

ACHPR/Res. 334 (EXT.OS/XIX) 2016: Resolution on Indigenous Populations/Communities in Africa

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

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

Further Recalling the relevant provisions of the African Charter, in particular Articles 21 and 22 which recognize the right of all peoples to their economic, social and cultural development and the right to freely dispose of their wealth and natural resources as well as the duty of States to ensure the exercise of these rights;

Concerned over the deteriorating situation of indigenous populations/communities in Africa, particularly in terms of economic, social and cultural rights as a result of the plundering of their ancestral lands followed by serious violations of human rights perpetrated by certain State and non-State actors;

Deeply concerned by the forceful evictions of indigenous populations/communities from their ancestral lands and territories in some African countries;

Deeply concerned about the increased poverty among indigenous populations/communities and the often inadequate, weak and insubstantial legal and institutional frameworks to address social and economic disparities;

Further concerned by the marginalization of and discrimination against indigenous children, youth and women in many African States;

The Commission:

Urges States Parties:

- Prevent and halt forceful evictions of indigenous populations/communities from their ancestral lands and territories;

- Adopt policies and laws that secure the rights of indigenous populations/communities to own, control and manage their ancestral lands in the forests and protected areas;
- Adopt policies and laws that will promote and enhance the rights of indigenous populations/communities to access and benefit from social and economic programmes and projects;
- Adopt policies, laws and measures to promote and protect the rights of indigenous populations/communities from marginalization, discrimination and poverty;
- Respect and promote the rights of indigenous populations/communities to security and ownership of their ancestral lands, right to development, and right to their culture and language.

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