

Resolution on the Renewal of the Mandate, Appointment of the Chairperson, and Reconstitution of the Committee on the Protection of the Rights of People Living with HIV (PLHIV) and those at Risk, Vulnerable to and Affected - ACHPR/Res.534 (LXXIII) 2022

Dec 12, 2022

The African Commission on Human and Peoples' Rights (the Commission), meeting at its 73rd Ordinary Session, held in Banjul, The Gambia from 20 October to 9 November 2022;

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);

Considering that as part of fulfilling its mandate, the Commission has established various mechanisms for the promotion and protection of human and peoples' rights in Africa;

Recognising its fundamental role to protect vulnerable groups in Africa from human rights violations;

Recognising further that people living with HIV and those at risk are currently one of the most vulnerable groups exposed to serious violations of human rights in Africa;

Recalling its Resolutions ACHPR/Res.163 (XLVII) 2010 adopted at its 47th Ordinary Session on the establishment of a Committee on the Protection of the Rights of People Living with HIV (PLHIV) and Those at Risk, Vulnerable to and Affected by HIV (the HIV Committee);

Also recalling Resolutions ACHPR/Res.172 (XLVIII) 2010 and ACHPR/ Res. 285 (EXT.OS/XVI) 2014, all appointing Members for the HIV Committee respectively;

Further recalling Resolutions ACHPR/Res.195 (L) 2011 and ACHPR/Res.325 (LVII) 2015 on the Appointment of the various Chairpersons of the HIV Committee;

Recalling moreover Resolutions ACHPR/Res.220 (LI) 2012; ACHPR/Res.279 (LV) 2014, ACHPR/Res. 352(EXT.OS/XX) 2016, ACHPR/Res.383 (LXI) 2017, ACHPR/Res.425 (LXV) 2019 and ACHPR/Res.460 (LXVI) 2020 on the Renewal of the Mandate and Reconstitution of the HIV Committee;

Bearing in mind ACHPR/Res. 501 (LXIX)2021 on the Reconstitution of the Committee on the Protection of the Rights of People Living with HIV (PLHIV) and those at Risk, Vulnerable to and Affected by HIV, which appointed Hon. Commissioner Janet Ramatoulie Sallah-Njie, as Chairperson of the HIV Committee;

Considering Resolution ACHPR/Res. 523 (LXXII) 2022 on the Extension of the Mandate and Membership of Six (6) Special Mechanisms of the Commission, which retrospectively extended for a further period of three (3) months, the mandate and membership of the Chairperson and Expert Members of Six (6) Special Mechanisms effective 2 August 2022;

Noting with appreciation the work undertaken by the HIV Committee under the leadership of all the former chairpersons in the discharge of its mandate;

Recognizing the importance of the HIV Committee in the promotion and protection of the rights of People living with HIV (PLHIV) and those at Risk, Vulnerable to and affected by HIV in Africa and the necessity to allow the HIV Committee to continue to carry out its mandate;

Bearing in mind the Standard Operating Procedures on the Special Mechanisms of the Commission (the SOPs on Special Mechanisms) adopted 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 SOPs on Special Mechanisms, including the general roles and responsibilities of mandate holders, the composition of the mechanisms, the appointment of members and the duration of their mandate as well as the code of conduct for mandate holders;

Further noting the decisions taken during this 73rd Ordinary Session regarding the allocation of responsibilities among the Commissioners;

Decides to:

- i. Renew the mandate of the Working Group;
- ii. Appoint **Honorable Commissioner Litha Musyimi-Ogana as Chairperson** of the HIV Committee for a period of two (2) years effective 9 November 2022;
- iii. Appoint for the same period:
 - Hon. Commissioner Mudford Zachariah Mwandenga**; as Vice-Chairperson of the HIV Committee for the same period; and
 - Hon. Commissioner Janet Ramatoulie Sallah-Njie**; as Member of the HIV Committee for the same period.
- iv. Renew the mandate for the same period of the following Expert Members:
 - **Mr. Christian Garuka Nsabimana (East Africa)**;
 - **Mr. Fogué Dzutué (Central Africa)**;
 - **Ms. Nyasha Constance Chingore (Southern Africa)**;
- v. Appoint the following Expert Member for the same period:
 - **Ms. Yvonne FERGUSON (West Africa)**.

vi. Request the re-advertisement of the call for application of expert membership of the Working Group for North Africa, with immediate effect, in order to fulfil the requirement of geographical representation stipulated by the SOPs on Special Mechanisms.

Done in Banjul, The Gambia, 09 November 2022