

Resolution on the need to undertake a study on the review of the Model law on Access to Information for Africa. ACHPR/Res.639 (LXXXIV) 2025

The African Commission on Human and Peoples' Rights (the African Commission), meeting at its 84th Ordinary Session, held virtually from 21 to 30 July 2025:

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

Reaffirming Article 1 of the African Charter which provides that States Parties shall recognize the rights, duties and freedoms enshrined therein and shall undertake to adopt legislative or other measures to give effect to them, in addition to Article 45(1) which mandates the Commission to develop norms and standards to guide States Parties in fulfilling their obligations under the African Charter;"

Underscoring that the right of access to information is enshrined in Article 9 of the African Charter, and other international human rights instruments, including the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;

Recalling the adoption of relevant soft law instruments on access to information in Africa by the Commission, including the **Declaration of Principles on Freedom of Expression and Access to Information in Africa**, the **Model Law on Access to Information for Africa**, and the **Guidelines on Access to Information and Elections in Africa**;

Cognizant of Resolution ACHPR/Res.167 (XLVIII)10 on Securing the Effective Realization of Access to Information in Africa initiating the process of developing the **Model Law on Access to Information for Africa**, which was subsequently adopted by the Commission during its 13th Extra-Ordinary Session in 2013;

Noting that since the adoption of the **Model Law on Access to Information for Africa** in 2013, twenty-nine (29) States in Africa have adopted access to information laws;

Further considering Executive Council Decision **EX.CL/Dec.1234(XLIV)**, adopted during the 44th Ordinary Session of the Executive Council of the African Union in February 2024, during which the Executive Council requested the AU Commission to "*Work with the African Commission on Human and Peoples' Rights to undertake a 10-year review and update of the 2013 African Model Law on Access to Information, to ensure compliance with the 2019 Declaration of Principles on Freedom of Expression and Access to Information in Africa, and particularly to make it fit for purpose in the digital age;*"

Taking into account the developments in the areas of freedom of expression and access to information in the digital era since the adoption of the Model Law by the Commission in 2013, including as reflected in **Part IV** of the **Declaration**

of Principles on Freedom of Expression and Access to Information in Africa;

THE COMMISSION:

1. Decides to conduct a one-year continental study on developments in the areas of freedom of expression and access to information in the digital era, with the view to reviewing and updating the **Model Law on Access to Information for Africa**;
2. Decides to appoint the Special Rapporteur on Freedom of Expression and Access to Information in Africa to undertake this study, in conjunction with the African Union Commission;
3. Appeals to all stakeholders to cooperate with the Special Rapporteur to support this study.
4. Requests the Special Rapporteur to report the progress made at its next Ordinary Session.