

**The Prohibition of Torture and
Ill-treatment in the African
Human Rights System**

**Frans Viljoen &
Chidi Odinkalu**

**A HANDBOOK
FOR VICTIMS AND
THEIR ADVOCATES**



OMCT Handbook Series Vol. 3

Series Editor: Boris Wijkström

The World Organisation Against Torture (OMCT) coordinates the activities of the SOS-Torture Network, which is the world's largest coalition of non-governmental organisations fighting against torture and ill-treatment, arbitrary detention, extrajudicial executions, forced disappearances, and other serious human rights violations. OMCT's growing global network currently includes 282 local, national, and regional organisations in 92 countries spanning all regions of the world. An important aspect of OMCT's mandate is to respond to the advocacy and capacity-building needs of its network members, including the need to develop effective international litigation strategies to assist victims of torture and ill-treatment in obtaining legal remedies where none are available domestically, and to support them in their struggle to end impunity in states where torture and ill-treatment remain endemic or tolerated practices. In furtherance of these objectives, OMCT has published a *Handbook Series* of four volumes, each one providing a guide to the practice, procedure, and jurisprudence of the regional and international mechanisms that are competent to examine individual complaints concerning the violation of the absolute prohibition of torture and ill-treatment. This *Handbook on the Prohibition of Torture and Ill-treatment in the African Human Rights System* is the third of the series.

**THE PROHIBITION OF TORTURE AND ILL-TREATMENT
IN THE AFRICAN HUMAN RIGHTS SYSTEM:
A HANDBOOK FOR VICTIMS AND THEIR ADVOCATES**

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Note to Readers

This *Handbook* is meant to support NGOs, advocates, lawyers and indeed, the victims of torture themselves, in developing effective litigation strategies before the African Commission in respect of violations of the prohibition of torture and other ill-treatment under Article 5 of the African Charter on Human and Peoples' Rights. As such, we have striven for comprehensive coverage of the relevant areas of substance and procedure but also for clarity and accessibility. We are continuously looking for ways to improve our materials and enhance their impact. Please help us do this by submitting your comments on this book, preferably in English or French, at: handbook@omct.org

Readers are also invited to visit our website featuring a page devoted to the *OMCT Handbook Series* which contains further reference materials: www.omct.org.

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*Boris Wijkström,
Series Editor
October 2006*

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The views expressed in this book are solely those of the authors. They do not reflect the views of any institution or organisation.

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PREFACE

Torture and other cruel, inhuman or degrading forms of treatment or punishment remain a matter of grave concern to the international community. Africa is no exception. Africa has struggled with Member States caught up in an environment that engages or condones acts of torture in times of war or armed conflict. However, this violation of an inherent human right also occurs within States where individuals have been deprived of their liberty for political, legal, or other non-conflict related reasons. In view of the fact that most domestic jurisdictions on the Continent prohibit torture or ill-treatment, the sad reality is that the increasing rhetorical commitment by African States to human rights since the ‘wave of democratisation’ of the early 1990s, does not reflect the reality on the ground - torture and other forms of ill-treatment remain pervasive amongst African communities.

For 25 years Article 5 of the African Charter of Human and Peoples’ Rights (1981), has proscribed all forms of ‘torture, cruel, inhuman or degrading punishment and treatment’. While most African countries have incorporated this prohibition into their national legal systems, there exists an urgent need for strengthened action by civil society at the supra-national level. This need is underlined by the inability of persons to effectively access judicial systems, coupled with the lack of appropriate remedies within domestic infrastructures.

Although comparatively embryonic, the African human rights system has matured into a relatively functional and credible organ, contributing to the development of international human rights jurisprudence. In addition, the advent of democratisation has afforded NGOs more operational freedom, thus amplifying their role and responsibilities in the fight against torture. Simultaneously, this has strengthened the implementation of both international and African principles relating to the prohibition of torture, promoting mechanisms for monitoring and applying these standards.

A key contributor to the literature on torture and the African human rights system is the World Organisation Against Torture (OMCT). This *Handbook* is an example of that contribution. It serves as a tool for action, combining rigorous academic analysis of the scope and content of the prohibition of torture under African human rights instruments with a practical approach to the litigation of individual cases before the African Commission.

