

11/022/0002/18

# ORGANISATION OF AFRICAN UNITY

Co-ordinating Committee  
For  
The Liberation of Africa  
P. O. Box 1767  
Dar es Salaam  
Telephone 27711  
Telex. No. 41072  
Telegrams: AFLICO-  
Dar es Salaam, Tanzania



Comite de Coordination  
Pour  
La Liberation de L'Afrique  
B.P. 1767  
Dar es Salaam  
Phone No. 27711  
Telex No. 41072  
Telegrams: AFRICO-  
Dar es Salaam, Tanzania

Your Ref.

Our Ref. R/1/17/31

Dar es Salaam.....

25th October, 1978,

Mr. S. Amos Wako,  
Secretary-General,  
African Bar Association,  
P.O. Box 40111,  
NAIROBI,  
Kenya.

Dear Comrade and brother,

I am writing to acknowledge with many thanks the receipt of your letter of 14th September, 1978 by which you were good enough to propose that your Association and the Liberation Committee co-ordinate their activities and efforts towards the struggle for the liberation of Africa.

From our side, we simply pledge our total support and agreement with this pertinent suggestion. In this connection we wish to make the following proposal:

- (i) That your Association should champion the cause of African liberation at the International Court of Justice where Africa's interests are usually poorly (if any thing) defended or represented;
- (ii) that your Association should work closely with the UN Human Rights Bureau in Geneva where you could obtain materials, data and up-to-date information. . Here, your Association could also contribute to the fight for the restoration of Human Rights in Southern Africa and to ensure that freedom fighters captured during the liberation war are treated as prisoners of war, in accordance with the established international law;
- (iii) that your Assotiation should, of necessity, collaborate and work closely with the Legal Department at the OAU General Secretariat in Addis Ababa;



- (iv) that your Association should endeavour to despatch experienced Advocates to Namibia, Zimbabwe and South Africa to defend numerous nationalists being sent for trial for petty political offences. When there, these Advocates could also endeavour to fight for the release of freedom fighters and political leaders like Nelson Mandela, Walter Sisulu and others who have been rotting in the apartheid jail for over a decade. This exercise might not be so easy but it would, at least, serve as a powerful weapon for political propaganda and psychological warfare;
- (v) that your Association should maintain constant contacts with the National Liberation Movements who would inform you of their needs. These contacts could either be channelled through this Secretariat or made direct with the National Liberation Movements whose addresses in Dar-es-Salaam are as follows:-

Patriotic Front (Zimbabwe),  
P.O. Box 20762/20128.  
DAR-ES-SALAAM  
SWAPO,  
P.O. Box 2603.

*African National Congress* → ANC (SA),  
P.O. Box 2239.  
PAC of Azania (SA),  
P.O. Box 2412.

- (vi) that your Association and this Secretariat should constantly exchange information and regularly compare notes to enable both institutions to effectively combat apartheid, injustice, suppression and foreign domination.

We hope that these few suggestions would be of some use to your Association.

Accept, Dear brother and Comrade, the assurances of my highest consideration.

  
Laban Oyaka)  
Assistant Executive/Secretary  
(Policy and Information)

c.c. The Secretary General,  
OAU General Secretariat, P.O. Box 3212, Addis Ababa.



*Unroadl Dummie!*  
**AFRICAN BAR ASSOCIATION** *International*

ALL CORRESPONDENCE TO BE ADDRESSED TO THE SECRETARY GENERAL *International Dept*

**Chairman:**

M.R.O. GARBER, B.A. B.C.L. (Dunelm) LL.B. (Lond)  
11, Wallace Johnson Street  
P.O. Box 311  
Freetown  
Sierra Leone.

**Secretary General:**

S.A. WAKO, B.Sc. (Econ) (Hons) (Lond); LL.B. (Hons) (E.A.); LL.M. (Lond)  
P.O. Box 40111  
Nairobi  
Kenya.  
Telephone: 335333  
Telex: 22309

**Treasurer:**

SAM J.B. MAHONEY Esq  
P.O. Box 19  
Banjul  
Gambia.

Your Ref:

Our Ref:

29th January 1979

The African National Congress (SA),  
P.O. Box 2239,  
DAR ES SALAAM,  
Tanzania.

Dear Sirs,

This is to inform you that we are an Association composed of Bar Associations and Law Societies of Countries within the Commonwealth States in Africa. Last year we held our 3rd Bi-Ennial Conference in Freetown, Sierra Leone from 1st to 5th August 1978. The theme of the Conference was Human Rights in Africa.

