

**RESOLUTION ON THE ENTRY INTO FORCE AND IMPLEMENTATION OF THE PROTOCOLS RIGHTS ON THE RIGHTS OF OLDER PERSONS AND PERSONS WITH DISABILITIES IN AFRICA. ACHPR/Res.617 (LXXXI) 2024**

*The African Commission on Human and Peoples' Rights (the Commission), in its 81st Ordinary Session held in Banjul, The Gambia, from 17 October to 6 November 2024:*

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 further that Article 18(4) of the African Charter provides that persons with disabilities have the right to special measures of protection in keeping with their physical or moral needs;

Recalling that in application of Article 66 of the African Charter which provides that "Special protocols or agreements may, if necessary, supplement the provisions of the present Charter", the African Union adopted the Protocol on the Rights of Older Persons in Africa and the Protocol on the Rights of Persons with Disabilities in Africa; respectively at during its 26th Assembly, which was held from 21 to 31 January 2016 in Addis Ababa (Ethiopia), and at its 30th Assembly, held in Addis Ababa from 22 to 29 January 2018;

Recalling further that the Working Group on the Rights of Older Persons and People with Disabilities in Africa (the Working Group) is the Special Mechanism of the African Commission on Human and Peoples' Rights mandated by Resolution 143 to promote and ensure that the specific rights of these two categories of vulnerable people are taken into account in the Commission's mandate and mission;

Acknowledging that the Working Group has successfully steered the process of drafting the two Protocols to the African Charter on Human and Peoples' Rights Welcoming the historic entry into force of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa and the Protocol on the Rights of Older Persons in Africa on 3 May 2024 and 6 November 2024 respectively;

Noting with appreciation and commending the efforts of the Working Group in its continued advocacy for the ratification and implementation of the Protocols ;

Further noting and commending the advocacy efforts of persons with disabilities and older persons as well as their representative organizations,

civil society, and other stakeholders towards the ratification, domestication, implementation and dissemination of the Protocols;

Recognising that the entry into force of the Protocols is a milestone and a significant step towards promoting and protecting the rights of people with disabilities and older people across the continent;

**The Commission:**

- i. Congratulates all States parties to the Protocols and calls upon all African Union Member States to ratify the Protocols to ensure the achievement of full continental ratification.
- ii. Urges States Parties, in consultation with persons with disabilities and older persons, to take concrete steps to fulfil their obligations under the Protocols;
- iii. Calls on persons with disabilities and older persons, civil society organizations, and other stakeholders to collectively mobilise and work with government focal points and other agencies of State Parties to set up accountability mechanisms to support the implementation of the Protocols.
- iv. Urges private entities that offer facilities and services which are open or provided to the public, to take into account all aspects of the rights of persons with disabilities and older persons under the Protocols.
- v. Calls for the adoption and promotion of Sign Language and Braille as a working language of the African Union, and the provision of easy to read and/plain language documentation across the African Union.
- vi. Urges the African Union, its Member States, and other organs of the Union to ensure the active and meaningful involvement of persons with disabilities, contributions from older persons, and their representative organisations in policy making and implementation processes.
- vii. Urges States Parties to undertake capacity strengthening and inclusion of women and girls with disabilities and underrepresented groups of persons with disabilities, as well as older persons inputs in all levels of engagement with the Commission, including policy dialogues, consultations, and advocacy initiatives.
- viii. Recommends that States prioritize marginalized groups of persons with disabilities, such as persons with mental disabilities, persons with psychosocial disabilities and persons with albinism, who continue to face life-threatening violence and deprivation of liberty due to persistent harmful beliefs and cultural practices.
- ix. Decides to develop guidelines for periodic reporting under the Protocols, to ensure that clear frameworks are in place for States Parties to report on their compliance and progress;
- x. Decides to develop implementation strategies for both Protocols;
- xi. Commits to mainstream accessibility and inclusion in all aspects of its

work and operations; and requests the African Union to provide the Commission with necessary means to that effect.

**Done in Banjul, on 6th November 2024**