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**ACTIVITY REPORT OF THE AFRICAN COURT ON HUMAN
AND PEOPLES' RIGHTS (AfCHPR)**

AFRICAN UNION		UNION AFRICAINE
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<p style="text-align: center;">AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS COUR AFRICAINE DES DROITS DE L'HOMME ET DES PEUPLES</p> <p style="text-align: center;">P.O Box 6274 Arusha, Tanzania, Tel: +255 27 2970 430 /431/432/433/434 Web site: www.african-court.org Email registrar@african-court.org</p>		

ACTIVITY REPORT OF THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS

1 JANUARY – 31 DECEMBER 2023

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I. INTRODUCTION

1. The African Court on Human and Peoples' Rights (the Court) was established in terms of Article 1 of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights (hereinafter referred to as the Protocol), adopted in June 1998, in Ouagadougou, Burkina Faso, by the Organization of African Unity (OAU). The Protocol entered into force on 25 January 2004.

2. The Court became operational in 2006 and is composed of eleven (11) Judges elected by the Executive Council of the African Union. The Seat of the Court is in Arusha, the United Republic of Tanzania.

3. Article 31 of the Protocol requires the Court to “...submit to each regular session of the Assembly, a report on its work. The report shall specify, in particular, the cases in which a State has not complied with the Court’s judgment”.

4. The present Report is submitted in conformity with the above-cited Article of the Protocol. The Report describes the activities undertaken by the Court from 1 January to 31 December 2023, in particular, the judicial, administrative and outreach activities, as well as measures taken to implement decisions of the Executive Council relating to the functioning of the Court.

II. STATUS OF RATIFICATION OF THE PROTOCOL AND THE DEPOSIT OF THE ARTICLE 34(6) DECLARATION, ACCEPTING THE JURISDICTION OF THE COURT TO RECEIVE CASES FROM INDIVIDUALS AND NON-GOVERNMENTAL ORGANIZATIONS (NGOS)

5. As at 31 December 2023, the Protocol had been ratified by thirty-four (34) Member States of the African Union, namely: Algeria, Benin, Burkina Faso, Burundi, Cameroon, Chad, Congo, Côte d'Ivoire, Comoros, Democratic Republic of Congo, Gabon, Gambia, Ghana, Guinea-Bissau, Kenya, Libya, Lesotho, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Niger, Nigeria, Uganda, Rwanda, Sahrawi Arab Democratic Republic, Senegal, South Africa, Tanzania, Togo, Tunisia and Zambia. **See Table 1.**

6. Of the thirty-four (34) State Parties to the Protocol, only eight (8) have deposited the Declaration required under Article 34(6) thereof, accepting the jurisdiction of the Court to receive cases directly from individuals and NGOs. These States are: Burkina Faso, Gambia, Ghana, Guinea-Bissau, Malawi, Mali, Niger and Tunisia. **See Table 2.**

7. Between 2016 and 2020, four (4) State Parties to the Protocol withdrew their Article 34(6) Declaration. These States are Rwanda (2016), Tanzania (2019), Benin (2020) and Côte d'Ivoire (2020).

Table 1: List of State Parties to the Protocol				
No.	Country	Date of Signature	Date of Ratification/ Accession	Date of deposit
1.	Algeria	13/07/1999	22/04/2003	03/06/2003
2.	Benin	09/06/1998	22/08/2014	22/08/2014
3.	Burkina Faso	09/06/1998	31/12/1998	23/02/1999
4.	Democratic Republic of Congo	09/09/1999	08/12/2020	08/12/2020
5.	Burundi	09/06/1998	02/04/2003	12/05/2003
6.	Cameroon	25/07/2006	17/08/2015	17/08/2015
7.	Chad	06/12/2004	27/01/2016	08/02/2016
8.	Congo	09/06/1998	10/08/2010	06/10/2010
9.	Cote d'Ivoire	09/06/1998	07/01/2003	21/03/2003
10.	Comoros	09/06/1998	23/12/2003	26/12/2003
11.	Gabon	09/06/1998	14/08/2000	29/06/2004
12.	The Gambia	09/06/1998	30/06/1999	15/10/1999
13.	Ghana	09/06/1998	25/08/2004	16/08/2005
14.	Guinea Bissau	09/06/1998	3/11/2021	3/11/2021
15.	Kenya	07/07/2003	04/02/2004	18/02/2005
16.	Libya	09/06/1998	19/11/2003	08/12/2003
17.	Lesotho	29/10/1999	28/10/2003	23/12/2003
18.	Madagascar	09/06/1998	12/10/2021	12/10/2021
19.	Malawi	09/06/1998	09/09/2008	09/10/2008
20.	Mali	09/06/1998	10/05/2000	20/06/2000
21.	Mauritania	22/03/1999	19/05/2005	14/12/2005
22.	Mauritius	09/06/1998	03/03/2003	24/03/2003
23.	Mozambique	23/05/2003	17/07/2004	20/07/2004
24.	Niger	09/06/1998	17/05/2004	26/06/2004
25.	Nigeria	09/06/2004	20/05/2004	09/06/2004
26.	Rwanda	09/06/1998	05/05/2003	06/05/2003
27.	Sahrawi Arab Democratic Republic	25/07/2010	27/11/2013	27/01/2014
28.	Senegal	09/06/1998	29/09/1998	30/10/1998

