

AFRICAN UNION

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AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS
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MESSAGE OF THE PRESIDENT OF THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS HON. JUSTICE SYLVAIN ORÉ FOR THE YEAR 2018

Dear members of the African human rights community,
Dear stakeholders of the judicial protection of human rights in Africa.

The protection of human rights in Africa is not the exclusive duty of the African Court on Human and Peoples' Rights: It is "our collective responsibility". It is against that postulate that I extend this message to all of us as a Community, whether we are Judges of the Court, Policy Organs of the African Union, Litigants, Applicants, Respondent States, Civil Society or only friends of the African human rights system.

Dear members of the African human rights community, it can be stated with no doubt that the year 2018 begins under a promising note of political commitment in favour of human rights. In light of the African Union decision to devote the year 2018 to a restated commitment in fighting corruption towards an African continent that will overcome under-development, it is key to stress the critical link between corruption and human rights: the former constitutes a serious and massive violation of the latter, especially economic and social rights.

In 2018, the African Court will harness efforts towards synergy in the African human rights system on the one hand and in strengthening judicial efficiency on the other. With respect to synergy, the Court's logical aim is to work for more concerted and efficient action as required under the reform process conducted by the African Union. In that regard, we must all bear in mind, all year long, the dire need to promote complementarity between the Court and the Banjul Commission. We should seek to overcome the hurdle of the limiting 8 declarations in the Court to capitalise ingeniously on the immense potential of the 30 ratifications in the Commission. The least to observe in that regard is that individual applicants and civil society in Africa have yet to put to test judicial complementarity as inaugurated by the Ouagadougou Protocol with extraordinary hope.

The Court for its part has adopted an annual work plan which encourages a catalytic engagement with all the stakeholders of the African human rights

community. In the Court's motto, in addition to pulling for synergy, the year 2018 will be one of judicial productivity and efficiency. Under this second limb of its action in 2018, the Court will finalise its formal Legal Aid Program, proceed with the training of registered counsel, introduce a Code of Conduct for Counsel, finalise the review of its Rules of Procedure, pursue the release of its Guidelines on Reparations and complete the process of setting up a Compliance Monitoring Mechanism for the enforcement of its judgments.

Improved judicial activity requires constant awareness of fast changing legal thinking. It is therefore with enthusiasm that I announce the uninterrupted publication of the African Human Rights Yearbook whose second volume is already under way. Along the same lines, the first decade of the Court's jurisprudence will finally be published in an accessible format and will be placed at the disposal of the entire community for the overall interest of litigants, victims, in short of Parties before the Court.

Dear stakeholders and friends of human rights justice in Africa, the responsibility of an Africa that is respectful of human rights and endowed with a rule of law culture is incumbent on us all. Such responsibility behoves however in a very special way on civil society and media professionals. One cannot think of life-changing human rights advocacy without an innovative involvement of civil society and the media.

Within the African human rights community, civil society and the media were quick to be satisfied with the establishment of the African Court, which they had relentlessly called for. This state of affairs leads me to call on civil society and the media to support the Court after contributing successfully to its establishment. Civil society's contribution to the development of the Court's relevant jurisprudence has unfortunately remained at its embryonic state since the Mtikila, Konaté and Zongo cases while many other areas remain to be covered. I wish to refer to the critical role that bears on civil society and the media in supporting submission of cases to the Court by the Banjul Commission, disseminating the Court's judgments at the national level, undertaking strategic litigation informed by the complementarity between the Court and the Banjul Commission, providing States with the assistance needed to effectively enforce the decisions of the Court and finally, taking innovative litigation stands that are needed by the Maputo Protocol on the rights of women to change the face of human rights litigation on the continent.

Judges and staff of the Court, judicial, technical and policy organs of the African Union, human rights activists, civil society stakeholders and media professionals, litigants, applicants, respondent States and friends of human rights in Africa, it is our struggle, our common responsibility for an Africa which places human rights at the heart of the African Union reforms and as the key to socio-economic and human development.

This is the concerted action that I call on you to join during the year 2018 for the sake of fostering human rights in Africa and for an independent, strong and effective African Court.

Sylvain ORÉ
President

