

**ACHPR/Res. 456 (LXVI) 2020: Resolution on the Renewal of the Mandate, Appointment of the Chairperson, and Reconstitution of the Working Group on the Death Penalty, Extrajudicial, Summary or Arbitrary Killings and Enforced Disappearances in Africa**

***The African Commission on Human and Peoples' Rights (the Commission), meeting at its 66th Ordinary Session, held virtually from 13 July to 7 August 2020:***

**Recalling** its mandate of promotion and protection of human and peoples' rights in Africa under Article 45 of the African Charter on Human and Peoples' Rights (African Charter);

**Recalling also** the decision of the Commission at its 37th Ordinary Session to appoint two Commissioners to work with the Special Rapporteur on Prisons and Conditions of Detention in Africa to prepare a concept paper on the issue of the death penalty in Africa;

**Recalling further** its Resolutions ACHPR/Res.42 (XXVI) 99 and ACHPR/Res.136 (XXXVIII) 08 calling on States Parties to observe a moratorium on the death penalty;

**Bearing in mind** United Nations General Assembly Resolution 71/187, adopted in December 2016, calling upon all States that still maintain the death penalty to observe, inter alia, a moratorium on executions with a view to abolishing the death penalty;

**Recalling** its ACHPR Resolution ACHPR/Res.79 (XXXVIII) 05 on the Composition and Operationalisation of the Working Group on the Death Penalty (Working Group) aiming in particular at broadening the composition of the Working Group and its mandate;

**Recalling** its Resolution ACHPR/Res.113 (XXXII) 07 on the renewal of the mandate and appointment of Commissioner Kayitesi Zainabo Sylvie as Chairperson of the Working Group;

**Recalling also** its Resolutions ACHPR/Res.152 (XLVI) 09, ACHPR/Res.201 (L) 11, ACHPR/Res.251 (LIV) 2013, ACHPR/Res.317 (LVII) 15 and ACHPR/Res.384(LXI) 2017 on the renewal of the mandate of the Working Group;

**Further recalling** Resolution ACHPR/Res.425 (LXV) 2019 renewing the mandate of all its special mechanisms, including the Working Group, for a period of six (6) months with effect from 10 November 2019;

**Bearing in mind** its Resolutions ACHPR/Res.270 (LV) 2014, ACHPR/Res.399 (LXII) 2018, appointing new Expert Members of the Working Group;

**Emphasising** its Resolutions ACHPR/Res.227 (LII) 12 and ACHPR/Res.408 (LXII) 2018 extending the mandate of the Working Group to issues relating to extrajudicial, summary or arbitrary killings and to issues concerning enforced disappearances respectively;

**Acknowledging** that twenty-one (21) States Parties to the African Charter have already abolished the death penalty by enacting national legislation and that twenty-three (23) others have not carried out any execution in the last ten (10) years;

**Reaffirming** the Commission's commitment to promote the right to life and to continue to advocate for the abolition of the death penalty and the prohibition of extrajudicial, summary or arbitrary killings and enforced disappearances in Africa;

**Considering** further the importance of continuing efforts with States Parties to the African Charter for the adoption of the Draft Protocol to the African Charter on the Abolition of the Death Penalty in Africa;

**Taking note** that the term of office of the Chairperson and Members of the Working Group has come to an end;

**Noting with satisfaction** the work accomplished by the Working Group, under the leadership of Commissioner Kayitesi Zainabo Sylvie, since her appointment on 28 November 2007

**Recognising** the importance of the Working Group on the Death Penalty, Extrajudicial, Summary or Arbitrary Killings and Enforced Disappearances in Africa and the need to enable it to continue to carry out its mandate and to address the important issues arising therefrom;

**Bearing in mind** the Rules for the Establishment and Functioning of the Special Mechanisms of the Commission (the Rules on Special Mechanisms) adopted by the Commission at its 27th Extraordinary Session held from 19 February to 4 March 2020 in Banjul, The Gambia;

**Noting in particular** the guidelines set out in the Rules on Special Mechanisms, including the general role and responsibilities of the mandate-holders, the composition of the special mechanisms, the appointment of members and the duration of their mandates, and the code of conduct for mandate-holders;

**Noting** the Final Communiqué of the 28th Extraordinary Session held from 29 June to 1 July 2020 wherein responsibilities were assigned to Commissioners;

**Decides to :**

- a. **Appoint Commissioner Ndiame Gaye** as Chairperson of the Working Group for a period of two years from 1 July 2020;
- b. **Appoint** for the same period Commissioner Kayitesi Zainabo Sylvie as Vice-Chairperson of the Working Group;
- c. **Renew** the mandate of Commissioner Maya Sahli-Fadel as Member for the same period;
- d. **Appoint** for the same period the following Expert Members:
  - **Nouazi Kemkeng Carole** (Central Africa)
  - **Kevin Gitau Mwangi** (East Africa)
  - **Dr. Samia Bourouba** (North Africa)
  - **Prof. Christoffel Hendrik Heyns** (Southern Africa)
  - **Mr. Clément Isidore Capo-Chichi** (West Africa)

**Done virtually, 07 August 2020**