29.	South Africa	09/06/1999	03/07/2002	03/07/2002
30.	Tanzania	09/06/1998	07/02/2006	10/02/2006
31.	Togo	09/06/1998	23/06/2003	06/07/2003
32.	Tunisia	09/06/1998	21/08/2007	05/10/2007
33.	Uganda	01/02/2001	16/02/2001	06/06/2001
34.	Zambia	09/06/1998	28/12/2022	10/01/2023

of Countries – 55

of Signature – 52

of Ratification – 34

of Deposit – 34

Source: African Union Website.

No.	Country	Date of Signature	Date of deposit
1.	Burkina Faso	14/07/1998	28/07/1998
2.	Ghana	09/02/2011	10/03/2011
3.	Malawi	09/09/2008	09/10/2008
4.	Mali	05/02/2010	19/02/2010
5.	Tunisia	13/04/2017	29/05/2017
6.	The Gambia	23/10/ 2018	03/02/2020
7.	Niger	28/10/2021	28/10/2021
8.	Guinea Bissau	03/11/2021	03/11/2021
Source: African Union Website		Total	# Eight (8)

III. COMPOSITION OF THE COURT

8. During its 69th Ordinary Session held from 12 June to 7 July 2023 in Arusha, Tanzania, the Court elected a new Bureau as follows: President – Hon. Lady Justice Imani Daud Aboud, and Vice President, Hon. Justice Modibo Sacko.

9. The current composition of the Court is attached to the present Report as **Annex I**.

IV. ACTIVITIES UNDERTAKEN BY THE COURT

10. During the period under review, the Court undertook several judicial as well as non-judicial activities.

A. Judicial Activities

11. The judicial activities undertaken by the Court related to, among others, opening of the judicial year, holding of sessions, the receipt and examination of cases filed before it, through, *inter alia*, case management, delivery of judgments, rulings and orders.

12. From 1 January to 31 December 2023, the Court received eight (8) new cases.

13. Since its establishment in 2006, the Court has received a total of three-hundred and forty (340) Applications in contentious matters and fifteen (15) Requests for Advisory Opinion. The Court has disposed of a total of two hundred and five (205) Applications and fifteen (15) Requests for Advisory Opinion, and has one hundred and thirty-five (135) Applications pending before it.

i. Opening of the 2023 Judicial Year of the Court

14. To commemorate its 15th Anniversary in 2021, the Court set its objective as enhancing its visibility and engagement with stakeholders. To this effect, it decided that it would convene a solemn ceremony at the commencement of the first of its four ordinary sessions of each year to mark the official opening of the judicial year. Consequently, the inaugural opening of the judicial year of the Court was held on 28 February 2022 at the seat of the Court in Arusha, under the theme, “*The African Court and the Africa We Want*”, aligned with Agenda 2063, whose slogan is “*The Africa We Want*.”

15. The Opening of the 2023 Judicial Year of the Court was held on 20 February 2023 under the theme “*Integrating the jurisprudence of regional and international human rights mechanisms into national systems*”. The event was held at the Seat of the Court in Arusha, Tanzania. H.E Dr Philip Mpango, the Vice President of the United Republic of Tanzania delivered the keynote address, after Hon. Lady Justice Imani D. Aboud, President of the African Court, had officially opened the 2023 Judicial Year.

16. The event was a forum for the Court to engage with key stakeholders, particularly AU Member States, other AU human rights organs, other regional human rights courts, inter-governmental and non-state actors, to brainstorm, exchange and reflect on the work of the African Court for the year.

17. As part of activities of the opening of the 2023 Judicial Year, the Court organized a specific forum on intergenerational dialogue on the work of the Court with the objective to establish a forward-looking legacy of the Court by developing a cadre of young people to take up the mantle of the promotion and protection of human rights in Africa. To this end, students in law schools across the Continent, particularly those involved in undergraduate and postgraduate courses relevant to the work of the Court, representatives of youth chapters of law societies or bar associations in Africa and young legal professionals with research interests on the African human rights system, participated in the dialogue. In total, two hundred (200) persons participated in person, while two hundred and twenty-three (223) participated virtually.

ii. Sessions held

18. During the reporting period, the Court held four (4) Ordinary Sessions as follows:

- i. 68th Ordinary Session, from 20 February to 17 March 2023, in Arusha, Tanzania;
- ii. 69th Ordinary Session, from 12 June to 7 July 2023, in Arusha, Tanzania;

- iii. 70th Ordinary Session, from 5 to 30 September 2023, in Arusha, Tanzania; and
- iv. 71st Ordinary Session, from 6 November to 4 December 2023, in Algiers, Algeria.

iii. Case Management

19. This section describes the broader aspects of case management, and includes the adoption of relevant instruments impacting case management such as the Internal Judicial Practice of the Court.

