

Resolution on the Formulation of Standard Operating Procedures of the Alert and Reporting Mechanism to the ACPHR on Situations of Torture and Related Acts - ACHPR/Res. 507 (LXIX)2021

Jan 03, 2022

The African Commission on Human and Peoples' Rights (the Commission), meeting at its 69th Ordinary Session, held virtually from 15 November to 5 December 2021;

Recalling its mandate of promotion and protection of human and peoples' rights in Africa, pursuant to Article 45 of the African Charter on Human and Peoples' Rights (African Charter);

Considering the absolute and non-derogable character of the prohibition of torture and other cruel, inhuman and degrading treatment or punishment, guaranteed by Article 5 of the African Charter;

Recalling its Resolution on the Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa (Robben Island Guidelines), adopted at its 32nd Ordinary Session held from 17 to 23 October 2002 in Banjul, The Gambia;

Recalling further the establishment, in 2004, of the Robben Island Guidelines Follow-up Committee to promote the implementation of the Guidelines;

Also recalling its Resolution ACHPR/Res.158 (XLVI) 09 on the change of name of the Robben Island Guidelines Follow-up Committee to the Committee for the Prevention of Torture in Africa (the Committee);

Bearing in mind Resolutions ACHPR/Res.120 (XXXII) 07, ACHPR/Res.192 (L) 2011, ACHPR/Res.254 (LIV) 2013, ACHPR/Res.322 (LVII) 2015, ACHPR/Res.387 (LXI) 2017, ACHPR/Res.425 (LXV) 2019, ACHPR/Res.426 (LXV) 2019 and ACHPR/Res.461 (LXVI) 2020 renewing the mandate of the Committee;

Considering the Standard Operating Procedures on the Special Mechanisms of the African Commission on Human and Peoples' Rights, adopted at its 27th Extraordinary Session held from 19 February to 4 March 2020 in Banjul, The Gambia;

Considering that the Standard Operating Procedures on the Special Mechanisms of the African Commission on Human and Peoples' Rights stipulate, inter alia, that the roles and

responsibilities of mandate holders include “seeking, receiving, examining and taking action on information related to their mandate area”.

Noting that seeking, tracking, sorting, presenting, classifying and analysing information for the purposes of implementing measures relating to the CPTA’s mandate, and that the non-binding and poorly formatted nature of such reports, which are difficult to use, undermine coordination efforts and preparation of cases submitted to the CPTA thereby delaying the Committee’s measures and actions. This highlights the need to establish an effective and formalised tracking, research, analysis and reporting system in line with the CPTA emergency action measures;

Bearing in mind that the CPTA should establish a formal framework for tracking and transmitting information on torture and related acts, including allegations of imminent or actual occurrence of such acts, in order to obtain the necessary elements for a contextualised review and response in accordance with the applicable instruments;

Noting with appreciation the work accomplished by the Committee under the leadership of Commissioner Hatem Essaiem since his appointment on 15 November 2017, including the successful organisation of the Strategic Expert Workshop on the Drafting of Standard Operating Procedures of the Alert and Reporting Mechanism to the ACPHR on Situations of Torture and Related Acts from 6 to 7 October 2021 in Zanzibar;

Expressing its gratitude to the European Union for funding this important project among many others of the Commission’s Special Mechanisms;

The Commission:

- i. Entrusts the CPTA with the formulation of Standard Operating Procedures of the Alert and Reporting Mechanism to the ACPHR on Situations of Torture and Related Acts;
- ii. Calls on all relevant stakeholders to provide the necessary support for the drafting of the Standard Operating Procedures of the Alert and Reporting Mechanism to the ACPHR on Situations of Torture and Related Acts; and
- iii. Decides that the Standard Operating Procedures of the Alert and Reporting Mechanism to the ACPHR on Situations of Torture and Related Acts should be presented to the Commission for consideration within 1 (one) year of their adoption by the CPTA.

Done virtually, on 5 December 2021