

Resolution on the Renewal of the Mandate and Reconstitution of the Committee for the Prevention of Torture in Africa and the Appointment of its Members - ACHPR/Res.535 (LXXIII) 2022

Dec 12, 2022

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

Recalling its mandate to promote and protect human rights in Africa under Article 45 of the African Charter on Human and Peoples' Rights (the African Charter);

Considering the absolute and inalienable nature of the prohibition of torture and other cruel, inhuman and degrading treatment or punishment, guaranteed by Article 5 of the African Charter;

Recalling its Resolution on the Guidelines and Measures for the Prohibition and Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Africa (Robben Island Guidelines), adopted at its 32nd Ordinary Session held in Banjul, The Gambia from 17 to 23 October 2002;

Recalling also the establishment in 2004 of the Robben Island Guidelines Follow-up Committee to promote the implementation of the Robben Island Guidelines;

Further recalling Resolution ACHPR/Res.158 (XLVI) 09 changing the name of the Follow-up Committee on the Robben Island Guidelines to Committee for the Prevention of Torture in Africa (the Committee);

Bearing in mind Resolutions ACHPR/Res.120 (XXXII) 07, ACHPR/Res.192 (L) 2011, ACHPR/Res.254 (LIV) 2013, ACHPR/Res.322(LVII) 2015, ACHPR/Res.387 (LXI) 2017, ACHPR/Res.425 (LXV) 2019, ACHPR/Res.426 (LXV) 2019, and ACHPR/Res.461 (LXVI) 2020, which have, over time, provided the legal framework for the existence and operation of the Committee;

Recalling that at its 69th Ordinary Session held in Dakar, Senegal in hybrid mode, the Commission through Resolution ACHPR/Res. 507 (LXIX)2021 entitled Resolution on the Elaboration of Standard Operating Procedures of the Alert and Reporting Mechanism to the ACPHR on Situations of Torture and Related Acts, mandated the Committee to elaborate the said Rules and submit them to the ACHPR for adoption within a period of one year;

Noting with appreciation the work done by the Committee under the leadership of Commissioner Hatem Essaiem and all the former chairpersons in the discharge of its mandate;

Mindful that the mandate of the Chairperson and the other Commissioners members of the Working Group has expired;

Bearing in mind the Standard Operating Procedures on the Special Mechanisms of the Commission (the SOPs on Special Mechanisms) adopted at its 27th Extraordinary Session held from 19 February to 4 March 2020 in Banjul, The Gambia;

Noting in particular the guidelines set out in the SOPs on Special Mechanisms, including the general roles and responsibilities of mandate holders, the composition of the mechanisms, the

appointment of members and the duration of their mandate as well as the code of conduct for mandate holders;

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

Decides to:

- i. Renew for two (2) years the mandate of **Commissioner Hatem Essaiem as Chair of the Committee**,
- ii. Appoint **Commissioner Idrissa Sow as Vice-Chairperson** for two (2) years;
- iii. Renew for two(2) years the mandate of Commissioner Maria Teresa Manuela as Member
- iv. Renew the mandate of the following Expert Members for a period of two (2) years:
 - **Mrs. Sana Bousbih (North Africa);**
 - **Mrs. Onyema Afulukwe (Western Africa); and**
 - Mr. Serges Frederic Mboumegne Dzesseu (Central Africa);
- v. Appoint the following Expert Members for a period of two (2) years:
 - **Mrs. Josephine Ndagire (Eastern Africa) ; and**
 - **Mrs. Zaida Alice Almeida Teixeira de Morais de Freitas (Lusophone Representative).**

Done in Banjul, The Gambia, on 9 November 2022.