456
- Communication 238/2001, Institute for Human Rights and Development (on behalf of Sédar Tumba Mboyo v. Democratic Republic of Congo, Fifteenth Activity Report 2001–2002, Annex V 88
- Communication 239/2001, Interights (on behalf of Jose Domingos Sikunda) v. Namibia, Fifteenth Activity Report 2001–2002, Annex V 96, 115
- Communication 240/2001, Interights (on behalf of Mariette Sonjaleen Bosch) v. Botswana, Seventeenth Activity Report 2003–2004, Annex VII 38, 87, 174, 397
- Communication 241/2001, Purohit and Moore v. The Gambia, Sixteenth Activity Report 2002–2003, Annex VII 32, 80, 112, 123, 179, 198, 200
- Communicatoin 242/2001, Interights, Institute for Human Rights and Development in Africa, and Association Mauritanienne des Droits de l'Homme v. Islamic Republic of Mauritania, Seventeenth Activity Report 2003–2004, Annex VII 114, 201, 228, 227
- Communication 245/2002, Zimbabwe Human Rights NGO Forum v. Zimbabwe, Twentyfirst Activity Report 2007, Annex III 115, 142, 148, 175, 209, 210, 222, 223
- Communication 247/2002, Institute for Human Rights and Development in Africa (on behalf of Jean Simbarakiye) v. Democratic Republic of Congo, Sixteenth Activity Report 2002–2003, Annex VII 122
- Communication 249/2002, African Institute for Human Rights and Development (on behalf of Sierra Leonean refugees in Guinea) v. Republic of Guinea, Twentieth Activity
 Report January June 2006, Annex IV 78, 142, 180, 234
- Communication 250/2002, Liesbeth Zegveld and Mussie Ephrem v. Eritrea, Seventeenth Activity Report 2003–2004, Annex VII 28, 38, 92, 104, 183, 221, 224
- Communication 251/2002, *Lawyers for Human Rights v. Swaziland*, Eighteenth Activity Report 2004–2005, Annex III 38, 39, 80, 90, 106, 153, 202, 227, 236
- Communication 253/2002, Antoine Bissangou v. Republic of Congo, Twenty-first Activity Report 2007, Annex II 178, 201
- Communication 254/2002, Mouvement des Réfugiés Mauritaniens au Sénégal v. Senegal, Sixteenth Activity Report 2002–2003, Annex VII 114
- Communication 258/2002, Miss A. v. Cameroon, Seventeenth Activity Report 2003–2004, Annex VII 94
- Communication 261/2002, Interights et al. v. Egypt, Sixteenth Activity Report 2002–2003, Annex VII 87
- Communication 268/2003, *Ilesanmi v. Nigeria*, Eighteenth Activity Report 2004–2005, Annex III 109
- Communication 269/2003, Interights on behalf of Safia Yakubu Husaini et al. v. Nigeria, Eighteenth Activity Report 2004–2005, Annex III 78, 85, 86, 88, 190
- Communication 273/2002, Centre for Advancement of Democracy, Social Justice, Conflict Resolution and Human Welfare v. Nigeria, Eighteenth Activity Report 2004–2005, Annex III 87