

UPDATE

African Commission on Human and People's Rights' Resolution on States' Obligation to Regulate Private Actors

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At a meeting held on 14 May 2019 in Sharm El Sheikh, Egypt, the African Commission on Human and Peoples' Rights adopted a resolution on state parties' obligation to regulate private actors involved in the provision of health and education services. The resolution (ACHPR/Res. 420 (LXIV) 2019) reminded states of their obligation to regulate private actors involved in the provision of health and education services. Its emphasis was on holding private actors accountable concerning the enjoyment of the right to health and education.

The primary goal of the resolution was to call on state parties to the African Charter to take policy, institutional and legislative measures to ensure respect, protection, promotion and realisation of economic, social and cultural rights, with an emphasis on the right to health and education. The proposed steps included the adoption of legislative and policy frameworks to regulate private actors in social service delivery in conformity with regional and international human rights standards.

The resolution underscored the need for access to health care and medicines by vulnerable groups and marginalised communities. Furthermore, it called for measures to ensure that the privatisation of education does not exacerbate discrimination against children, especially girls, children with disabilities and other similar vulnerable and marginalised categories. The resolution also proposed the use of a transparent and participatory policy formulation process.

For more information, visit www.achpr.org/sessions/resolutions?id=444.

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