

**ACHPR/Res.321 (LVII) 2015: Resolution on the Appointment of the Chairperson and Reconstitution of the Working Group on Extractive Industries, Environment and Human Rights Violations in Africa and Renewal of its Mandate**

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

**Recalling** all the relevant regional and international human rights instruments, specifically Articles 21 and 24 of the African Charter on Human and Peoples' Rights, on the right of all peoples to freely dispose of their wealth and natural resources and to a general satisfactory environment favourable to their development;

**Recalling** the unconditional responsibility of State Parties to prevent all forms of violations of human and peoples' rights, including violations of human and peoples' rights by non-state actors;

**Concerned** by the increasing rate of the destruction of the African environment and ecosystem by extractive industrial activities with impunity;

**Convinced** of the need for an improved protection of human rights, especially through improving the regulatory framework of the activities of the extractive industries including mining, oil, gas, and timber extraction, developing effective continental mechanisms for monitoring the human rights impact of the activities of the extractive industries and the development of jurisprudence on holding non-state actors accountable for human rights violations in Africa;

**Recalling Resolution** ACHPR/Res.48(XLVI) 2009, *establishing the Working Group on Extractive Industries, Environment and Human Rights Violations in Africa (the Working Group)*, adopted during the 46<sup>th</sup> Ordinary Session held in Banjul, The Gambia, from 11 to 25 November 2009;

**Recalling Resolution** ACHPR/Res.98(L) 2011 *appointing the Chairperson and Commission members of the Working Group for an initial period of two years*, adopted at its 50<sup>th</sup> Ordinary Session held in Banjul, The Gambia, from 24 October to 5 November, 2011;

**Further Recalling Resolutions** ACHPR/Res.215 (LI) 2012 and ACHPR/Res.253 (LIV) 2013: *on the Renewal of the Mandate of the Expert Members of the Working Group and on the Renewal of the Mandate of the Working Group respectively*;

**Mindful** of Resolution ACHPR/Res.236 (LIII) 2013 on the *illicit flight of capital from Africa*, adopted during the 53<sup>rd</sup> Ordinary Session held from 9 to 23 April 2013 and which required the Working Group on *Extractive Industries, Environment and Human Rights Violations in Africa* and the Working Group on *Economic, Social and Cultural Rights in Africa* to carry out an in-depth study on the impact of the illicit flight of capital on human rights in Africa;

**Noting with appreciation** the work undertaken during the past years by the Working Group under the leadership of Commissioner Pacifique Manirakiza;

**Considering** that the mandate of the Chairperson comes to an end;

**Recognizing** the importance of the Working Group and the need to allow the Working Group to continue to carry out its mandate;

**DECIDES:**

- i. to appoint the following for an initial period of two years taking effect as of 18 November 2015: **Commissioner Solomon Ayele Derso** as Chairperson of the Working Group; **Commissioner Yeung Kam John Yeung Sik Yuen**, and **Commissioner Jamesina E.L King** as Members for the same period; and
- ii. To maintain the current Expert Membership composition of the Working Group, as applicable, in line with its *ACHPR/Res.268 (LV) 2014: On Appointing Expert Members for the Working Group* as follows:
  - **Mr. Clement Voulé;**
  - **Professor James Gathii;**
  - **Ms. Valerie Couillard;**
  - **Professor Michelo Hansungule;**
  - **Ms. Sheila Keetharuth; and**
  - **Mr. Eric Kassongo Kalonji**

**Adopted on 17 November 2015 at the 57<sup>th</sup> Ordinary Session of the African Commission on Human and Peoples' Rights, held from 4 to 18 November 2015 in Banjul, The Gambia**