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65th Ordinary Session of the African Commission on Human and Peoples' Rights, Banjul, The Gambia

Agenda Item 4: Human Rights Situation in Africa

Honourable Chairperson and Commissioners,

On this occasion of the 65th ordinary session of the African Commission on Human and Peoples' Rights (African Commission), Amnesty International is pleased to announce that it has introduced a new annual report on the state of African regional human rights bodies and mechanisms. This report is intended to serve as an annual review of the state and performance of the three regional human rights bodies in Africa. To strengthen the African human rights system, it is critical to track, document and understand how the regional human rights bodies operate, what they achieve in practice and the challenges they face. This new report is in line with our strategic goal to reinforce and strengthen international and regional human rights systems and is inspired by our longstanding work in Africa.

The State of African Regional Human Rights Bodies and Mechanisms will be published every 21st October in commemoration of the entry into force of the African Charter on Human and Peoples' Rights on this day in 1986. The inaugural edition of the report, covering the period from January 2018 to June 2019, was launched this past Monday 21st here in Banjul and on the margin of this session.

The findings and recommendations of the report cuts across all the major functions and activities of the African Commission. Amnesty International hopes that the African Commission will find the report particularly valuable as it comes at a time when the African Commission is in the process of revising its rules of procedure and as its current strategic plan is nearing its end.

The report finds that despite facing many stubborn challenges, the African Commission registered a relatively impressive record during the reporting period in the execution of its mandate relating to state reporting, standard-setting and intervening in urgent situations. However, the African Commission's communications procedure faces a chronic challenge: the slow pace of determining communications leading to a perennial backlog in its docket.

The number of communications pending before the African Commission has increased more than two-fold in the last five years, from 87 pending communications in May 2014 to 240 in May 2019. In percentage terms, this is a 175% increase. Our analysis shows the communications procedure seems to be working at its bare minimum. Only a few number of communications are being cleared out the African Commission's docket. Between January 2018 and June 2019, the African Commission issued on only three decisions on the merits and four on admissibility.



There is an urgent need to firmly and decisively deal with the problem of the high number of pending communications, a problem that the African Commission has itself acknowledged for long. In this regard, Amnesty International proposes the following:

- (a) As a matter of urgency, the African Commission should develop a backlog reduction plan to be shared with all relevant actors including the public. This plan should put emphasis on individual's right to have their causes heard within reasonable time, speedy determination of communications, and strict adherence to time limits by parties, especially states; and
- (b) As every member of the African Commission serves as a rapporteur for a set number of communications, each of them should include in their activity reports a section in which they outline the progress they have made in handling the pending communications in their respective dockets.

Amnesty International stands ready to partner and work with the African Commission to implement these and other recommendations contained in the report.

Thank you.