

**ACHPR/Res.325 (LVII) 2015: Resolution on the Appointment of the Chairperson of the Committee on the Protection of the Rights of People Living with HIV (PLHIV) and those at Risk, Vulnerable to and Affected by HIV**

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

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

*Recognising* that the African Commission on Human and Peoples' Rights (the Commission) has a fundamental role to protect the most vulnerable groups in Africa against human rights abuses;

*Recognising* also that a unique feature of the HIV pandemic is the overwhelming nature of the accompanying stigma;

*Noting* that in circumstances where the rule of law and human rights are not respected as an integrated part of society, the most vulnerable groups within that society are often denied the level of protection they require and hence, are exposed to increased vulnerability;

*Recognising* that people living with HIV and those at risk are currently one of the most vulnerable groups exposed to serious violations of human rights in Africa;

*Recalling* its previous Resolutions: *ACHPR/Res.53 (XXIX) 01*, on the HIV/AIDS Pandemic - Threat Against Human Rights and Humanity; *ACHPR/Res.141 (XLIV)08*, on access to health and needed medicines in Africa; *ACHPR/Res.163(XLVII)10* on the establishment of the Committee on the Protection of the Rights of People Living with HIV (PLHIV) and those at Risk, Vulnerable to and affected by HIV (the HIV Committee); and *ACHPR/Res.260(LIV)13*, on Involuntary Sterilization and the Protection of Human Rights in Access to HIV Services;

*Considering* the obligations of States Parties under the African Charter and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol) among others, to protect and promote the rights of people living with HIV (PLHIV);

*Concerned* that Africa continues to bear the greatest burden of the HIV epidemic, and also that despite commitments undertaken by State parties and regional bodies, PLHIV and those at risk continue to face serious violations of their basic human rights;

*Recalling* further Resolution ACHPR/Res. 290 (EXT.OS/XVI) 14, adopted during the 16<sup>th</sup> Extra-Ordinary Session, mandating the HIV Committee to Conduct a Study on HIV, the Law and Human Rights;

**Mindful** that the research on the study is currently being undertaken and **Aware** of the significance of the potential contribution of the study to the promotion and protection of the human rights of people living with HIV, and those at risk, vulnerable to and affected by HIV;

*Recognising* the considerable amount of work done by Commissioner Lucy ASUAGBOR in her capacity as the Chairperson of the Committee;

**Decides:**

- i. To appoint Commissioner Soyata MAIGA as Chairperson of the Committee, and Commissioner Lucy ASUAGBOR as a Member of the HIV Committee, effective 18 November 2015; and
- ii. To maintain the remaining membership composition of the HIV Committee, as follows, in line with its *Resolution 279 (LV)14, on the Extension of the Mandate of the Committee on the Protection of the Rights of People living with HIV, and those at Risk, Vulnerable to and affected by HIV in Africa*, and *Resolution 285 (EXT.OS/XVI) 14 Appointing an Expert Member for the Committee on the Protection of the Rights of People Living with HIV (PLHIV), and Those at Risk, Vulnerable to and Affected by HIV in Africa*:

**a. Commissioner Members of the Committee:**

1. Honourable Commissioner Reine ALAPINI GANSOU, Member; and

**b. Expert Members of the Committee:**

1. Mrs. Agnes ATIM APEA (Uganda);
2. Mr. Patrick Michael EBA (Côte d'Ivoire);
3. Mr. Patrick Le doux DUTZUE FOGUE (Cameroon);
4. Mr. Christian GARUKA NSABIMANA (Rwanda);
5. Mr. Ebenezer TOPE DUROJAYE (Nigeria); and
6. Ms. Ann STRODE (South Africa)

**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**