Written by two of the most eminent experts on human rights in Africa, the book begins by offering a comprehensive treatment of the African human rights system. It is a critical analysis of the role played by the main institutions under both the Organization of African Unity (the “OAU”) and subsequently

the African Union (“AU”) and examines their human rights work since the OAU’s inception in 1963. The book then moves on to consider various themes within the framework of African human rights, including the rights of women, the rights of the child, the concept of democracy, and the right to development.

An important aspect of the *Handbook* is dedicated to the AU’s institutional framework within which Africa’s human rights system functions. This encompasses consideration of the promotional mandate of the African Commission, including the role of NGOs at the Commission, the State reporting process, the system of Special Rapporteurs and, in particular, the *Special Rapporteur on Prisons and Conditions of Detention in Africa*. As the only such book of its kind, this work represents a critical and much needed tool for all civil society actors struggling to end impunity for torture in Africa.

With its dynamic and progressive interpretation of the African Charter in the context of the prohibition of torture, the *Handbook* will prove to be invaluable to advocates operating within the mechanisms of the African human rights system, and among them primarily the African Commission. It will also assist in furthering the accountability of Member States and seeking redress for torture victims. Moreover, the book will be a definitive point of reference. It effortlessly blends a step-by-step approach to filing and litigating a case before the African Commission with an in-depth analysis of the scope, content and meaning of Article 5 of the Charter and relevant provisions of other human rights instruments. Undoubtedly, this *Handbook* will prove to be an important research tool for human rights advocates, legal practitioners, and academics alike.

The crucial role played by the African Commission to ensure the protection and respect of human rights and, in particular, the prohibition of torture, is clearly identified in this *Handbook*. Looking into the future, however, the judges elected at the 6th Ordinary Session of the AU Assembly in January 2006 to serve on the African Court on Human and Peoples’ Rights, will need to complement the work of the Commission. It is imperative for the development of the African human rights system that these institutions be fully supported to ensure that they effectively discharge their mandates. Now, therefore, after a successful struggle for the entry into force of the Court, it will be of paramount importance that both the Commission and the Court are endowed with the requisite independence and financial capacity. This will ensure that they can operate with integrity and uphold the core principles of equality, human dignity, democracy, and human rights espoused by the African Charter on Human and Peoples’ Rights.

Adama Dieng
United Nations Assistant Secretary General & Registrar
International Criminal Tribunal for Rwanda (ICTR)
September 2006

TABLE OF CASES

Abubakar v. Ghana, Communication 103/93, Tenth Activity Report, (2000) AHRLR 134 (ACHPR 1996)

Amnesty International, Comité Loosli Bachelard, Lawyers Committee for Human Rights and Association of Members of the Episcopal Conference of East Africa v. Sudan, Communications 48/90, 50/91, 52/91, 89/93, Thirteenth Activity Report, (2000) AHRLR 297 (ACHPR 1999)

Amnesty International (on behalf of Orton and Vera Chirwa) v. Malawi, Communications 68/92, 78/92, (2000) AHRLR 143 (ACHPR 1994), (2000) AHRLR 144 (ACHPR 1995), reprinted in (1996) 3 *International Human Rights Reports* 134

Anuak Justice Council v. Ethiopia, Communication 299/2005, Twentieth Activity Report (ACHPR)
Avocats Sans Frontières v. Burundi, Communication 231/99, Fourteenth Activity Report, (2000) AHRLR 48 (ACHPR 2000)

B v. Kenya, Communication 283/2003, Seventeenth Activity Report (ACHPR)

Baes v. Zaire, Communication 31/89, Eighth Activity Report, (2000) AHRLR 72 (ACHPR 1995)

Centre of Independence of Judges and Lawyers v. Yugoslavia, Communication 3/88, Seventh Activity Report (ACHPR)

Civil Liberties Organisation v. Nigeria, Communication 151/96, Thirteenth Activity Report, (2000) AHRLR 243 (ACHPR 1999)

