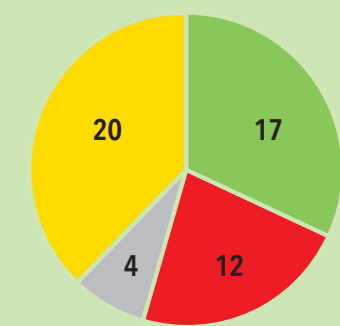


## A continental trend towards abolition

Between 2007 and 2020, the United Nations General Assembly adopted eight resolutions calling for a global moratorium on capital punishment.

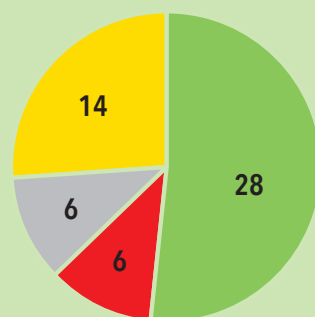
Many African States voted in favour of these resolutions and their number has been continuously increasing. Within 13 years, the number of States voting in favour of the global moratorium has risen from 17 to 28, or more than half of the African Member States of the United Nations, while the number of those opposing it fell from 12 to 6.

Votes of African States in the resolution  
62/149 (2007)



■ Votes in favour ■ Votes against ■ Absent ■ Abstentions

Votes of African States in the resolution  
75/183 (2020)



*“The person that the State accused me of having killed was in fact alive and in good health. I was innocent and I was scared of dying. Living knowing that you are going to face death that day or the next is difficult. That was my reality for 18 and half years.”*

**Edward MPAGI,**

*formerly sentenced to death in Uganda, he spent 18 years on death row and was the victim of a miscarriage of justice.*

**For more information, please visit the Internet website of the Working Group on Death Penalty and Extra-Judicial, Summary or Arbitrary killings and Enforced Disappearances in Africa of the African Commission on Human and Peoples' Rights:**

[https://www.achpr.org/fr\\_specialmechanisms/detail?id=9](https://www.achpr.org/fr_specialmechanisms/detail?id=9)

*Document produced in collaboration with the FIACAT and the WCADP*



## The Draft Protocol to the African Charter on Human and Peoples' Rights on the Abolition of the Death Penalty in Africa

An African instrument to protect human rights while respecting State sovereignty

### Strengthening the protection of the right to life in Africa

To supplement and strengthen the provisions of the African Charter on Human and Peoples' Rights, Article 66 of the Charter authorises the adoption of Protocols or special agreements. It is on this basis that the African Commission on Human and Peoples' Rights (ACHPR) – the African Union (AU) authority responsible for promoting and protecting human rights in Africa – proposed that the AU adopt a specific Protocol on the abolition of the death penalty stating that “the right to life is the foundation of all the other rights” and that “the abolition of the death penalty is vital for the effective protection” of this right<sup>1</sup>.

In the conclusion of its 2011 **Study on the question of the death penalty in Africa**, the ACHPR recommended “to the African Union and to State Parties the adoption of a Protocol to the African Charter on Human and Peoples' Rights [to] fill the gap in the African Charter [...] with stronger emphasis on restorative rather than retributive justice”.

*“I am opposed to the death penalty in all circumstances.  
The right to life cannot be denied.”*

**Navi PILLAY,**

*former UN High-Commissioner for Human Rights (2008 - 2014)*

In July 2014, the draft Protocol was introduced during the first Conference on the death penalty in Africa organised by the African Commission and the Government of Benin in Cotonou; it was supported by many representatives of AU Member States, by members of Parliament, National Human Rights Institutions and civil society organisations.

The ACHPR officially adopted the draft Protocol at its 56<sup>th</sup> Ordinary Session in April 2015 and submitted it to the AU for adoption.

<sup>1</sup> Preamble to the draft Protocol adopted by the ACHPR at its 56<sup>th</sup> Ordinary Session in April 2015

