

ACHPR/Res.227 (LII) 2012: RESOLUTION ON THE EXPANSION OF THE MANDATE OF THE WORKING GROUP ON DEATH PENALTY IN AFRICA

The African Commission on Human and Peoples' Rights (the Commission) meeting at its 52nd Ordinary Session held from 9 to 22 October 2012, in Yamoussoukro, Côte d' Ivoire;

Recalling its mandate to promote human and peoples' rights under the African Charter on Human and Peoples' Rights (the African Charter);

Recalling its Resolution ACHPR/Res.79 (XXXVIII) 05, on the Composition and Operationalisation of the Working Group on the Death Penalty adopted at its 38th Ordinary Session held in Banjul, The Gambia;

Reaffirming the commitment of the Commission to promote the right to life and human dignity as fundamental rights and to encourage States Parties to abolish the death penalty;

Emphasizing that the right to life is a fundamental human right guaranteed by Article 4 of the African Charter which enshrines the absolute prohibition of the arbitrary deprivation of life;

Concerned about the recent upsurge in extra-judicial, summary or arbitrary killings and aware of the need to eliminate the practice in Africa, which is a grave violation of the inherent right to life;

Recalling its Resolution adopted at the its 18th Ordinary Session held in Praia, Cape Verde, from 2 to 11 October 1995 establishing the mandate of the Special Rapporteur on Extra- judicial, Summary or Arbitrary Killings in Africa;

Noting that the mandate of the Special Rapporteur on Extra-judicial, Summary or Arbitrary Killings in Africa has not been operational since the resignation of the Special Rapporteur, Commissioner Ben Salem, who tendered his resignation at the 29th Ordinary Session of the Commission held from 23 April to 7 May 2001 in Tripoli, Libya;

Committed to halting massive human rights violations on the continent, including extra- judicial, summary or arbitrary killings;

Decides to expand the mandate of the Working Group to include issues of extra-judicial, summary or arbitrary killings with the following amended title: *The Working Group on Death Penalty and Extra-Judicial, Summary or Arbitrary killings in Africa;*

Further decides to entrust the Working Group with the additional mandate to:

- I. Monitor situations relating to extra-judicial, summary or arbitrary killings in all its ramifications;

- II. Collect information and keep a database of reported instances of situations concerning extra-judicial, summary or arbitrary killings in Africa;
- III. Undertake studies on issues of relevance to extra-judicial, summary or arbitrary killings;
- IV. Advise the Commission on urgent measures to be taken to address situations of extra-judicial, summary or arbitrary killings that require immediate attention;
- V. Respond effectively to information that comes before it, in particular when an extra-judicial, summary or arbitrary killing is imminent or when such a killing has occurred;
- VI. Submit its findings, conclusions and recommendations on the situation of extra-judicial, summary or arbitrary killings to each session of the Commission.

Adopted at the 52nd Ordinary Session of the African Commission on Human and Peoples' Rights in Yamoussoukro, Cote d'Ivoire, 9 to 22 October 2012