
Banjul Declaration on the 25th Anniversary of the African Charter on Human and Peoples' Rights (2006)

We the Heads of State and Government of the African Union meeting in the 7th ordinary session of the Assembly, held in Banjul, The Gambia from 1 - 2 July 2006;

Noting the fact that this year marks the twenty-fifth anniversary of the adoption of the African Charter on Human and Peoples' Rights (the African Charter) by the eighteenth Assembly of Heads of State and Government, in June 1981 in Nairobi, Kenya, and the twentieth year since it entered into force in 1986.

Recalling the firm conviction of the member states of the Organization of African Unity in their duty to protect human rights and freedoms and taking into account the importance traditionally attached to these rights and freedoms in Africa, against the backdrop of their efforts to achieve the total liberation of Africa, the peoples of which were still struggling for their dignity and genuine independence, undertaking to eliminate colonialism, neo-colonialism, apartheid, Zionism and to dismantle aggressive foreign military bases and all forms of discrimination on basis namely of race, ethnic group, color, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status.

Considering the contribution of the adoption of the African Charter to the promotion and protection of human and people's rights in Africa.

Bearing in mind that today the wisdom of having taken this decision continues to demonstrate itself in view of the fact that the African Charter has provided a legal framework for the promotion and protection of human and peoples' rights on our continent and development of the jurisprudence of the African Commission on Human and People's Rights (ACHPR) attests to this achievement.

Also recalling the decisions of the African Union whereby we expressed the need for the ACHPR to be provided with adequate human, material and financial resources to enable it effectively fulfil its mandate under the Charter.

Further recalling the decisions at our Assembly to review the operation and composition of the ACHPR with a view to strengthening its independence and operational integrity and ensuring appropriate gender representation. *Noting* that the African Charter has contributed to the development of human rights norms on the continent, including the adoption of supplementary instruments such as the African Charter on the Rights and Welfare of the Child and the Protocols on the establishment of the African Court on Human and Peoples' Rights and on the Rights of Women.

Recognising that all member states have ratified the African Charter which makes us all parties to the African Charter.

Expressing our appreciation to the ACHPR, which also commemorates its twentieth anniversary this year, for the laudable role it has played, in collaboration with its partners, particularly civil society organisations and national human rights institutions; in ensuring the promotion and protection of human and peoples' rights in Africa, in accordance with the African Charter.

Cognisant of the fact that poverty and human rights violations are among the root causes of conflicts on our continent, and wishing to seize the opportunity of the occasion of this anniversary of the African Charter to re-dedicate ourselves to the promotion and protection of human and peoples' rights on the Continent:

1. *Express* great satisfaction at the positive contributions made by the African Charter towards the promotion and protection of human rights in Africa.

2. Reiterate our unflinching determination to promote and protect human and people's rights and all basic freedoms in Africa as well as our full support to the work of the ACHPR and all human rights treaty bodies established on the continent.

3. Commit ourselves to undertake the necessary measures to respect and guarantee the independence of the ACHPR, as well as to provide it with the necessary human and financial resources, in order to enable it effectively discharge its functions.

4. Urge member states to take the necessary steps to fulfil their obligations under the African Charter and other human rights instruments to which they are parties, in particular, the implementation of decisions and recommendations of human rights treaty-bodies.

5. Welcome and express our full support to the newly established African Court on Human and Peoples' Rights whose role is to complement ACHPR in its human rights protective mandate and commit ourselves to provide the necessary human and financial resources to allow the new Court to discharge its functions effectively and efficiently as well as to fully cooperate with and render all the necessary assistance to the Court.

6. Take note of the recent developments of the ongoing process of the merger of the Court of Justice of the African Union and the African Court on Human and Peoples' Rights in order to rationalise our institutions, ensure cost effectiveness and avoid unnecessary duplications.

7. Rededicate ourselves to ensuring respect for human and peoples' rights as a pre-requisite for the attainment of our common vision of a united and prosperous Africa, and reaffirm our confidence in the ACHPR.