

Resolution on the Development of an Addendum on Data to the State Party Reporting Guidelines for Economic, Social and Cultural Rights in the African Charter on Human and Peoples' Rights (Tunis Reporting Guidelines) - ACHPR.Res.585 (LXXIX) 2024

Jun 03, 2024

The African Commission on Human and Peoples' Rights (the Commission) meeting at its 79th Ordinary Session, held in a hybrid format, from 14 May to 3 June 2024, in Banjul, The Gambia:

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

Considering Article 62 of the African Charter which states that each State Party shall undertake to submit every two years a report on the legislative and other measures taken with a view to giving effects to the rights and freedoms recognized and guaranteed by the African Charter;

Considering United Nations 2030 Agenda for Sustainable Development and the African Union Agenda 2063, which require that every State should produce and use high-quality, timely and disaggregated data to shape development policies that leave no one behind and to fulfil reporting commitments;

Recalling the State Party Reporting Guidelines for Economic, Social and Cultural Rights in the African Charter; State Reporting under the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol); the State Reporting Guidelines and Principles on Articles 21 and 24 of the African Charter relating to Extractive Industries, Human Rights and the Environment;

Reaffirming that the Tunis Reporting Guidelines require State Parties to provide annual comparative statistics on the enjoyment of economic, social and cultural rights, broken down by age, gender, ethnic origin, urban/rural population, and other relevant status, with particular reference to vulnerable or marginalized groups;

Cognizant of the fact that, in the context of the examination of periodic reports submitted by States Parties, such data constitute important to assist in understanding the prevailing human rights situation in a given State Party and assess the progress made towards the realization of the rights enshrined in the African Charter;

Concerned that many State Parties do not fulfil their obligations to provide qualitative data and statistics on the enjoyment of each right, especially data disaggregated by age, gender, ethnic origin, urban/rural population and other relevant status;

Concerned further that data processes for development planning often exclude communities that are likely to be left behind, which means they are unrepresented in data and have little say over what data is collected and how it is used;

Noting the need to improve state reporting on implementation of all rights guaranteed in the African Charter by moving beyond statistics and examining the best approaches to making data more inclusive, timely, and participatory, allowing the Commission to objectively assess states' compliance vis-a-vis the obligations contained in the African Charter;

The Commission:

1. Decides to mandate the Working Group on Economic, Social and Cultural Rights in Africa to develop an Addendum on Data to the Tunis Reporting Guidelines; and
2. Invites State and non-State actors to contribute to the process; and
3. Request that the Addendum on Data to the Tunis Reporting Guidelines be presented to the Commission for its consideration and adoption within two (2) years from the date hereof.

Done in Banjul, The Gambia, on 3 June 2024