

## Resolution on the Reconstitution of the Working Group on the Rights of Older Persons and People with Disabilities in Africa - ACHPR/Res. 506 (LXIX)2021

Jan 03, 2022

### **The African Commission on Human and Peoples' Rights (Commission), meeting at its 69th Ordinary Session held virtually from 15 November to 5 December 2021;**

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 that the African Charter provides for specific provisions for the protection of these rights under Article 18(4) which stipulates that: "The aged and the disabled shall also have the right to special measures of protection in keeping with their physical or moral needs";

Recalling also its Resolution ACHPR/Res.118 (XXXXII) 07 on the appointment of a Focal Point on the Rights of Older Persons in Africa adopted at the 42nd Ordinary Session held from 15 to 28 November 2007 in Brazzaville, Republic of Congo;

Recalling further its Resolution ACHPR/Res.143 (XXXXV) 09 transforming the Focal Point on the Rights of Older Persons in Africa into the Working Group on the Rights of Older Persons and People with Disabilities in Africa (Working Group);

Considering the mandate entrusted to the Working Group, as well as its mission to facilitate the drafting of the Protocol on Ageing, while ensuring respect, by States parties, of the recommendations contained in the AU Policy Framework and Plan of Action on Ageing;

Recalling further its Resolutions ACHPR/Res.250 (LIV) 13, ACHPR/Res.312 (LVII) 15, ACHPR/Res.392 (LXI) 17 and ACHPR/Res.425 (LXV) 19 which, over time, provided the legal framework for the existence and functioning of the Working Group;

Recalling also its last Resolution ACHPR/Res.458 (LXVI) 20 on the renewal of the mandate of the Working Group on the Rights of Older Persons and People with Disabilities in Africa, and the appointment of its Chairperson and Members adopted at the 66th Ordinary Session held virtually from 13 July to 7 August 2020;

Recalling also that at its 19th Extraordinary Session held from 16 to 25 February 2016 in Banjul, The Gambia, the Commission decided to entrust the process of drafting the Protocol to the

African Charter on the Rights of Citizens to Social Protection and Social Security to the Working Group on Economic, Social and Cultural Rights in Africa and the Working Group on the Rights of Older Persons and People with Disabilities in Africa in accordance with the decision of the AU Executive Council;

Considering also that under the leadership of the Working Group the Commission finalised the process of drafting of the Protocol on the Rights of Older Persons in Africa and the Protocol on the Rights of People with Disabilities in Africa, which are yet to come into force due to lack of the required minimum number of ratifications following their adoption by the African Union respectively at the 26th AU Summit (21-31 January 2016 in Addis Ababa) and the 30th AU Summit (22-29 January 2018 in Addis Ababa);

Considering also 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, and which stipulate that "Committees and Working Groups shall comprise a maximum of 8 (eight) Members, including 3 Members of the Commission and a maximum of 5 (five) Expert Members", and that the "Bureau of a Committee or a Working Group shall comprise a Chairperson and a Vice-Chairperson. Only a Member of the Commission may be the Chairperson of a Committee or a Working Group";

Noting with satisfaction the work accomplished by the Working Group under the leadership of Commissioner Marie Louise Abomo since her appointment on 1 July 2020;

Noting that the Working Group functioned with two Commissioners Members since the resignation from the Commission of Honourable Commissioner Kayitesi Zainabo Sylvie, and that Honourable Commissioner Maya Sahli-Fadel has been elected Vice-Chairperson of the Commission;

Considering the need for the Working Group on the Rights of Older Persons and People with Disabilities in Africa to continue to carry out its mandate and deal with the relevant urgent matters;

Decides to:

1. Appoint, effective from the present date of appointment up to 31 July 2022 – date of expiry of the mandate of all Members of the Working Group, Commissioner Mudford Zachariah Mwandenga as Vice-Chairperson of the Working Group;
2. Appoint, for the same period, Commissioner Idrissa Sow as Member of the Working Group;
3. Maintain, for the same period, the composition of the Working Group with regards to the following Expert Members:

- i. Mr Dube Kudakwashe (Southern Africa);
- ii. Professor Pascal Touoyem (Central Africa);
- iii. Ms Deborah Grace Awulira Mukhwana Wangusa (Eastern Africa); and
- iv. Mr Saddam Hussein Meddeber (Northern Africa);

4. Put an end, with immediate effect, to the expert membership of Mr Mawuko Anani A. Ekuhoho (Western Africa), for repeated non-compliance with the “Code of Conduct of Mandate Holders” as stipulated in the Standard Operating Procedures on the Special Mechanisms of the African Commission on Human and Peoples’ Rights.

Done virtually, on 5 December 2021