

ACHPR/Res. 439 (EXT.OS/ XXVI1) 2020: Resolution on the Need to Prepare a Study on the Situation of Human Rights Defenders in Exile in Africa

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

Considering Article 45(1)(a) of the African Charter which mandates the African Commission to collect documentation, undertake studies and research on African problems in the area of human and peoples' rights;

Further the Grand Bay Declaration and Action Plan of 1999 of the Organization of African Unity (OAU) which recognizes that the adoption of the United Nations Declaration on the Protection of Human Rights Defenders by the 54th session of the United Nations Commission on Human Rights marks an important turning point, and appeals to African governments to take appropriate measures to implement this Declaration in Africa;

Considering the Kigali Declaration of 2003 of the African Union, which recognizes the important role of Civil Society Organizations in general, and human rights defenders in particular, in the promotion and protection of human rights in Africa;

Recalling the Cotonou Declaration on Strengthening and Expanding the Protection of All Human Rights Defenders in Africa of 2017, ACHPR Resolutions ACHPR/Res.69(XXXV)04, ACHPR/Res.119(XXXXII)07; ACHPR/Res.345(LVIII)2016 and ACHPR/Res.376(LX)2017 on the situation of human rights defenders in Africa, and in particular ACHPR/Res.196(L)2011 on reprisals;

Aware of the need to improve understanding of the term "human rights defender" and its importance for the development of human rights on the continent, through a better understanding of its role, its rights but also its responsibilities by all stakeholders;

Concerned by the increase in the number of defenders in exile as a result of threats, attacks, general insecurity and conflicts they are victims of because of their human rights activities;

Concerned also by the challenges that these human rights defenders face in host countries regarding their work towards the promotion and advancement of human rights;

Taking into account the precarious situation of these human rights defenders during their short-term or prolonged exile and its negative impact on their activities for the promotion and protection of human rights;

Aware also of the need to ensure an enabling environment for human rights defenders to carry out their work;

Bearing in mind Resolution ACHPR/Res.273 (LV) 2014 on the expansion of the mandate of the Special Rapporteur on Human Rights Defenders in Africa to include Reprisals;

The African Commission:

- i. **Decides** to prepare a study on the situation of human rights defenders in exile in Africa;
- ii. **Decides** to entrust the Special Rapporteur on Human Rights Defenders and Focal Point on Reprisals in Africa with the task of preparing the said study;
- iii. **Invites** State and non-State actors to support the study.

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