

Resolution on the Renewal of the Mandate of the Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa - ACHPR/Res.527 (LXXIII) 2022

Dec 11, 2022

The African Commission on Human and Peoples' Rights (the Commission), meeting at its 73rd Ordinary Session, held from 20 October to 9 November 2022 in Banjul, The Gambia:

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);

Considering that the right to liberty and security are fundamental human rights guaranteed by Article 6 of the African Charter, which emphasizes that no one may be arbitrarily arrested or detained;

Reaffirming the importance of observing the objectives and principles of the African Charter for the promotion and protection of the human rights of all, including those of detainees and prisoners;

Bearing in mind Resolution ACHPR/Res.126 (XXXII) 07 on the Appointment of the Special Rapporteur on Prisons and Conditions of Detention in Africa adopted at the 42nd Ordinary Session held from 15 – 28 November 2007, in Brazzaville, the Republic of Congo;

Recalling Resolution ACHPR/Res.306 (EXT.OS/ XVIII) 2015 Expanding the Mandate of the Special Rapporteur on Prisons and Conditions of Detention in Africa to include issues relating to Policing and human rights with the following amended title: The Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa;

Considering Resolution ACHPR/Res.378(LXI) 2017 on the Appointment of Commissioner Maria Teresa Manuela as the Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa, adopted at the 61st Ordinary Session held from 1 to 15 November 2017, in Banjul, The Gambia;

Further considering Resolution ACHPR / Res. 452 (LXVI) 2020 on the Renewal of the Mandate of the Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa adopted at the 66th Ordinary Session held virtually from 13 July to 7th August 2020;

Recalling its decision taken at its 20th Ordinary Session held in Grand Bay, Mauritius in October 1996 to establish the office and to appoint a Special Rapporteur on Prisons and Conditions of Detention in Africa, as a prison monitoring mechanism;

Further recalling its decision taken at its 38th Ordinary Session held in Banjul, The Gambia, in November/December 2005 to appoint the Special Rapporteur on Prisons and Conditions of Detention in Africa;

Noting with appreciation the work already carried out by Commissioner Maria Teresa Manuela and all former Special Rapporteurs on Prisons, Conditions of Detention and Policing in Africa in the discharge of their mandate;

Considering that the mandate of Commissioner Maria Teresa Manuela as the Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa, has come to an end;

Underscoring the need to enable the Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa to pursue the exercise of her mandate in accordance with Resolutions ACHPR/Res.126 (XXXII) 07 and ACHPR/Res.306 (EXT.OS/ XVIII) 2015;

Noting the decisions taken during this 73rd Ordinary Session regarding the allocation of responsibilities among the Commissioners;

Decides to renew the mandate of Commissioner Maria Teresa Manuela as the Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa, for a period of two (2) years, effective from 9 November 2022.

Done in Banjul, The Gambia, 09 November 2022