

RESOLUTION ON FREEDOM OF EXPRESSION

The African Commission on Human and Peoples' Rights meeting at its 29th Ordinary Session in Tripoli, the Great Libyan Jamahiriya, on 23 April to 7 May 2001;

Recalling Article 9 of the African Charter on Human and Peoples' Rights which guarantees the right to freedom of expression;

Recognising that freedom of expression is an essential attribute of human existence in all spheres of life and that there is now widespread international recognition of the cardinal role of freedom of expression in human progress;

Noting that freedom of expression is a potent and indispensable instrument for the creation and maintenance of a democratic society and the consolidation of development;

Concerned at the widespread violation of this right by States parties to the Charter through the harassment, arbitrary arrest and detention of journalists, victimization of media houses deemed critical of the establishment, inadequate legal frameworks for regulating electronic media especially broadcasting, and criminal and civil laws that inhibit the right to freedom of expression;

Mindful of the potentially narrow scope of protection given by Article 9 of the Charter and the limited attention so far given to the right to freedom of expression by the Commission in its activities;

Recognising the increasingly specialised nature of information technology and its impact on various aspects of the right to freedom of expression;

Recalling the recommendations of the Seminar on Freedom of Expression and the African Charter, held by The African Commission in Johannesburg, South Africa, on 22 – 25 November 2000;

Resolves as follows:

1. **To develop** and adopt, through a consultative process, a *Declaration of Principles on Freedom of Expression*, drawn from a comprehensive range of international standards and jurisprudence, to elaborate and expound the nature, content and extent of the right to freedom of expression provided for under Article 9 of the African Charter;
2. **To initiate** an appropriate mechanism to assist the Commission to review and monitor adherence to freedom of expression standards in general and the Declaration in particular, and to investigate violations and make appropriate recommendations to the Commission;
3. Subject to availability of resources, **to hold** periodic meetings with NGOs and African journalists to review progress in guaranteeing freedom of expression across the continent and in implementing the Declaration of Principles.

Done in Tripoli, 7th May 2001.