

ACHPR: COMPOSITION & ELECTION PROCESS

COMPOSITION OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS

The African Commission on Human and Peoples' Rights ([ACHPR](#)) promotes and protects human rights in the 54 Member States of African Union ([AU](#)) that have ratified the African Charter on Human and Peoples' Rights (African Charter). The ACHPR was established under Article 30 of the Charter, and became operational in October 1986. The African Charter and the African Commission's Rules of Procedure govern its operations and processes, including the formation and composition of the body.

Members

The Commission is composed of **11 Commissioners**, who are elected in their individual capacity and do not represent any State. Article 32 of the African Charter instructs that the 11 Commissioners must each be a national of a different Member State. To ensure that Commissioners do not serve as representatives of their countries, civil servants and diplomatic representatives are excluded from serving on the Commission. Commissioners serve on the ACHPR for a **six-year period** and may be reelected. They serve on a part-time basis and receive an allowance, which is set by the AU in Accordance with Article 44 of the Charter and Rule 22 of the Rules of Procedure.

Sources of Law

- African Charter on Human and Peoples' Rights (African Charter) ([text](#))
- 2020 Rules of Procedure of the ACHPR ([text](#))

Rule 4 of the ACHPR's Rules of Procedure and Article 31 of the Charter require that Commissioners be "of the highest reputation, known for their high morality, integrity, impartiality, and competence in matters of human and peoples' rights." While Rule 4 of the Rules of Procedure states that a preference should be given to individuals with prior legal experience, there is no requirement that individuals have experience as lawyers or judges to be selected as Commissioners.

Guidelines on Representation

Executive Council of the Assembly of the African Union, *Decision on the Modalities on Implementation of Criteria for Equitable Geographical and Gender Representation in the African Union Organs*, Doc. EX.CL/953 (XXVIII) (2016) ([text](#))

The equitable geographic and gender representation is also considered when electing Commissioners. Pursuant to a 2016 decision of the Executive Council, there may only be two Commissioners from each of the African regions (East, Central, North, South, and West), and at least one Commissioner from each region

should be female. The eleventh remaining seat is considered a "floating seat" and rotates by region.

The ACHPR Secretariat

The African Commission's Secretariat is headquartered in Banjul, The Gambia. Pursuant to rules 20 and 21 of the 2020 Rules of Procedure and Article 41 of the African Charter, the Secretariat is headed by a Secretary, who is appointed by the [Chairperson of the AU Commission](#) after consultation with the ACHPR Chairperson. The Secretariat is tasked with providing administrative, technical, and logistical support to the ACHPR.

Current Composition *

Commissioner	Tasks
Dr. Solomon Ayele Dersso , Ethiopia (2015-2021)	Appointments: Committee for the Prevention of Torture in Africa; Working Group on Specific Issues Related to the work of the African Commission; Working Group on Communications; Committee on Resolutions; Advisory Committee on Budgetary and Staff Matters (chairperson); and Working Group on Extractive Industries, Environment and Human Rights Violations (chairperson) Countries: Kenya, Sahrawi Arab Democratic Republic, South Africa, South Sudan, and Tanzania
Hatem Essaiem , Tunisia (2017-2023)	Appointments: Working Group on Economic, Social and Cultural Rights; Advisory Committee on Budgetary and Staff Matters; Committee on Resolutions; and Committee for the Prevention of Torture in Africa (chairperson) Countries: Djibouti, Libya, Mauritius, Sudan, and Somalia
Jamesina Essie L. King , Sierra Leone (2015-2021)	Appointments: Working Group on Extractive Industries, Environment and Human Rights Violations; Working Group on Indigenous Populations/Communities in Africa; Working Group on Economic, Social and Cultural Rights (chairperson); and Committee on Resolutions (chairperson) Countries: Gambia, Eritrea, Eswatini(Swaziland), Namibia, and Zimbabwe
Maria Teresa Manuela , Angola (2017-2023)	Appointments: Committee for the Prevention of Torture in Africa and Working Group on Communications Rapporteurship: Special Rapporteur on prisons, conditions of detention and policing in Africa Countries: Cape Verde, Equatorial Guinea, Guinea-Bissau, Mozambique, and Sao Tome and Principe
Maya Sahli Fadel , Algeria (2011-2023)* *serving second term	Appointments: Working Group on Economic, Social and Cultural Rights; Working Group on Death Penalty and Extra-Judicial, Summary or Arbitrary killings in Africa; Working Group on Rights of Older Persons and People with Disabilities; and Working Group on Specific Issues Related to the work of the African Commission Rapporteurship: Special Rapporteur on refugees, asylum seekers, migrants, and internally displaced persons Countries: Burkina Faso, Egypt, Mali, Mauritania, and Tunisia
Professor Rémy Ngoy Lumbu , DRC (2017-2023)	Appointments: Working Group on Economic, Social and Cultural Rights; Working Group on Extractive Industries, Environment and Human Rights Violations; Working Group on Indigenous Populations/Communities in Africa; Working Group on Death Penalty and Extra-Judicial, Summary or Arbitrary killings in Africa; Advisory Committee on Budgetary and Staff Matters; Working Group on Communications; and Committee on Resolutions Rapporteurship: Special Rapporteur on human rights defenders Countries: Cameroon, Cote d'Ivoire, Gabon, Guinea, and Togo
Zainabo Sylvie Kayitesi , Rwanda (2007-2021)* *serving second term	Appointments: Working Group on Communications; Working Group on Rights of Older Persons and People with Disabilities; Working Group on Specific Issues Related to the work of the African Commission (chairperson); and Working Group on Death Penalty and Extra-Judicial, Summary or Arbitrary killings in Africa (chairperson) Countries: Algeria, Benin, Central African Republic, Chad, and Senegal
Marie Louise Abomo, Cameroon (2020-2026)	Appointments: Countries: Rapporteurship: ~ To be decided ~
Mudford Zachariah Mwandenga, Zambia (2020-2026)	Appointments: Countries: Rapporteurship: ~ To be decided ~
NDiamé Gaye, Senegal (2020-2026)	Appointments: Countries: Rapporteurship: ~ To be decided ~
Alexia Gertrude Amesbury, Seychelles (2020-2026)	Appointments: Countries: Rapporteurship: ~ To be decided ~

