

**ACHPR/Res.207 (L) 11: RESOLUTION ON THE GENERAL HUMAN RIGHTS SITUATION IN AFRICA**

*The African Commission on Human and Peoples' Rights (the African Commission), meeting in its 50th Ordinary Session, in Banjul, the Gambia, from 24<sup>th</sup> October to 5<sup>th</sup> November 2011;*

**CONSIDERING** the Constitutive Act of the African Union, the provisions of the African Charter on Human and Peoples' Rights, and other regional and international legal human rights instruments;

**RECALLING** the mandate of the Commission on Human and Peoples' Rights to promote human rights in Africa;

**CONSIDERING among others, Article 1 of the African Charter which stipulates**, «the member States of the Organization of African Unity, Parties to the African Charter, recognize the rights, responsibilities and freedoms enshrined in this Charter and undertake to adopt legislative or other measures to implement them»;

**CONCERNED *deeply*** by the impact of a climate of insecurity reigning in some African countries as a result of the persistent armed conflicts and the resurgence of fighting in others, in particular between rebel groups and Government armed forces, in Sudan, Chad, Central African Republic, Somalia, Eritrea, Mauritania and the Democratic Republic of Congo;

**AWARE** of severe infringements on the freedom of assembly, the arresting and intimidation of Journalists and human rights defenders as well as the extrajudicial killings and acts of violence against protesters demanding rights in several parts of Africa;

**CONSIDERING** that post election violence has led to human rights violations even in conflict free areas and that arbitrary arrests and detentions have persisted long after the elections in some countries like Guinea;

**CONCERNED** at the proliferation of conflicts and internal violence in the Nubian Mountains, in the Kordofan and Blue Nile regions in Southern Sudan, resulting in the indiscriminate aerial bombardment of civilian targets, and causing death among the populations, destruction of houses and the systematic displacement of civilian populations, destruction of habitat and purposeful displacement of civilian populations, extrajudicial killings and forced disappearances of members of the indigenous tribes of these regions;

**CONCERNED** further at the continuing grave violations of human rights and humanitarian law in Darfur despite numerous regional and international efforts;

**NOTING** the serious violations of international humanitarian law by the parties to the conflict, in particular the indiscriminate shelling of civilian areas, the arbitrary arrests and detentions, and the summary killings;

**CONCERNED** at the serious famine raging in the Horn of Africa and the humanitarian crisis resulting from the large scale displacement of thousands of Somalis including women and children compelled to flee their homes and their country;

**DEEPLY CONCERNED** at the situation in Eritrea where several cases of arbitrary arrests and protracted detentions without trial of former Ministers, members of the security service, members of opposition parties, Journalists and other media personnel, etc. have been noted, in violation of the provisions of the African Charter on Human and Peoples' Rights;

**CONDEMNING** the persistent and serious human rights violations affecting the most vulnerable segments of society, namely women and children;

**STRONGLY CONDEMNING** the human rights violations committed by the warring forces against the population living in the areas under their control, as well as the execution of civilians on the basis of summary judgements, the plundering and destruction of the population's property and the practice of kidnapping ;

1. **CALLS ON** Member States to take legislative and material measures and provide the required human resources to put an end, as soon as possible, to the practice of impunity;
2. **URGES** the parties to the conflict to abide by the principles of international humanitarian law and those enshrined in the African Charter on Human and Peoples' Rights and to immediately desist from launching attacks against the civilian population;
3. **URGES** the parties to the conflict, in particular in Darfur, to allow humanitarian organisations and United Nations Agencies to move around and to engage in their activities freely ;
4. **URGES** the Government of Malawi to respect its obligations under the African Charter and the international and regional human rights instruments to put an end to all acts of intimidation and harassment against civil society leaders, and human rights defenders;
5. **URGES** the Government of the State of Eritrea to release the political dissidents, human rights defenders and Journalists and all persons arbitrarily detained and to guarantee at all times, the right to a fair trial, to the exercise of the freedom of opinion and of expression as well as the right to assembly;
6. **CALLS ON** the Republic of Guinea to fulfil its obligations under the African Charter, particularly in its provisions on the principle of non-discrimination, to the right to security, the right to a fair

trial the right to exercise the freedom of expression and of assembly;

7. **URGES** the Government of Eritrea to fulfil its obligations under the African Charter on Human and Peoples' Rights, the Constitutive Act of the African Union and other relevant human rights instruments to which Eritrea is a party;
8. **CALLS ON** the Government of Mauritania to strictly observe the provisions of the African Charter in particular, Article 2 on the principles of non-discrimination and take all necessary measures to end all discriminatory practices;
9. **CALLS ON** the Government of Democratic Republic of Congo to take all necessary measures to end impunity and ensure that all perpetrators of crimes are brought before the courts and to ensure the physical and mental integrity of Human Rights Defenders in the country.
10. **CALLS ON** all the parties in situations of armed conflict in Sudan, Chad, DRC, the Central African Republic, Eritrea and in Somalia to cooperate with the international community in order to find a lasting solution to the conflict raging in these areas.

**DONE IN BANJUL, THE GAMBIA, 5 NOVEMBER 2011**