

**ACHPR/Res.304 (LVI) 2015: RESOLUTION CONDEMNING THE XENOPHOBIC ATTACKS IN THE REPUBLIC OF SOUTH AFRICA**

*The African Commission on Human and Peoples' Rights meeting at its 56<sup>th</sup> Ordinary Session held in Banjul, The Gambia, from 21 April to 7 May 2015;*

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

**Recalling** the obligations of the Republic of South Africa under the African Charter and other international and regional human rights instruments;

**Recalling** the xenophobic attacks of 2008, which took place in South Africa, killing more than 60 people and its **Resolution ACHPR/Res.131(XXXIII) 08**, condemning the attacks and violence perpetrated against migrants in various townships in South Africa;

**Further recalling** Article 3 (a) and (f) of the Constitutive Act of the African Union, which encourages greater unity and solidarity between African States and African people, as well as the promotion of peace, security, and stability on the continent;

**Reaffirming** Articles 3, 4, 5, 12, 14 and 28 of the African Charter and **noting**, in particular Article 4 which provides that: "*Human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right*";

**Deeply concerned** by the recent xenophobic attacks perpetrated on foreign nationals in the province of KwaZulu Natal in South Africa, resulting in the killing of at least 5 people and the displacement of thousands of foreign nationals;

**The Commission:**

1. **Strongly condemns** the attacks and violence perpetrated against foreign nationals in South Africa;
2. **Welcomes** the measures taken by the South African Government, including the establishment of an Inter-Ministerial Committee to engage with the local communities affected, as well as the deployment of hundreds of police officers to provide security in the affected areas;
3. **Calls upon** the Government of the Republic of South Africa to:

- a. Immediately stop the attacks on foreign nationals in the country, and put measures in place to ensure that this does not recur in future;
- b. Fully investigate the circumstances leading to the xenophobic attacks and other acts of violence perpetrated against foreign nationals;
- c. Ensure that all the perpetrators of the attacks are brought to justice and held accountable for their actions in accordance with the law;
- d. Take appropriate measures to ensure that the rights of all immigrants are protected in accordance with the applicable international and regional human rights instruments;
- e. Comply with its obligations under the African Charter and all other international and regional human rights obligations; and
- f. Take immediate steps to sign, ratify and domesticate the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa.

**Done in Banjul, The Gambia, on 7 May 2015**