ELECTION OF COMMISSIONERS

Election Process

The election process for Commissioners is established by the African Charter and the ACHPR Rules of Procedure. It begins when a Commissioner's term is scheduled to end or there are anticipated vacancies on the ACHPR's 11-member body. Commissioners may be elected to replace an existing Commissioner whose term has not yet expired; however, commissioners with less than six months remaining in their term period will not be replaced. If elected to replace a Commissioner whose term did not expire, the new Commissioner will complete the outgoing Commissioner's term period.

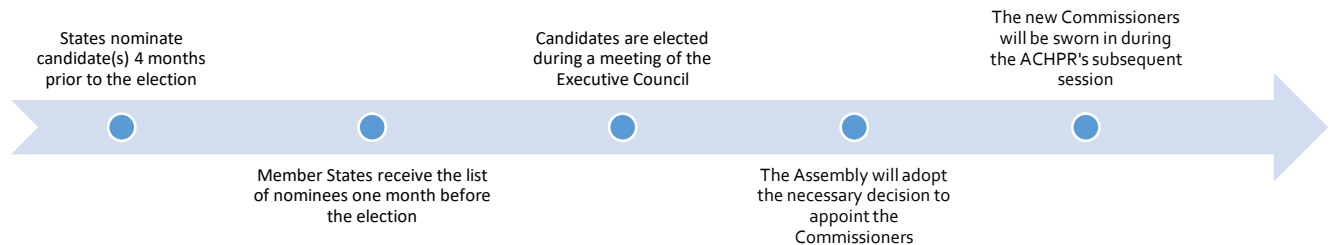
Sources of Law

- African Charter, articles 33 to 40
- 2020 Rules of Procedure of the ACHPR, rule 5

Before an election takes place, the Secretary General of the AU will request nominations from States parties at least four months in advance of the election. States parties may – but are not required to – nominate up to two candidates, and at least one of the candidates must be a national of the nominating State party. The Secretary General will make a list of the individuals nominated and communicate it to the Heads of State and Government of the AU one month prior to the election. The Executive Council, which responds to the Assembly of Heads of State and Government (the Assembly), then elects the Commissioners by a secret ballot from the list of nominees.

The Assembly is the “supreme organ” of the African Union and consists of Heads of State and Government from each Member State. It is responsible for adopting the necessary decisions to appoint incoming Commissioners. The Assembly must meet at least once a year in ordinary session, but usually holds two sessions per year. The first session is typically held in January, while the timing of second session varies, taking place between June and July of each year.

Timing



Note: This process repeats when terms are approaching their end date or when there are vacancies on the ACHPR.

Bureau of the Commission

After Commissioners are elected, they are sworn in at the ACHPR Session following the elections. At this time, the ACHPR also elects a Chairperson and Vice Chairperson as the Bureau of the Commission. Under Rule 14 of the ACHPR Rules of Procedure, the election of the ACHPR Bureau is held using a secret ballot. A simple majority of the Commissioners present and voting, excluding abstentions, is required for a Commissioner to be elected to either of these positions. The Chairperson and Vice-Chairperson are elected for a two-year term that is renewable only once.

* Last updated July 1, 2020.

The 11 Commissioners may also be assigned to “[special mechanisms](#)” or “subsidiary mechanisms” created by the Commission – such as working groups, committees, and special rapporteurships – under rules 25 and 26 of the Rules of Procedure. Membership in a working group or committee, and designation of a special rapporteur is determined by consensus. In absence of consensus, the decision is put to a vote and requires a simple majority of those present and voting. The ACHPR has adopted [Standard Operating Procedures](#) on the Special Mechanisms, which address their establishment, activities, and conduct.

ROLE OF CIVIL SOCIETY

The process of selecting candidates for nomination and possible election determines the future composition of the Commission. Civil society involvement is essential in ensuring that nominations for Commissioners meet the requirements set forth in the relevant rules.

The African Union typically issues an announcement calling for nominations prior to an election. Civil society should monitor the [announcements page](#) of the AU to stay informed about upcoming elections and nominees being considered for election. While the role of civil society is limited at the Commission level, opportunities exist at the national level.

The Open Society Justice Initiative, in partnership with the International Commission of Jurists, recently published a [report](#) on the domestic nomination process of candidates to regional human rights systems in Africa, the Americas, and Europe. The report provides a detailed profile of Algeria, Ethiopia, Ivory Coast, Mozambique, South Africa, and Uganda. It finds that States and regional bodies often fall short of their international legal obligations with respect to their nomination and election processes, and recommends to States that they hold a meaningful consultation with civil society to improve the nomination process at the domestic level, among other recommendations.