

ACHPR/Res.273 (LV) 2014: Resolution on Extending the Scope of the Mandate of the Special Rapporteur on Human Rights Defenders in Africa

The African Commission on Human and Peoples' Rights (the Commission) meeting at its 55th Ordinary Session in Luanda, Angola, from 28 April to 12 May 2014

Recognizing its mandate to promote and protect human and peoples' rights under the African Charter on Human and Peoples' Rights (the African Charter);

Further recalling its Resolution ACHPR/Res.69 (XXXV) 04 on the protection of human rights defenders in Africa and its Resolutions ACHPR/Res. 119 (XXXII) 07 and ACPHR/Res. 196 (L) 11 on the situation of human rights defenders in Africa;

Recalling the human rights protection instruments, particularly the United Nations Declaration on Human Rights Defenders in 1998, the Grand Bay Declaration and its Plan of action adopted by the OAU Ministerial Conference on the promotion and protection of Human Rights in Africa in 1999, the Kigali Declaration in 2003, and the Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa;

Cognizant of the obligations of African Union member States under the African Charter and under other regional and international human rights instruments for the protection of human rights, the obligation to guarantee the security of persons living in their own country, as well as freedoms of assembly, of association, of expression of human rights defenders and their right to take part in the management and conduct of public affairs;

Further recognizing the importance of the work carried out by civil society stakeholders, in particular human rights defenders collaborating with the African human rights system, for the promotion and protection of human rights, democracy and the rule of law in Africa;

Deeply concerned about the hostile environment in which civil society stakeholders collaborating with the African human rights system operate, and the fact they are victims of various kind of human rights violations as reprisals for their activities in defense of human rights.;

Concerned by the total impunity that continues to be enjoyed by the perpetrators of these acts of reprisals against those who collaborate with the African system of human rights;

Noting that the mandate of the Special Rapporteur on human rights defenders does not cover the specific issue of monitoring reprisals against human rights defenders collaborating with the African human rights system;

Determined to combat all obstruction of activities being conducted by those collaborating with the African human rights system and all forms of violence and reprisals against them;

Decides to extend the scope of the Special Rapporteur's mandate to include issues relating to reprisals against human rights defenders;

Decides, in this regard, to give this mechanism the additional responsibility of:

- I. Gathering information on and effectively addressing cases of reprisals against civil society stakeholders;
- II. Documenting and maintaining a database on cases of reprisals brought to its attention;
- III. Providing guidance to the Commission for the adoption of urgent measures to deal with specific cases of reprisals;
- IV. Presenting reports on cases of reprisals at each Ordinary Session of the Commission in the Special Rapporteur's activity report;
- V. Ensuring a follow-up of registered cases.

Adopted at the 55th Ordinary Session of the African Commission on Human and Peoples' Rights held in Luanda, Angola, from 28 April to 12 May 2014.