In his keynote address to the Conference, the Hon. Francis Mina, the Attorney General and Minister of Justice in the Republic of Sierra Leone appealed to the Conference to draw up a Freetown Declaration on Human Rights in Africa. At the end of the said Conference, such a Declaration, a photostat copy of which is enclosed herewith was drawn up.

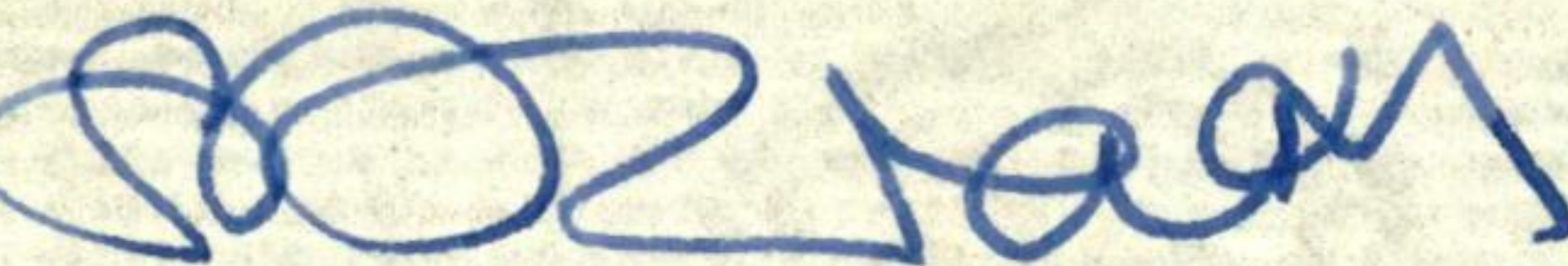
We would particularly refer you to page 2, clause 8 of the said Declaration.

After the said Conference, we got in touch with the Organisation of African Unity and also its Liberation Committee. We enclose herewith a photostat copy of the letter we received dated 25th October 1978 which is self-explanatory.

There was also strong feeling in the legal profession of my members that their legal training should be utilised in the liberation of Africa.

The purpose of this letter is therefore to request you to let us know in what humble way my Association could be of assistance.

Yours faithfully



S A Wako  
Secretary General,  
African Bar Association.

cc

The Assistant Executive Secretary,  
Co-ordinating Committee for the Liberation of Africa,  
P.O. Box 1767,  
DAR ES SALAAM,  
Tanzania

For the attention Laban Oyaka Esq



THE AFRICAN BAR ASSOCIATION  
FREETOWN DECLARATION OF 1978  
ON  
HUMAN RIGHTS IN AFRICA

The African Bar Association holding its 3rd Biennial Conference in Freetown, Sierra Leone from 1st to 5th August, 1978, is aware and greatly concerned about the political, social and economic life in Africa;

AND WHEREAS:

1. The Association holds the view that the rights of the individual within the Sovereignty of the State are fundamental;
2. The Association affirms <sup>its</sup> belief in the said fundamental human rights as enshrined in the Charter of the United Nations Organisation;
3. The Association greatly believes in the rights of the people to live and be free from arbitrary arrests;
4. The Association further believes in the individual's freedom of speech and expression, freedom from inhuman treatment and freedom from discrimination on account of religion, race, sex and/or ethnic origin;
5. The Association believes in the freedom of the individual to own and hold property and his freedom of assembly, movement and association;



6. The Association admits that although the said rights of the individual are not absolute in their application they are nevertheless inalienable to every individual citizen;
7. The Association further re-affirms its commitment to the principles of human equality, dignity and the doctrines of self-determination and non-racialism and to this end it strongly believes in constitutional government;
8. This Association strongly condemns the flagrant violation of Human Rights in Africa and in particular in South Africa, Namibia and Zimbabwe and the ill-treatment of political prisoners and opponents in Africa;

