

ACHPR/Res. 391(LXI) 2017: Resolution on the Reconstitution and Renewal of the Mandate of the Working Group on Economic, Social and Cultural Rights in Africa and Renewal of the Appointment of its Chairperson and Members

The African Commission on Human and Peoples' Rights (the Commission), meeting at its 61st Ordinary Session held from 1 to 15 November 2017 in Banjul, 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);

Recalling its Resolution ACHPR/Res.73 (XXXVI) 04 establishing and defining the mandate of the Working Group on Economic and Social Rights adopted at its 36th Ordinary Session held in Dakar, Senegal, from 23 November to 7 December 2004;

Recalling Resolution ACHPR/Res. 316 (LVII) 15 on the appointment of Commissioner **Jamesina E.L. King** as Chairperson of the Working Group on Economic, Social and Cultural Rights in Africa (the Working Group) and the extension of the term of its members, adopted at the 57th Ordinary Session of the Commission held from 4 to 18 November 2015 in Banjul, The Gambia;

Recalling Resolution ACHPR/Res. 355(LIX) 2016 on the Appointment of an Expert Member of the Working Group on Economic, Social and Cultural Rights in Africa;

Recalling AU Executive Council Decision EX.CL.876 (XXVII) of 1 June 2015 requesting the Commission to prepare, in collaboration with the African Union Commission, an additional protocol to the African Charter on the Rights of Citizens to Social Protection and Social Security;

Recalling that the Commission decided, during its 19th Extraordinary Session held in Banjul, The Gambia, from 16 to 25 February 2016, to assign this task to the Working Group on Economic, Social and Cultural Rights and the Working Group on the Rights of Older Persons and People with Disabilities in Africa in accordance with the said AU Executive Council decision;

Noting the ongoing drafting process of the additional protocol to the African Charter on the Rights of Citizens to Social Protection and Social Security;

Bearing in mind the Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights in the African Charter on Human and Peoples' Rights (Nairobi Principles and Guidelines) and the State Party Reporting Guidelines for Economic, Social and Cultural Rights in the African Charter on Human and Peoples' Rights (Tunis Reporting Guidelines);

Recalling its Resolution ACHPR/Res.236 (LIII) 13 on illicit capital flight from Africa requesting the Working Group and the Working Group on Extractive Industries,

Environment and Human Rights Violations in Africa to undertake an in-depth study on the impact of illicit capital flight on human rights in Africa;

Further recalling its Resolution ACHPR/Res.300 (EXT.OS/XVI) 14 on the right to water obligations requesting the Working Group to develop principles and guidelines on the right to water in order to assist States in implementing their obligations in relation to the right to water;

Recalling equally its Resolution ACHPR/Res. 342(LVIII) 2016 on Climate Change and Human Rights in Africa, which tasks the Working Group, in collaboration with the Working Group on Extractive Industries, Environment and Human Rights Violations, to undertake a “study on the impact of climate change on human rights in Africa” and to present it

Noting with appreciation the work done by the Working Group on Economic, Social and Cultural Rights in Africa under the leadership of **Commissioner Jamesina E.L. King** since her appointment on 18 November 2015;

Noting that the mandate of the Chairperson and members of the Working Group is coming to an end;

Recognising the importance of the Working Group in promoting and protecting economic, social and cultural rights in Africa, including the rights of citizens to social protection and social security; and the need to enable the Working Group to continue to implement its mandate;

Decides to:

- i. **Renew** the appointment of **Commissioner Jamesina E.L. King** as Chairperson of the Working Group for an additional period of two years, with effect from 15 November 2017;
- ii. **Renew** for the same period the mandate of **Commissioner Maya Sahli Fadel** as member of the Working Group;
- iii. **Appoint** for the same period **Commissioner Hatem Essaïem** and **Commissioner Rémy Ngoy Lumbu** as members of the Working Group;
- iv. **Renew** for the same period the mandate of the following Expert Members:
 - Prof. Frans Viljoen

- Mr Ibrahima Kane
- Mr Chafi Bakari
- Mr Gaye Sowe
- Ms Salima Namusobya
- Ms Nadia Ait-Zai
- Dr Martial Jeugue Doungue
- Mr Sidi Tidiane Gueye
- Ms Helene Ramos dos Santos
- Prof. Marius Paul Olivier

Done in Banjul, The Gambia, 15 November 2017