

ACHPR/Res. 457 (LXVI) 2020: Resolution on the Renewal of the Mandate of the Working Group on Economic, Social and Cultural Rights in Africa and Appointment of its Chairperson and Members

The African Commission on Human and Peoples' Rights (the Commission), meeting at its 66th Ordinary Session, held virtually from 13 July to 7 August 2020:

Recalling its mandate of promotion and protection of human and peoples' rights in Africa under Article 45 of the African Charter on Human and Peoples' Rights (African Charter);

Recalling also its Resolution ACHPR/Res.73 (XXXVI) 04 establishing and defining the mandate of the Working Group on Economic and Social Rights adopted at its 36th Ordinary Session held in Dakar, Senegal, from 23rd November to 7th December 2004;

Recalling further its Resolutions ACHPR/Res.147 (XLVI) 09 on the appointment of the Chairperson of the Working Group on Economic, Social and Cultural Rights in Africa (the Working Group); ACHPR/Res.193 (L) 11 and ACHPR/Res.252 (LIV) 13 on the renewal of the mandate of the Working Group, ACHPR/Res.296 (EXT.OS/XVI) 14 on the appointment of expert members of the Working Group; ACHPR/Res.316 (LVII) 2015 on the appointment of the Chairperson and renewal of the mandate of its Members; ACHPR/Res.391(LXI) 2017 on the reconstitution and renewal of the mandate of the Working Group; and ACHPR/Res.425(LXV)2019 on the renewal of the ACHPR's Special Mechanisms' mandates;

Bearing in mind the Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights in the African Charter (Nairobi Principles and Guidelines) and the State Party Reporting Guidelines for Economic, Social and Cultural Rights in the African Charter (Tunis Reporting Guidelines);

Recalling its Resolution ACHPR/Res.236 (LIII) 13 on illicit capital flight from Africa requesting the Working Group and the Working Group on Extractive Industries, Environment and Human Rights Violations in Africa to undertake an in-depth study on the impact of illicit capital flight on human rights in Africa;

Recalling its Resolution ACHPR/Res. 342(LVIII) 2016 on Climate Change and Human Rights in Africa mandating the Working Group on Extractive Industries, Environment and Human Rights Violations and the Working Group on Economic, Social and Cultural Rights to undertake a Study on the impact of climate change on human rights in Africa;

Recalling also its Resolution ACHPR/Res.300 (EXT.OS/XVI) 14 on the right to water obligations requesting the Working Group to develop principles

and guidelines on the right to water in order to assist States in implementing their obligations in relation to the right to water;

Recalling further its Resolution ACHPR/Res. 434 (EXT.OS/ XXVI1) 2020 on the Need to Develop Norms on States' Obligations to Regulate Private Actors Involved in the Provision of Social Services;

Noting the Standard Operating Procedures on the Special Mechanisms of the African Commission on Human and Peoples' Rights adopted by the Commission at its 27th Extraordinary Session held from 19 February to 4 March 2020;

Noting the Final Communiqué of the 28th Extraordinary Session held from 29 June to 1 July 2020 wherein responsibilities were assigned to Commissioners;

Noting with appreciation the work done by the Working Group on Economic, Social and Cultural Rights in Africa under the leadership of Commissioner Jamesina Essie L. King since her appointment as Chairperson on 18 November 2015;

Noting also that the mandate of the Chairperson and Members of the Working Group has come to an end;

Recognising further the importance of the work of the Working Group in promoting and protecting economic, social and cultural rights in Africa and the need to enable the Working Group to continue to implement its mandate;

Decides to:

- i. **Renew** the mandate of the Working Group and **Appoint Commissioner Mudford Zachariah Mwandenga** as Chairperson for an initial period of two years, with effect from 01 July 2020;
- ii. **Appoint** for the same period **Commissioner Rémy Ngoy Lumbu** as Vice-Chairperson;
- iii. **Appoint** for the same period **Commissioner Ndiamé Gaye** as Member of the Working Group;
- iv. **Appoint** for the same period the following Expert Members:
 - **Dr. Martial Jeugue Doungue** (Central Africa)
 - **Salima Namusobya** (East Africa)
 - **Mohamed R. Abdelsalam** (North Africa)
 - **Prof. Frans Viljoen** (Southern Africa)
 - **Dr. Rachidatou Illa Maikassoua** (West Africa)

Done virtually, 07 August 2020