

Resolution on the preparation of a General Comment on the right to development in Africa - ACHPR.Res.586 (LXXIX) 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 Republic of 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);

Recalling Article 22 of the African Charter which recognizes the right of all peoples to their economic, social, and cultural development, respecting their freedom, autonomy, and equal enjoyment of the common heritage of humankind, and obligating states, individually or in cooperation with others, to ensure the exercise of the right to development;

Recalling further Article 24 of the African Charter which provides that all peoples shall have the right to a general satisfactory environment favourable to their development;

Bearing in Mind the principles, provisions, and objectives outlined in the United Nations Charter, the International Covenant on Economic, Social and Cultural Rights and of the International Covenant on Civil and Political Rights, Constitutive Act of the African Union, the African Charter, the Protocol to the African Charter on the Rights of Women in Africa, African Charter on the Rights and Welfare of the Child, the United Nations 2030 Sustainable Development Plan, the African Union Agenda 2063, decisions of the Commission, and National Development Plans of States related to the right to development;

Recognizing that the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized;

Recognizing further that the principles of the right to development require that equal opportunity be given to all peoples to have access to basic education, health services, food, housing, employment and fair distribution of income;

Acknowledging that the implementation and conditions favourable to the development of peoples and individuals is the primary responsibility of their States, and international peace and security are essential elements for the realization of the right to development;

Reaffirming the need to achieve development in a balanced and integrated manner, meeting the needs of present and future generations;

Cognisant that inclusive and sustainable development could only be achieved through the full enjoyment of all human rights, be they civil, cultural, economic, political, or social, by all;

Noting with concern that Africa must accentuate its efforts in achieving the sustainable development goals outlined in both the United Nations Agendas 2030 and the African Union Agenda 2063, requiring an estimated annual investment of \$194.2 billion to meet these goals by 2030; and Africa's GDP growth is projected to be around 3.1% in 2023, falling short of the 2063 Development Agenda targets of approximately 7% to 10%;

Concerned further that the right to development is not fully realised in many African countries and the failure to accelerate development cooperation partnerships could result in 492 million Africans falling into extreme poverty by 2050;

The Commission decides to:

1. Mandate the Working Group on Economic, Social and Cultural Rights in Africa to consider the formulation of comprehensive General Comments on the Right to Development, tailored to the specific context of Africa and serve as a reference for implementing and promoting the right to development across the continent.

Done in Banjul, The Gambia, on 3 June 2024