

ACHPR/Res.19(XVII)95: RESOLUTION ON PRISONS IN AFRICA

The African Commission on Human and Peoples' Rights meeting at its Seventeenth Ordinary Session held from 13 to 22 March 1995, Lomé, Togo;

Guided by the African Charter on Human and Peoples' Rights and, in particular, Article 45 of the Charter which defines the mandate of the Commission,

Considering that the rights established and guaranteed under the African Charter on Human and Peoples' Rights extend to all categories of persons including prisoners, detainees and other persons deprived of their liberty,

Considering also the leading role played by African States in the establishment of international norms and standards for the protection of human rights of prisoners including the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the United Nations Standard Minimum Rules for the Treatment of Prisoners, among others, and that an overwhelming majority of the States Parties to the African Charter on Human and Peoples' Rights subscribe to the principles and rules contained in these international norms and standards,

Aware of Resolution 1984/87 of the United Nations Economic and Social Council which requests States to "inform the Secretary-General of the United Nations every five years of the progress made with the application of the Standard Minimum Rules for the Treatment of Prisoners and of the factors and difficulties, if any, affecting their implementation",

Concerned that the conditions of prisons and prisoners in many African countries are afflicted by severe inadequacies including high congestion, poor physical health and sanitary conditions; inadequate recreational, vocational and rehabilitation programmes, restricted contact with the outside world, large percentages of persons awaiting trial, among others,

Conscious that States assume responsibilities to look after the welfare of persons who have been deprived for their liberty including prisoners and detainees,

Mindful of the obligation of the States Parties to the African Charter on Human and Peoples' Rights to improve prison conditions and protect the human rights of prisoners, detainees and persons deprived of their liberty in Africa and efforts undertaken;

HEREBY:

1. **RESOLVES THAT** prison conditions in many African countries do not conform with the articles of the African Charter on Human and Peoples' Rights and to the international norms and standards for the protection of the human rights of prisoners including the International Covenant on Civil and Political Rights and the United Nations Standard Minimum Rules for the Treatment of Prisoners, among others;

2. **URGES** States Parties to the African Charter on Human and Peoples' Rights to include in the reports submitted to the Commission under Article 62 of the Charter information on human rights affecting the human rights of prisoners;

CALLS UPON States Parties to the African Charter on Human and Peoples' Rights to comply with Resolution 1984/877 of the United Nations Economic and Social Council to submit periodic reports to the Secretary-General of the United Nations in compliance with the Standard Minimum Rules for the Treatment of Prisoners.