Civil Liberties Organisation, Legal Defence Centre and Legal Defence and Assistance v. Nigeria, Communication 151/96, Fourteenth Activity Report, (2001) AHRLR 75 (ACHPR 2001)

Commission Nationale des Droits de l'Homme et des Libertés v. Chad, Communication 74/92, Ninth Activity Report, (2000) AHRLR 66 (ACHPR 1995)

Committee for the Defence of Political Prisoners v. Bahrain, Communication 7/88, (ACHPR)
Constitutional Rights Project and Another v. Nigeria, Communication 102/93, Twelfth Activity Report, (2000) AHRLR 191 (ACHPR 1998)

Constitutional Rights Project (in respect of Zamani Lekwot and Others) v. Nigeria, Communication 87/93, Eighth Activity Report, (2000) AHRLR 183 (ACHPR 1995)

Constitutional Rights Project, Civil Liberties Organisation and Media Rights Agenda v. Nigeria, Communications 140/94, 141/94, 145/95, Thirteenth Activity Report, (2000) AHRLR 227 (ACHPR 1999)

Constitutional Rights Project v. Nigeria, Communication 153/96, Thirteenth Activity Report, (2000) AHRLR 248 (ACHPR 1999)

Curtis Francis Doebbler v. Sudan, Communication 236/2000, Sixteenth Activity Report, (2003) AHRLR 153 (ACHPR 2003)

Democratic Republic of the Congo v. Burundi, Rwanda and Uganda, Communication 227/98, Twentieth Activity Report Annex IV, (ACHPR)

Elmi v. Australia, Communication No. 120/1998, UN Committee against Torture, Twenty-second Session, U.N. Doc. CAT/C/22/D/120/1998 (25 May 1999)

Emgba Louis Mekongo v. Cameroon, Communication 59/91, Eighth Activity Report, (2000) AHRLR 56 (ACHPR 1995)

Frederick Korvah v. Liberia, Communication 1/88, Seventh Activity Report, (2000) AHRLR 140 (ACHPR 1988)

