

Resolution on the Development of a Training Manual on the Use of Force by Law Enforcement Agents and Prison/Corrections Guards in Africa - ACHPR/Res. 508 (LXIX)2021

Jan 03, 2022

The African Commission on Human and Peoples' Rights (the Commission), meeting at its 69th Ordinary Session, held virtually from 15 November to 5 December 2021;

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

Taking into consideration Article 45(1) (a) of the African Charter, which mandates the Commission "to collect documents, undertake studies and research on African problems in the field of human and peoples' rights";

Taking into consideration Article 4 of the African Charter which enshrines the right to life and prohibits the arbitrary deprivation of such right;

Reaffirming Article 6 of the African Charter which enshrines the right of an individual to liberty and to the security of his person;

Further reaffirming Article 11 of the African Charter which guarantees the right to freedom of assembly;

Recalling General Comment n° 3 of the African Charter on Human and Peoples' Rights: The Right to Life (Article 4), adopted by the Commission during its 57th Ordinary Session held from 4 to 18 November 2015, whereby every State shall take reasonable provisional measures aimed at protecting life and preventing the excessive use of force by their agents;

Further recalling the Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa, adopted during the 21st Extraordinary Session held from 23 February to 04 March 2017, which provide that State Parties shall respect the right of everyone to peaceful demonstration within the legal limitations and in concurrence with regional and international human rights instruments;

Bearing in mind the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials adopted at the 8th United Nations Congress on the Prevention of Crime and the Treatment of Offenders held in Cuba from 27 August to 07 September 1990;

Recalling its ACHPR/Res.79(XXXVIII)05 Resolution on the Composition and the Operationalisation of the Working Group on Death Penalty, and ACHPR/Res.227 (LII) 2012 Resolution on the Expansion of the Working Group on Death Penalty in Africa to include Extrajudicial, Summary or Arbitrary Killings in Africa;

Further recalling its decision to appoint a Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa during its 20th Ordinary Session held from 21 to 31 October 1996, as well as 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 to include issues relating to policing and human rights;

Recalling ACHPR/Res. 437 (EXT.OS/ XXVI1) 2020 Resolution on the Need to Prepare a Study on the Use of Force by Law Enforcement Officials in Africa;

Taking into account the need to supplement the above mentioned study with a practical training manual to facilitate its implementation at stakeholder level;

The Commission:

- i. Decides to develop a Training Manual on the Use of Force by Law Enforcement Officials and Prison/Correctional Guards;
- ii. Calls on Member States and interested civil society organizations to contribute towards the development of the Training Manual.

Done virtually, on 5 December 2021