

ACHPR/Res. 332 (EXT.OS/XIX) 2016: Resolution on Human Rights in Conflict Situations

The African Commission on Human and Peoples' Rights (the Commission), meeting at its 19th Extra-Ordinary Session, held in Banjul, The Islamic Republic of The Gambia, from 16 to 25 February 2016;

Recalling its mandate to “promote human and peoples’ rights and ensure their protection in Africa”, including in particular in a situation of serious or massive violations of human and peoples’ rights as provided under the African Charter on Human and Peoples’ Rights (the African Charter);

Considering that one of the objectives of the African Union (AU), as outlined under Article 3 (f) of its Constitutive Act, includes “promoting peace, security and stability on the Continent” and that Article 3 (f) of the Protocol Establishing the Peace and Security Council (PSC Protocol) has as its objective protecting ‘human rights’ and ‘respect for the sanctity of human life and international humanitarian law’;

Considering further that Article 23 of the African Charter guarantees the rights to peace and security;

Bearing in mind its previous Resolutions pertaining to human rights in conflict situations on the continent, including, amongst others Resolution *ACHPR/Res.117 (XLII) 07 on Strengthening the Responsibility to Protect in Africa; Resolutions ACHPR/Res.157 (XLVI) 09 and ACHPR/Res.207 (L) 11 on the General Human Rights Situation in Africa; and Resolution ACHPR/Res.276 (LV) 14 on Terrorist Acts in Africa;*

Deeply concerned by the on-going conflict situations affecting various parts of Africa, as well as the consistent reports of violence being faced by civilian populations and the attendant widespread violations of human and peoples’ rights and humanitarian law;

Considering that despite the existing regional normative and institutional frameworks for addressing conflicts and threats of conflicts in Africa, there seem to be limitations in coordinated responses to human rights violations arising in conflict situations;

Mindful of the role of the Commission under the African Charter, in particular,

Article 58, to respond to cases of 'series of serious or massive violations of human and peoples' rights and to ensure that human rights issues are addressed in conflict prevention, management and resolution;

Recognizing the urgent need for institutionalizing a human rights-based approach to conflict prevention, management and resolution on the continent;

Further recognising the need to work closely with the AU Peace and Security Council in accordance with Article 19 of the PSC Protocol and other regional and sub-regional processes, in addressing human rights in conflict situations;

The Commission:

Decides to:

1. Conduct a study on human rights in conflict situations in Africa, with a view to developing a comprehensive strategy and framework on the same;
2. Collaborate with the AU Peace and Security Council and other relevant stakeholders working on issues of peace and security, towards enhancing the role of the Commission, as well as its coordination with other continental processes, in addressing human rights issues in conflict situations; and
3. Task Commissioner Solomon Ayele Dersso to work on the implementation of this resolution and report to the 61st Ordinary Session of the Commission.

Done in Banjul, The Islamic Republic of The Gambia, 25 February 2016