

**ACHPR/Res.223 (LI) 2012: RESOLUTION ON THE OPTIONAL PROTOCOL TO THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL, AND CULTURAL RIGHTS**

*The African Commission on Human and Peoples' Rights (the African Commission), meeting at its 51<sup>st</sup> ordinary Session held in Banjul, The Gambia from 18 April to 2 May 2012;*

**Recalling** its mandate to promote and protect human and peoples' rights in Africa pursuant to the African Charter on Human and Peoples' Rights (the African Charter);

**Further recalling** that the African Charter guarantees economic, social and cultural rights;

**Noting** that economic, social and cultural rights are also guaranteed in the African Charter on the Rights and Welfare of the Child, the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa as well as by international instruments ratified by many African States and in particular the International Covenant on Economic, Social and Cultural Rights;

**Noting also** the adoption of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights on 10 December 2008 which allows the Committee on Economic, Social and Cultural Rights to receive communications from individuals;

**Concerned** with the lack of realization of economic, social and cultural rights across the African continent as well as with the lack of appropriate laws and mechanisms at the national level to protect economic, social and cultural rights;

**Acknowledging** the challenges and constraints that preclude the full realization of economic, social and cultural rights in Africa;

**URGES** States Parties to the African Charter that have not done so to ratify the International Covenant on Economic, Social and Cultural Rights, and the Optional Protocol to the ICESCR;

**CALLS ON** States Parties to take immediate steps, individually and through international assistance and cooperation, to protect the rights and respect and fulfill their obligations under these instruments subject to their available resources.

**Done in Banjul, The Gambia 2 May 2012**