

ACHPR/Res.312 (LVII) 2015: Resolution on the Renewal of the Mandate and Reconstitution of the Working Group on the Rights of Older Persons and People with Disabilities in Africa

The African Commission on Human and Peoples' Rights (the Commission), meeting at its 57th Ordinary Session held from 4 to 18 November 2015 in Banjul, The Gambia;

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

Bearing in mind the African Union Policy Framework and Plan of Action on Ageing in which "*States Parties recognized the fundamental rights of older persons and committed themselves to abolishing all forms of discrimination based on age*" and undertook "*to ensure that the rights of older persons are protected by appropriate legislation, including the right to organize themselves in groups and the right to representation in order to advance their interest*";

Recalling its Resolution ACHPR/Res.106 (XXXXI) 07 of 30 May 2007 on the Rights of Older Persons in Africa adopted at its 41st Ordinary Session held from 16 to 30 May 2007 in Accra, Ghana;

Recalling its Resolution ACHPR/Res.118 (XXXXII) 07 on the Appointment of a Focal Point on the Rights of Older Persons in Africa adopted at its 42nd Ordinary Session held from 15 to 28 November 2007 in Brazzaville, Republic of Congo;

Further recalling its Resolution ACHPR/Res.143 (XXXXV) 09 transforming the Focal Point on the Rights of Older Persons in Africa into a Working Group on the Rights of Older Persons and People with Disabilities in Africa;

Considering Article 18(4) of the African Charter which stipulates that: "*The aged and the disabled shall also have the right to special measures of protection in keeping with their physical or moral needs*";

Further considering paragraph 20 of the Kigali Declaration which "*calls upon States Parties to develop a Protocol on the protection of the rights of people with disabilities and the elderly*";

Bearing in mind the mandate of the Focal Point, including to "*lead the process of drafting a Protocol to the African Charter on the Rights of Older Persons in Africa to be submitted to African Union policy organs for consideration and adoption as soon as possible*";

Appreciating the work of the Focal Point in advocating for a human rights approach for the protection of the rights of older persons;

Considering the mandate of the Working Group, and in order to facilitate the process of drafting a Protocol on Ageing towards ensuring compliance, by States Parties, with the recommendations made in the AU Policy Framework and Plan of Action on Ageing;

Recalling its Resolution ACHPR/Res.189 (XLIX) 11 adopted at its 49th Ordinary Session held in Banjul, The Gambia, from 28 April to 12 May 2011 to increase the number of Experts of the Working Group in order for the Working Group to effectively carry out its mandate;

Further recalling its Resolution ACHPR/Res.250 (CCL) 13 on the renewal of the mandate and appointment of the Chairperson and other members of the Working Group;

Recognising the work and the outstanding achievements of the Chairperson and members of the Working Group, in particular regarding the draft Protocol on the Rights of Older Persons adopted by the Commission during its 52nd Ordinary Session held from 9 to 22 October 2012 in Yamoussoukro, Côte d'Ivoire; and the well advanced process of the preparation of a draft Protocol on the Rights of People with Disabilities in Africa;

Considering that the two-year mandate of the Chairperson and other expert members of the Working Group has come to an end;

Considering the need to allow the Working Group on the Rights of Older Persons and People with Disabilities to continue to carry out its mandate and to address urgent related matters;

Decides to:

- i. Re-appoint Commissioner **Yeung Kam John Yeung Sik Yuen** as Chairperson of the Working Group for a period of two years as from 5 November 2015;
- ii. Renew for the same period the mandate of Commissioner Reine Alapini Gansou and Commissioner Lawrence Murugu Mute as members of the Working Group;
- iii. Appoint for the same period Commissioner Zainabo Sylvie Kayitesi and Commissioner Jamesina E.L. King as members of the Working Group;

iv. Renew for the same period the mandate of the following expert members:

- Dr Tavengwa Machekano Nhongo;
- Ms Nadia Abdel-Wahab El-Afify;
- Mr Kudakwashe Dube; and
- Dr Elly Macha

Adopted at the 57th Ordinary Session of the African Commission on Human and Peoples' Rights held in Banjul, The Gambia, from 4 to 18 November 2015