

**ACHPR/Res.306 (EXT.OS/ XVIII) 2015: RESOLUTION ON THE EXPANSION OF THE MANDATE OF THE SPECIAL RAPPORTEUR ON PRISONS AND CONDITIONS OF DETENTION IN AFRICA**

*The African Commission on Human and Peoples' Rights (the Commission) meeting at its 18<sup>th</sup> Ordinary Session, held from 29 July to 7 August 2015 in Nairobi, Kenya;*

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

**Recalling** its decision taken at its 20<sup>th</sup> Ordinary Session held in Grand Bay, Mauritius in October 1996 to establish the office and to appoint a Special Rapporteur on Prisons and Conditions of Detention in Africa, as a prison monitoring mechanism;

**Recalling** its Resolutions ACHPR/Res.103a (XXXX) 06 and ACHPR/Res.259 (LIV) 2013; on Police Reform, Accountability and Civilian Police Oversight in Africa, and on Police and Human Rights adopted at its 40<sup>th</sup> and 54<sup>th</sup> Ordinary Sessions respectively;

**Further Recalling** the Guidelines on the Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa, adopted by the Commission during its 55<sup>th</sup> Ordinary Session held from 28 April to 12 May 2014 in Luanda, Angola;

**Recognising** the central role of the police in the maintenance and enforcement of law and order, promotion of citizen's safety as well as the respect for human rights and the growing demands placed on the police to combat national and transnational crime, terrorism and other emerging security challenges;

**Concerned** that effective policing in Africa is impeded by several factors including limited financial resources, inadequate training, poor working conditions, corruption, political interference, and weak governance structures; contributing to widespread cases of non-compliance by the police with basic human rights standards in the execution of its duties, including the use of excessive and disproportionate force, extrajudicial killings and summary executions, arbitrary and illegal arrest, torture and mistreatment;

**Noting** the importance of a good working relationship between the Police, the State and the public at large; and the need to work with all interested parties, including, National Human

Rights Institutions, Civil Society Organisations and other stakeholders to promote effective human rights compliant policing;

**Further noting** that policing and human rights is a crosscutting issue with all the Special Mechanisms of the Commission, in particular, the mandate of the Special Rapporteur on Prisons and Conditions of Detention in Africa;

**Reaffirming** the commitment of the Commission to promote the right to liberty and security of the person as guaranteed under Article 6 of the African Charter; and to continue to place police and human rights on its agenda;

**Noting** with appreciation the work already carried out by the Special Rapporteur on Prisons and Conditions of Detention in Africa in the area of policing and human rights;

**Decides** to expand the mandate of the Special Rapporteur on Prisons and Conditions of Detention in Africa with the following amended title: The Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa;

**Further decides** to entrust the Rapporteur with the additional mandate to:

- I. Undertake studies on issues of relevance to policing and human rights in Africa and develop best practices on issues relating to policing and human rights;
- II. Take steps to ensure that issues related to policing and human rights are taken into account and reflected in the working methods of the Commission;
- III. Ensure implementation of the Commission's Guidelines on Conditions of Arrest, Police Custody and Pre-trial Detention in Africa;
- IV. Work with the other Special Mechanisms of the Commission on cross-cutting issues relating to policing and human rights.

**Adopted on 7 August 2015 during the 18th Extraordinary Session held in Nairobi, Republic of Kenya**