

ACHPR/Res.101(XXXX)06: RESOLUTION ON THE COMPOSITION AND OPERATIONALISATION OF THE WORKING GROUP ON DEATH PENALTY

The African Commission on Human and Peoples' Rights meeting at its 40th Ordinary Session held in Banjul, the Gambia, from 15 - 29 November 2006;

Considering the provisions of the African Charter on Human and Peoples' Right which entrusts it with a treaty monitoring function and a mandate to promote human and peoples' rights and ensure their protection in Africa;

Recalling the decision of the African Commission at its 37th Ordinary Session to appoint two Commissioners to work with the Special Rapporteur on Prisons and Conditions of Detention in Africa to improve the document on the Question of the Death Penalty in Africa;

Considering the trends in international law which encourage the abolition of the death penalty, in particular the 2nd Protocol to the International Covenant on Civil and Political Rights, the Statute of the International Criminal Court and the Resolution of UN Commission on Human Rights, 2005/59, on the Question of the Death Penalty and the debates and initiatives undertaken by civil society and other stakeholders on the question of the death penalty;

Recognizing that fourteen (14) African Union Member States have already abolished the death penalty and thirteen (13) others are exercising a moratorium on its application;

Recalling its resolution 79/XXXVIII/05 on the composition and operationalisation of the working group on the death penalty adopted at its 38th Ordinary Session to expand the composition of the Working Group to include two members of the Commission and five independent experts and to broaden its mandate;

1. DECIDES TO increase the number of independent experts to six (6) in order to adequately represent the different geographical sub-regions, legal systems as well as gender;

2. APPOINTS the following members as experts:

- Ms. Alya Cherif Chammari (Tunisia)
- Ms. Alice Mogwe (Botswana)
- Mr. Mactar Diallo (Senegal)
- Prof. Philip Francis Iya (Uganda)
- Prof. Carlson E Anyangwe (Cameroon)
- Prof. Mohamed S. El-Awa (Egypt)

3. REQUESTS the African Union to provide adequate resources, assistance and support in the implementation of this Resolution.

4. CALLS UPON other partners to provide further assistance to the Working Group to fulfil its mandate.