

ACHPR/Res.198 (L) 11: RESOLUTION APPOINTING THE CHAIRPERSON AND MEMBERS OF THE WORKING GROUP ON EXTRACTIVE INDUSTRIES, ENVIRONMENT AND HUMAN RIGHTS VIOLATIONS IN AFRICA

The African Commission on Human and Peoples' Rights (the African Commission), meeting at its 50th Ordinary Session held in Banjul, The Gambia from 24th October to 5th November 2011

RECALLING all relevant regional and international human rights instruments and, specifically Articles 21 and 24 of the African Charter on Human and Peoples' Rights, on the right of all peoples to freely dispose of their wealth and natural resources and to a general satisfactory environment favorable to their development;

RECALLING the unconditional responsibility of States Parties to prevent all forms of violations of human and peoples' rights including the violations of human and peoples' rights by Non-State Actors;

DEEPLY CONCERNED by human rights violations by non-state actors in particular the sector of extractive industries, including mining, oil, gas, and timber extraction;

CONCERNED by the increasing rate of the destruction of the African environment and ecosystem by extractive industrial activities with impunity;

CONVINCED of the necessity of an improved protection of human rights through development of jurisprudence on holding non-state actors accountable for human rights violation in Africa;

HAVING authorized and considered a report on the preliminary study on: The Role of Non- State Actors in the Violation of Human and Peoples' Rights in Africa: The Quest for a New Paradigm;

HAVING CONSIDERED ALSO a review of international law and jurisprudence on the violations of the rights of indigenous peoples by transnational and other business enterprises;

RECALLING Resolution ACHPR/Res.148 (XLV1) 09, establishing the Working Group on extractive Industries, Environment and Human Rights Violations in Africa, adopted during the 46th Ordinary Session held in Banjul, The Gambia from 11th to 25 November 2009;

RECALLING Resolution ACHPR/Res148(XLVI)09, adopted during the 46th Ordinary Session held from 11 to 25 November 2009 in Banjul The Gambia, establishing and appointing the Chairperson and members of the Working Group on Extractive Industries, Environment and Human Rights Violations in Africa;

RECOGNISING the considerable amount of work accomplished by Commissioner Mumba Malila as Chairperson and Members of the Working Group on Extractive Industries, Environment and Human Rights Violations in Africa;

CONSIDERING the mandate of the Chairperson and Members of the Working Group will end on 05 November 2011;

DECIDES to appoint the following for an initial period of two years:

- Commissioner Pacifique Manirakiza Chairperson;
- Commissioner Y K J Yeung Sik Yuen Member; and
- Commissioner Kayitesi Zainabo Sylvie Member.

Done in Banjul, The Gambia, 05 November 2011