- Free Legal Assistance Group and Others v. Zaire*, Communications 25/89, 47/90, 56/91, 100/93, Ninth Activity Report, (2000) AHRLR 74 (ACHPR 1995)
- Guerra v. Baptiste*, United Kingdom Privy Council, (1996) Appeal Cases 397
- Hadjali Mohamad v. Algeria*, Communication 13/88, Seventh Activity Report, (2000) AHRLR 15 (ACHPR 1994)
- Huri-Laws v. Nigeria*, Communication 225/98, Fourteenth Activity Report, (2000) AHRLR 273 (ACHPR 2000)
- Iheanyichukwu Ihebereme v. USA*, Communication 2/88, Seventh Activity Report (ACHPR)
- Ilesanmi v. Nigeria*, Communication 28/2003, Eighteenth Activity Report (ACHPR)
- INTERIGHTS (on behalf of Jose Domingos Sikunda) v. Namibia*, Communication 239/2001, Fifteenth Activity Report, (2002) AHRLR 21 (ACHPR 2002)
- INTERIGHTS (on behalf of Mariette Sonjaleen Bosch) v. Botswana*, Communication 240/2001, Seventeenth Activity Report (ACHPR)
- INTERIGHTS (on behalf of the Pan African Movement and Citizens for Peace in Eritrea) v. Ethiopia*, Communication 233/99, Sixteenth Activity Report, (2003) AHRLR 74 (ACHPR 2003)
- INTERIGHTS (on behalf of the Pan African Movement) and Inter-Africa Group v. Eritrea*, Communication 234/99, Sixteenth Activity Report, (2003) AHRLR 74 (ACHPR 2003)
- INTERIGHTS (on behalf of Safia Yakubu Husaini et al. v. Nigeria*, Communication 269/2003, Twentieth Activity Report (ACHPR)
- International Pen, Constitutional Rights Project, INTERIGHTS (on behalf of Ken Saro-Wiwa Jr.) and Civil Liberties v. Nigeria*, Communications 137/94, 139/94, 154/96, 161/97, Twelfth Activity Report, (2000) AHRLR 212 (ACHPR 1998)
- Ireland v. the United Kingdom*, no. 5310/71, (1978) ECHR 1 (18 Jan. 1978)
- Jean Yaovi Degli (on behalf of Corporal N. Bikagni), Union Inter africaine des Droits de l'Homme, Commission Internationale des Jurists v. Togo*, Communications 83/92, 88/93, 91/93, Eighth Activity Report, (2000) AHRLR 317 (ACHPR 1995)
- John K. Modise v. Botswana*, Communication 97/93, Fourteenth Activity Report, (2000) AHRLR 25 (ACHPR 1994), (2000) AHRLR 25 (ACHPR 1997), (2000) AHRLR 30 (ACHPR 2000)
- John D. Ouko v. Kenya*, Communication 232/99, Fourteenth Activity Report, (2000) AHRLR 135 (ACHPR 2000), reprinted in (2002) 9 *International Human Rights Reports* 246
- Katangese Peoples' Congress v. Zaire*, Communication 75/92, Eighth Activity Report, (2000) AHRLR 72 (ACHPR 1995), reprinted in (1996) 3 *International Human Rights Reports* 136
- Kazeem Aminu v. Nigeria*, Communication 205/97, Thirteenth Activity Report, (2000) AHRLR 258 (ACHPR 2000)
- Krishna Achutan (on behalf of Aleke Banda) v. Malawi*, Communication 64/92, Seventh Activity Report, (2000) AHRLR 143 (ACHPR 1994), (2000) AHRLR 144 (ACHPR 1995)
- Law Office of Ghazi Suleiman v. Sudan*, Communications 222/98, 229/99, Sixteenth Activity Report, (2003) AHRLR 134 (ACHPR 2003)
- Legal Defence Centre v. The Gambia*, Communication 219/98, Thirteenth Activity Report, (2000) AHRLR 121 (ACHPR 2000)
- Legal Resources Foundation v. Zambia*, Communication 211/98, (2001) AHRLR 84 (ACHPR 2001)

- Ligue Camerounaise des Droits de l'Homme v. Cameroon*, Communication 65/92, Tenth Activity Report, (2000) AHRLR 61 (ACHPR 97)
- Malawi African Association, Amnesty International, Ms Sarr Diop/UIDH/RADDHO, Collectif des Veuves et Ayants-droit and Association Mauritanienne des Droits de l'Homme v. Mauritania*, Communications 54/91, 61/91, 98/93, 164-196/97, 210/98, Thirteenth Activity Report, (2000) AHRLR 149 (ACHPR 2000)
- Media Rights Agenda, Constitutional Rights Project v. Nigeria*, Communications 105/93, 128/94, 130/94, 152/96, Twelfth Activity Report, (2000) AHRLR 200 (ACHPR 1998)
- Media Rights Agenda (on behalf of Niran Malaolu) v. Nigeria*, Communication 224/98, Fourteenth Activity Report, (2000) AHRLR 262 (ACHPR 2000)
- Mohammed El-Nekheily v. OAU*, Communication 12/88, Seventh Activity Report (ACHPR)
- Mouvement Burkinabé des Droits de l'Homme et des Peuples v. Burkina Faso*, Communication 204/97, Fourteenth Activity Report, (2001) AHRLR 51 (ACHPR 2001)
- Mouvement des Réfugiés Mauritaniens au Sénégal v. Senegal*, Communication 162/97, Eleventh Activity Report, (2000) AHRLR 287 (ACHPR 1997)
- Mpaka-Nsusu Andre Alphonse v. Zaire* (Admissibility), Communication 15/88, Seventh Activity Report, (2000) AHRLR 71 (ACHPR 1994)
- Organisation Mondiale Contre la Torture and Others v. Rwanda*, Communications 27/89, 49/91, 99/93, Tenth Activity Report, (2000) AHRLR 282 (ACHPR 1996)
- Organisation Mondiale Contre la Torture and Others v. Zaire* (Merits), Communication 25/89, Eighth Activity Report, (ACHPR), reprinted in (1997) 4 *International Human Rights Reports* 89
- Prince J. N. Makoge v. USA*, Communication 5/88, Seventh Activity Report (ACHPR)
- Purohit and Moore v. The Gambia*, Communication 241/2001, Sixteenth Activity Report, (2003) AHRLR 96 (ACHPR 2003), reprinted in 6 *International Human Rights Reports* 825
- Rencontre Africaine pour la Defense des Droits de l'Homme (RADDHO) v. Zambia*, Communication 71/92, Tenth Activity Report, (2000) AHRLR 321 (ACHPR 1996)
- Rights International v. Nigeria*, Communication 215/98, Thirteenth Activity Report, (2000) AHRLR 254 (ACHPR 1999)
- Seyoum Ayele v. Togo*, Communication 35/89, Seventh Activity Report, (2000) AHRLR 315 (ACHPR 1994)
- Sir Dawda K. Jawara v. The Gambia*, Communications 147/95, 149/96, Thirteenth Activity Report, (2000) AHRLR 107 (ACHPR 2000)
- Stephen O. Aigbe v. Nigeria*, Communication 252/2002, Sixteenth Activity Report, (2003) AHRLR 128 (ACHPR 2003)
- Social and Economic Rights Action Centre v. Nigeria*, Communication 155/96, Fifteenth Activity Report, (2001) AHRLR 60 (ACHPR 2001)
- Union Inter africaine des Droits de l'Homme and Others v. Angola*, Communication 159/96, Eleventh Activity Report, (2000) AHRLR 18 (ACHPR 1997)
- Uzoukwu v. Ezeonu II*, (1991) 6 *Nigeria Weekly Law Reports* (pt. 200) 708
- Velásquez Rodríguez v. Honduras*, Inter-American Court of Human Rights, Series C No. 4, Judgment of 29 July 1988
- Zegveld and Ephrem v. Eritrea*, Communication 250/2002, Seventeenth Activity Report (ACHPR)

