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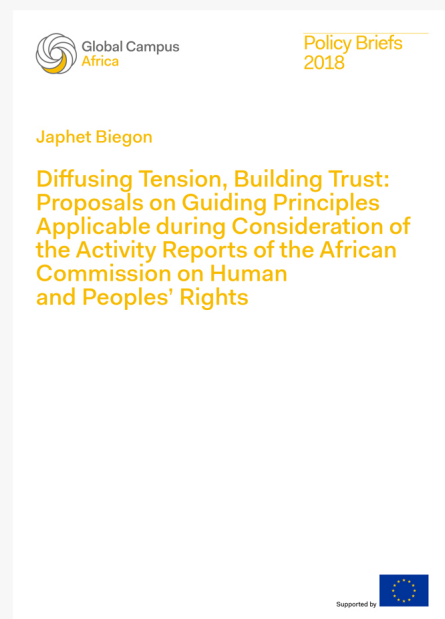
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Diffusing Tension, Building Trust: Proposals on Guiding Principles Applicable during Consideration of the Activity Reports of the African Commission on Human and Peoples' Rights

**Diffusing Tension,
Building Trust:
Proposals on Guiding Principles
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of the Activity Reports
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on Human and Peoples' Rights**

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As the most active regional human rights supervisory mechanism in Africa, the African Commission on Human and Peoples' Rights (ACHPR) has increasingly become the target of political backlash. The African Union (AU) Executive Council and the Permanent Representatives Committee (PRC) have on a number of occasions reacted angrily to decisions taken by the ACHPR in the discharge of its mandate.

In the process, they have overstepped their role to consider the activity reports of the ACHPR. In particular, they have purported to alter substantive decisions of the ACHPR or direct how it should perform its independent and autonomous functions. This policy brief seeks to clarify the limits and boundaries of the involvement of AU political organs in mandate-related functions of the ACHPR.

It proposes a set of five guiding principles that should be applied by the Executive Council and the PRC during their consideration of the activity reports of the ACHPR.

In particular, it proposes that: (a) consideration of activity reports should not erode or undermine the role of the ACHPR as an independent and autonomous interpreter of the African Charter; (b) the competence to consider activity reports should be understood in light of the overriding object and purpose of the African Charter; (c) consideration of activity reports should take into account the fact that the African Charter contains safeguards for ensuring ACHPR's internal independence; (d) the process of considering activity reports should not serve as a platform for member states to lodge appeals against decisions of the ACHPR; and (e) consideration of activity reports should foster the principles of separation of powers and rule of law within the AU.

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