

ACHPR/Res.103a(XXXX) 06: **Resolution on Police Reform, Accountability and Civilian Police Oversight in Africa**

The African Commission on Human and Peoples' Rights at its 40th Ordinary Session held in Banjul, The Gambia, from 15th to 29th November, 2006,

Being aware that police forces throughout Africa play a critical role in the maintenance of law and order, the administration of justice, the respect for the rule of law and enhancing peace and the security of persons and property in every state,

Noting, that policing is increasingly recognized as a basic foundation in building democracy, promoting human and peoples' rights, without which democratic practices, economic, and social development and the promotion of human rights are constrained and even jeopardized,

Recognizing, that the establishment and existence of many police forces in Africa trace their history from laws and practices which originate from the past colonial experience of our continent,

Concerned that in many of the African States, there exist no independent policing mechanisms, to which members of the public may report police misconduct and abuse of their powers for redress and that where they do, they are directly under the police authorities,

Recognizing that Police forces in African states, which do not have independent oversight mechanisms require reform in order to become effective instruments of security, safety, justice, and respect for human and peoples' rights across the continent,

Further recognizing, that a wealth of local knowledge and experience on policing reform in Africa is available to inform emerging reform initiatives,

Noting that accountability and the oversight mechanisms for policing forms the core of democratic governance and is crucial to enhancing rule of law and assisting in restoring public confidence in police; to develop a culture of human rights, integrity and transparency within the police forces; and to promote a good working relationship between the police and the public at large,

Encouraged by the initiative taken in the formation of the African Policing Civilian Oversight Forum (APCOF), through the collaboration of Civil Society and State Civilian Police Oversight agencies, as an African initiative to promote police reform and with it the building and strengthening of civilian police oversight in Africa,

The African Commission on Human and Peoples' Rights:

1. Calls on State Parties to the African Charter to take measures in terms of Articles 1 and 5 of the African Charter, to ensure that police **forces** respects the dignity inherent in the individual **during the discharge of their duties in the maintenance of law and order**;
2. Calls on State Parties to the African Charter to adopt laws and regulations implementing the guidelines contained in the Resolutions of the African Commission on the Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman and Degrading Treatment or Punishment in Africa, otherwise known as the Robben Island Guidelines, as far as they relate to Policing in Africa;
3. Urges State Parties to the African Charter to establish independent civilian policing oversight mechanism, where they do not exist, which shall include civilian participation.