

**DECISION ON THE THIRTY-EIGHTH ACTIVITY REPORT OF THE AFRICAN  
COMMISSION ON HUMAN AND PEOPLES' RIGHTS  
Doc.EX.CL/921 (XXVII)**

**The Executive Council,**

1. **TAKES NOTE** of the Thirty-Eighth Activity Report of the African Commission on Human and Peoples' Rights (ACHPR), the recommendations contained therein and the Declaration of the Continental Conference on the abolition of the Death Penalty in Africa (the Cotonou Declaration) as well as the observations and comments of Member States<sup>1</sup>;
2. **COMMENDS** the ACHPR for the activities undertaken during the period under review;
3. **CALLS UPON** Member States to sign, ratify, domesticate and implement all regional and international human rights instruments and **ENCOURAGES** them to make the Declaration under Article 34 (6) of the Protocol on the African Court on HPR;
4. **ENCOURAGES** Member States to authorize promotion missions of the ACHPR in their respective countries in line with the relevant provisions of the African Charter on HPR, as well as to allocate adequate resources to the National Human Rights Institutions (NHRIs) and create these NHRIs where they do not exist;
5. **COMMENDS** Member States that have submitted their reports on time and Call upon Member States to submit their reports on a regular basis in accordance with their obligations as enshrined in the African Charter on HPR;
6. **FURTHER ENCOURAGES** Member States to develop adequate policies aimed at ensuring respect of all economic, social and cultural rights, in particular the access to education, health, housing, land and employment, as well as the upholding of the human rights of vulnerable groups, such as refugees and IDPs and other victims of natural and man-made disasters;
7. **REQUESTS** the ACHPR to take into account the fundamental African values, identity and good traditions, and to withdraw the observer status granted to NGOs who may attempt to impose values contrary to the African values; in this regard, **REQUESTS** the ACHPR to review its criteria for granting Observer Status to NGOs and to withdraw the observer status granted to the Organization called CAL, in line with those African Values;
8. **CALLS UPON** Member States and the Commission to ensure that the ACHPR is provided with adequate resources to enable it carry out its mandate without over depending on external funding;
9. **APPEALS** to the Government of the Kingdom of Morocco to facilitate the fact- finding mission to Western Sahara on the human rights situation, in line with the previous decisions of the Assembly in this regard;

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<sup>1</sup> With the exception of Egypt that registered reservations on the Cotonou Declaration.

10. **URGES** the Republic of South Sudan to ratify the African Charter on Human and Peoples' Rights;
11. **RECOMMENDS** to the Assembly to authorize the publication of the 38<sup>th</sup> Report of the ACHPR; after its update and due incorporation of the proposals made by Member States and agreed upon, within that report, as reflected in these conclusions.
12. **URGES** the ACHPR to:
  - i) Observe the due process of law in making decisions on complaints received;
  - ii) Consider reviewing its rules of procedure, in particular, provisions in relation to provisional measures and letters of urgent appeals in consistence with the African Charter on Human and Peoples' Rights;
  - iii) Take the appropriate measure to avoid interference by NGOs and other third parties in its activities.