

ACHPR/Res.96(XXXX)06: RESOLUTION ON THE ESTABLISHMENT OF A VOLUNTARY CONTRIBUTION FUND FOR THE AFRICAN HUMAN RIGHTS SYSTEM

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 that article 45 of the African Charter on Human and Peoples' Rights provides the mandate for the promotion and the protection of human and peoples' rights in Africa;

Mindful of the fundamental objectives and principles provided for under the Constitutive Act of the African Union, which *inter alia*, enshrine the principles for the promotion and protection of human and peoples' rights in Africa;

Recalling that the African Court on Human and Peoples' Rights has been established under the terms of the Protocol to the African Charter on Human and Peoples on the establishment of the African Court on Human and Peoples' Rights,

Bearing in mind that the African Charter on the Rights and Welfare of the Child establishes the Committee of Experts on the Rights and Welfare of the Child in Africa;

Recalling that the Grand Bay (Mauritius) Declaration and Plan of Action adopted at the 1st Ministerial Conference of the Organisation of African Unity on Human Rights on 16 April 1999, *inter alia*, states «the need to provide the Commission with adequate human material and financial resources»;

Noting the Kigali declaration adopted at the 2nd Ministerial Conference of the Organization of African Unity on Human Rights on 8 May, 2003 calls upon the AU policy organs to provide the African Commission on Human and Peoples' Rights with suitable headquarters, an appropriate structure and adequate financial and human resources for its proper functioning, including the establishment of a Fund to be financed by Voluntary Contributions from Member States and international and regional institutions;

1. **CALLS UPON** the competent organs of the Commission of the African Union to present to the executive council a draft decision for the establishment of a Fund to be financed by Voluntary Contributions for the African Commission on Human and Peoples' Rights with the following mandate;
 - to strengthen the human, material, technical and financial resources of the African Commission for the implementation of its mandate of promotion and protection of Human Rights in Africa;

- to strengthen the activities of the special mechanisms set up by the African Commission on Human and Peoples' Rights;
2. **PROPOSES** that the fund be financed through contributions from Member States, Inter-Governmental, Regional, and International Institutions, as well as public and private donors;
 3. **RECOMMANDS** that the fund have a seven member Board of Directors comprising of:
 - A representative of the African Union Commission ;
 - Members of the African Commission on Human and Peoples' Rights Bureau (Chairperson, Deputy-Chairperson) ;
 - The Secretary of the African Commission on Human and Peoples' Rights;
 - A representative of the African Court on Human and Peoples' Rights;
 - A representative of the Committee of experts on the rights and welfare of the child;
 - An independent expert nominated by the African Union Commission;
 4. **RECOMMANDS** that African Union Budgetary regulations govern the management of the said funds;
 5. **REQUESTS** the Bureau of the African Commission on Human and Peoples Rights to follow up on this matter with the African Union Commission