

**ACHPR/Res. 436 (EXT.OS/ XXVI1): 2020 Resolution on the Need to Develop
Guidelines for Shadow Reporting**

The African Commission on Human and Peoples' Rights (the Commission), meeting at its 27th Extraordinary Session held from 19 February to 04 March 2020, in Banjul, The Gambia:

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

Recalling Article 45(1)(b) of the African Charter which mandates the Commission to 'formulate and lay down principles and rules aimed at solving legal problems relating to human and peoples' rights and fundamental freedoms upon which African Governments may base their legislation;

Bearing in Mind Article 62 of the African Charter which provides that Member States shall "[...] undertake to submit every two years, from the date the present Charter comes into force, a report on the legislative or other measures taken, with a view to giving effect to the rights and freedoms recognized and guaranteed by the present Charter;"

Considering Article 26 of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, which also provides that "States Parties shall ensure the implementation of this Protocol at national level, and in their periodic reports submitted in accordance with Article 62 of the African Charter, indicate the legislative and other measures undertaken for the full realization of the rights herein recognize;"

Further considering Article 14 of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa which provides that "States Parties shall, when presenting their report under Article 62 of the African Charter on Human and Peoples' Rights ... shall indicate the legislative and other measures which have been taken to give effect to this Convention;

Bearing in Mind Rule 80(4) of the Rules of Procedure of the African Commission on Human and Peoples' Rights, 2020, which provides that: "During the consideration of the Report submitted by a State Party in accordance with Article 62 of the Charter, the Commission shall explore all the pertinent information relating to the human rights situation in the State concerned, including reports by international, regional and national human rights organs as well as statements and shadow reports from National Human Rights Institutions and non-governmental organisations;"

Recognizing that there are no guidelines for National Human Rights Institutions and civil society organizations and individuals to follow for the preparation and submission of shadow reports;

Convinced of the need to develop Guidelines on Shadow Reporting to improve and enhance the content of shadow reports submitted to the Commission;

The Commission decides:

- i. to develop Guidelines for Shadow Reporting;
- ii. to task the Special Rapporteur on Human Rights Defenders and Focal Point on Reprisals in Africa, the Special Rapporteur on the Rights of Women in Africa and the Special Rapporteur on Refugees, Asylum Seekers, Internally Displaced Persons and Migrant in Africa with developing the Guidelines on Shadow Reporting.

Done in Banjul, Republic of The Gambia, 04 March 2020