

Recommendation on Periodic Reports - ACHPR/Recom.3(III)88

Apr 28, 1988

The African Commission on Human and Peoples' Rights, meeting in its Third Ordinary Session in Libreville, Gabon, from 18 to 28 April 1988:

Having carefully examined the African Charter on Human and Peoples' Rights and, particularly, its Article 62 which stipulates:

“Each State Party shall undertake to submit every two years, from the date the present Charter comes into force, a report on the legislative or other measures taken with a view to giving effect to the rights and freedoms recognised **and guaranteed by the present Charter**”,

Considering that this provision of the Charter contains only the obligation which is that of a State Party to submit the report;

Considering that the Charter does not stipulate to which authority or body the periodic report should be directed;

Considering that the Charter has not specifically entrusted to the Commission with the responsibility to consider the periodic reports on Human Rights;

Considering further that it is difficult to see which other organ of the OAU could accomplish this work;

Considering that the African Commission on Human and Peoples' Rights is the only appropriate organ of the OAU capable not only of studying the said periodic reports, but also of making pertinent observations to States Parties, after providing them with general guidelines on the form and contents of the reports which they should submit, pursuant to Article 62 referred to above:

RECOMMENDS that the Assembly of Heads of State and Government:

1. Mandate the General Secretariat of the OAU to receive the said reports and communicate them to the Commission without delay;
2. Specifically entrust it with the task of examining the periodic reports submitted by the States Parties pursuant to Article 62 and other relevant provisions of the African Charter on Human and Peoples' Rights;
3. Authorise it to give the States Parties general guidelines on the form and the contents of the said periodic reports.