INTRODUCTION

This publication aims to provide a general introduction to the African regional human rights system, with a specific focus on the accomplishments, potential and challenges of this system, to deal with the pervasive problem of torture.

At the outset (in Part A), the broader African Union ('AU') institutional framework within which the system functions is set out. A basic introduction is then given of the main AU human rights treaty, the African Charter on Human and Peoples' Rights ('African Charter', 'the Charter'), and its implementing body, the African Commission on Human and Peoples' Rights ('African Commission', 'the Commission'). In discussing the African Commission, a distinction is drawn between its protective and promotional mandates. The African Court on Human and Peoples' Rights ('African Human Rights Court', 'the African Court'), which supplements the Commission's protective mandate, is then introduced, before other AU treaties of relevance to torture are briefly discussed.

The main substantive norms of a binding nature are then extracted from the African Charter and are discussed in the light of the Commission's interpretation of these norms in specific cases (in Part B). In Part C, the communications procedure is considered. The phases through which an individual petition before the African Commission proceed are discussed step-by-step and are compared with the process likely to develop before the African Human Rights Court. On-site missions are covered as part of the protective mandate, highlighting instances where torture was investigated or reported on. Part D covers the promotional mandate of the Commission in so far as it is relevant to issues of torture and ill-treatment. Core elements of this discussion are the role of non-governmental organisations ('NGOs'), the significance of the Commission's public sessions, the adoption of (non-binding) resolutions, promotional visits by Commissioners, State reporting and the Special Rapporteur on Prisons and Conditions of Detention in Africa. The emphasis on promotion, born from a context of denial of and ignorance about human rights as well as poverty and illiteracy, distinguishes the African human rights system from other regional systems.

The target audience of this publication is, generally, anyone concerned about torture in Africa and, specifically, civil society organisations and NGOs operating in Africa. As stated in the preface to this volume, Africa's era of democratisation has opened a space in which NGOs are able to operate more freely

and to greater effect. Their role and responsibility in addressing torture is therefore now greater than ever before. With this audience in mind, the last part of this publication provides some conclusions and recommendations to NGOs concerned about torture in Africa.