

**ANEXO 13.b.**

**VISITA DE LA COMISIÓN AFRICANA DE DERECHOS HUMANOS Y DE  
LOS PUEBLOS (CADHP), INTERVENCIÓN DE  
LA VICEPRESIDENTA DE LA CADHP (15 DE JUNIO DE 1998)**

**WORKING SESSION - 15 JUNE 1998**

**ADDRESS BY THE VICE-CHAIRPERSON OF  
THE AFRICAN COMMISSION ON HUMAN  
AND PEOPLES' RIGHTS**

Honorable Judges:

Under the auspices of the North-South Center of the Council of Europe, a meeting of the representatives of the three systems of protection of Human Rights, was held in Lisbonne, Portugal from the 29 to 30th May, 1995.

In attendance at the said meeting were representatives of the Inter-American Court and Commission of Human Rights, the European Court and Commission of Human Rights and the African Commission on Human and Peoples' Rights, due to the fact that Africa still doesn't have a Court for Human Rights.

The discussion focused on exchange of experiences and on the various institutions in order to identify the ways and means to improve our respective systems.

The honorable Doctor Cançado Trindade, a well-known Brazilian jurist, who is among us today, and myself, attended the aforesaid meeting.

Since then I was sensitized to the necessity of the establishment of an African Court on Human Rights because I realized that these two institutions, the Court and the Commission were complementary in reinforcing the respect for human rights in the Continent.

At the Lisbonne meeting, the first steps of establishing a tripartite cooperation between America, Europe and Africa were done and were followed by significant development. The

invitation extended by the Inter-American Court to the African Commission to attend the current session and to exchange experience is an eloquent testimony of that move.

It was with great pleasure that the African Commission has accepted your invitation to come and observe the proceedings of your session and to learn from the rich experience of the honorable judges present here. I would like to take this opportunity to thank you most sincerely for the warm welcome and hospitality extended to us since our arrival in this beautiful city of San Jose.

I would like to express my sincere gratitude and appreciation to the Danish Centre of Human Rights which provided the African Commission with all the necessary assistance for our travel to Costa Rica.

This invitation is timing in the sense that the Additional Protocol to the African Charter on Human and People's Rights on the establishment of the African Court, has been adopted by the Assembly of Heads of State and Government. meeting in Ouagadougou, Burkina Faso from 8 to 10 June, 1998.

It is my conviction that although Africa faces various and serious challenges, the African Court will be established before the end of this century.

Mr. President,

Honorable Judges,

The establishment of an African Court was proposed by the experts who drafted the African Charter but due to the then negative political environment the proposal was rejected.

Just after its insertion, the African Commission felt the strong need to establish a Court which could complement its work of human rights protection.

Therefore, the Commission under the auspices of the Organization of African Unity - OAU- and in collaboration with the International Commission of Jurists worked tirelessly towards the establishment of the Court.

These last years, the International Community has embarked on the process of reinforcing the international judiciary systems aiming at ensuring better protection of human rights. In that regard, the Tribunal for ex-Yugoslavia and Rwanda are good examples. I would also like to mention that as we meet here an International Diplomatic Conference of Plenipotentiaries begins today in Rome in order to finalize and adopt a Treaty establishing an International Criminal Court to trial genocide, crimes of war and crimes against humanity.

The adoption of the protocol on the African Court is a testimony of Africa's will to also strengthen its regional judiciary system.

Mr. President,

Honorable Judges,

I am sure that we all share the conviction that the respect of the Rule of Law is fundamental in ensuring the protection of the basic rights of every human being. This is important in a Continent which has witnessed massive violations of human rights like genocide.

As we enter the new Millennium, it is important to put an end to this scourge in order for the African Countries to focus on issues of development and progress in an environment of peace and stability which will restore liberty and dignity to the peoples of Africa.

As the Dalai Lama wrote in 1993: "*a new hope is emerging for the downtrodden, and people everywhere are displaying a willingness to champion and defend the rights and freedoms of their fellow human beings... The deeper human nature needs to breathe the air of liberty*".

To meet this need, Africa has decided to establish a Court for Human Rights, as the American Continent did by establishing the Inter-American Court.

In concluding, I would like to express the wish that the 20 years experience of the Inter-American Court will guide the African Court in accomplishing its noble task.

I thank you for your kind attention.

Dr. Valentina De Melo Duarte Martins  
Vice-Chairperson IACHPR  
San Jose, Costa Rica  
15 June 1998