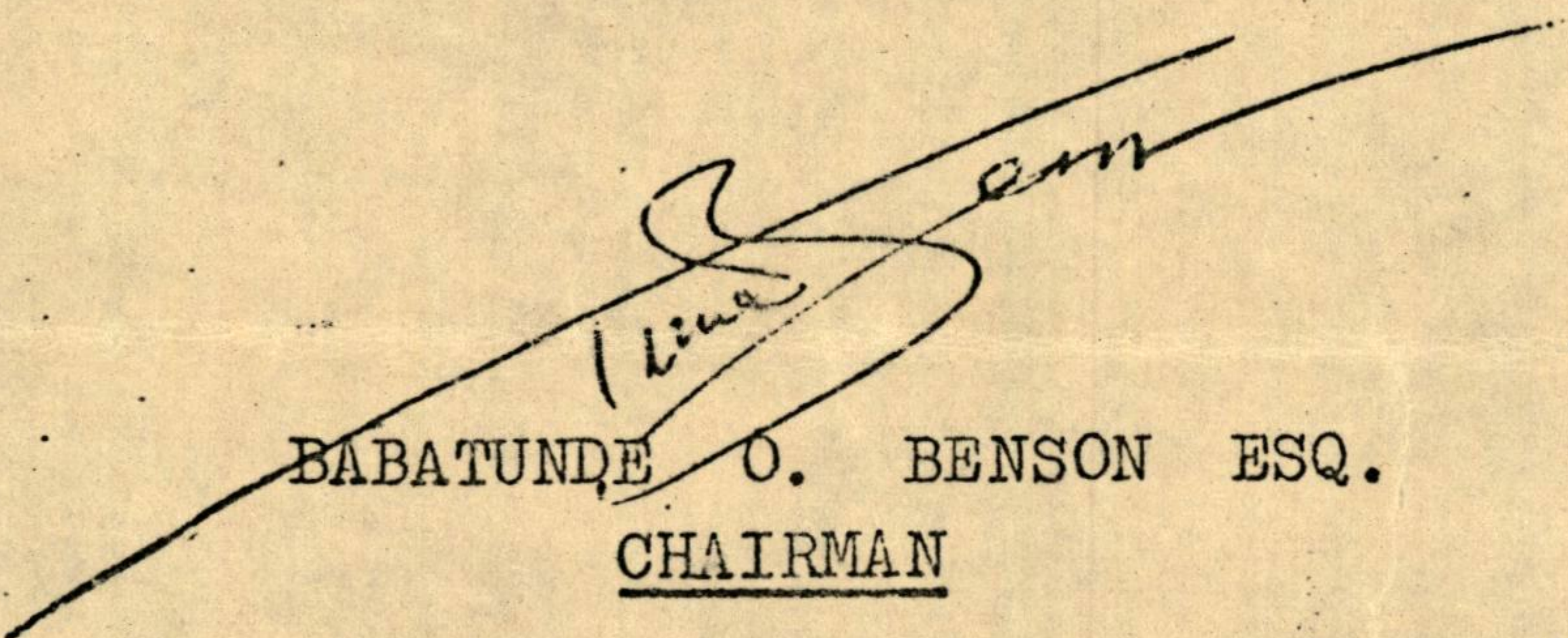
NOW THEREFORE IT IS HEREBY DECLARED AS FOLLOWS:

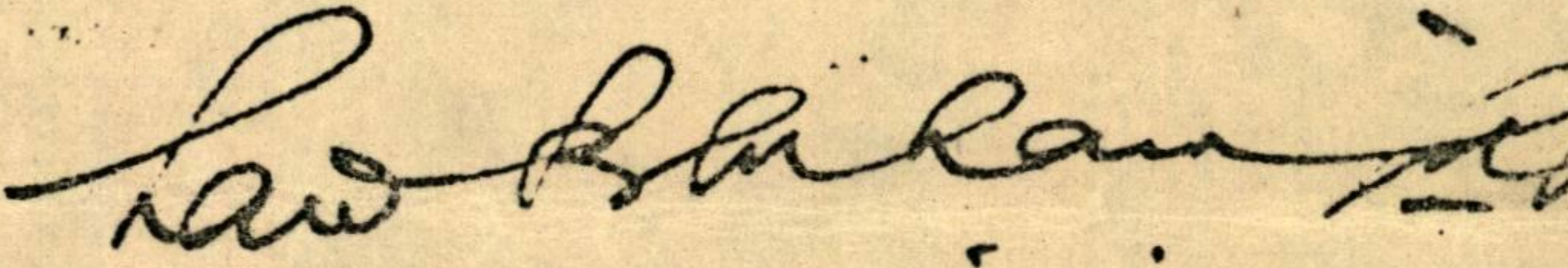
1. That access to the Courts of Law and due process of law are a fundamental right of the individual.
2. That any law which purports or seeks to oust the jurisdiction of the Courts on any matter is a derogation from the concept<sup>of</sup> fundamental Human Rights and is to that extent obnoxious.
3. That any penal law enacted with retrospective effect is contrary to the said concept of fundamental Human Rights.



4. That any violation of these principles in any member country should receive and engage the immediate attention of this Association.
5. That copies of this Declaration be sent to all member States of the Organisation of African Unity and its Secretariat.

DATED at Freetown this 4th day of August, 1978.

  
BABATUNDE O. BENSON ESQ.  
CHAIRMAN

  
LAWRENCE B. AKAIYAH ESQ.  
SECRETARY-GENERAL