PART V. HUMAN RIGHTS
CHAPTER 19.
THE AFRICAN CHARTER ON HUMAN AND PEOPLES’ RIGHTS

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1. Introduction

The African Charter on Human and Peoples’ Rights (hereinafter the Charter) was adopted by the Assembly of Heads of State and Government (AHSG) of the Organization of African Unity (OAU) held at Nairobi, Kenya, in June 1981.¹ It came into force on 21 October 1986, three months after the Secretary-General of the OAU confirmed receipt of the instrument marking “a simple majority of the members” of the OAU as provided for in Article 63(3).

The African Charter is a creature of the OAU. The AHSG of the OAU, at its Summit meeting held at Monrovia, Liberia, in July 1979, “realising that the political regime which protects basic human rights and democratic freedoms is essential for mobilizing the creative initiative of our people for rapid economic development including scientific and technological innovation”² unanimously decided to call on the Secretary-General to inter alia,