20. During the period under review, the Court delivered forty-eight (48) decisions as shown on the table below:

Decision type	Total
1. Judgments (Interpretation)	1
2. Judgments (Merits and reparations)	28
3. Order (Change of Title of Application)	1
4. Orders (Intervention)	2
5. Orders (Joinder of cases)	2
6. Orders (Re-opening)	2
7. Rulings (Jurisdiction and Admissibility)	9
8. Rulings (Provisional measures)	3
Grand Total	48

21. **Table 3** below shows the decisions rendered by the Court from January to December 2023.

Table 3: Decisions rendered by the Court from January – December 2023			
No.	Application No.	Applicant	Respondent State
A. Judgments on Merits and Reparations			
1.	003/2016	John Lazaro	United Republic of Tanzania
2.	003/2019	Thomas Mgira	United Republic of Tanzania
3.	005/2019	Issiaka KEÏTA and Others	Republic of Mali
4.	007/2016	Matoke Mwita and another	United Republic of Tanzania
5.	011/2016	Chacha Wambura	United Republic of Tanzania
6.	011/2020	Bob Chacha Wangwe and Legal and Human Rights Centre	United Republic of Tanzania
7.	013/2021	Symon Vuwa Kaunda and 5 others	Republic of Malawi
8.	014/2017	Hassan Bundala Swaga	United Republic of Tanzania
9.	015/2017	Reuben Juma	United Republic of Tanzania
10.	018/2017	Yassini Rashid Maige	United Republic of Tanzania
11.	019/2020	Baedan Dogbo Paul & Another	Republic of Côte d'Ivoire
12.	022/2018	Youssouf Traore & 9 others	Republic of Mali
13.	024/2020	Conaïde Togla Latondji Akouedenoudje	Republic of Benin
14.	027/2016	Marwa Rugumba Kisiri	United Republic of Tanzania
15.	028/2016	Shija Juma	United Republic of Tanzania
16.	031/2016	Umalo Mussa	United Republic of Tanzania
17.	032/2016	Hoja Mwendesha	Republic of Mali

18.	032/2017	Amos Kabota	United Republic of Tanzania
19.	033/2016	Makungu Misalaba	United Republic of Tanzania
20.	037/2016	Jackson Godwin	United Republic of Tanzania
21.	039/2020	Legal and Human Rights Centre and Human Rights and Tanzania Human Rights Defenders Coalition	United Republic of Tanzania
22.	041/2016	La LIDHO, LE MIDH, LA FIDH & Others	Republic of Côte d'Ivoire
23.	045/2016	Charo Said Kimilu & another	United Republic of Tanzania
24.	049/2016	Chrizant John	United Republic of Tanzania
25.	057/2016	Mulokozi Anatory	United Republic of Tanzania
26.	058/2016	Niyonzima Augustine	United Republic of Tanzania
27.	036/2016	Ibrahim Yusuf Calixte Bonge	United Republic of Tanzania
28.	029/2016	Kachukura Kakobeka	United Republic of Tanzania
B. Judgment on Interpretation			
29.	004/2020	Houngue Eric Noudehouenou	Republic of Benin
C. Rulings on Jurisdiction and Admissibility			
30.	011/2021	Lehady Vinagnon Soglo	Republic of Benin
31.	026/2017	Mauridi Swedi@ Mswezi Kalijo	United Republic of Tanzania
32.	033/2017	Leonard Moses	United Republic of Tanzania
33.	034/2016	Juma Haruna	United Republic of Tanzania
34.	038/2019	Amina Soumare	Republic of Mali
35.	054/2019	Mama Seidou Samiratou	Republic of Benin
36.	043/2016	Shabani Menge	United Republic of Tanzania
37.	032/2019	Oulai Marius	Republic of Côte d'Ivoire
38.	012/2021	Landry Adelakoun	Republic of Benin
D. Rulings (Provisional Measures)			
39.	001/2023	Ayadhi Fathi and Others	Republic of Tunisia
40.	004/2023	Moahd Kheriji Ghannouch & others	Republic of Tunisia
41.	009/2019	Bahati Mtega & Another	United Republic of Tanzania
E. Orders (Joinder of Cases)			
42.	011/2016	Chacha Wambura	United Republic of Tanzania
43.	015/2017	Reuben Juma	United Republic of Tanzania
F. Orders (Intervention)			
44.	006/2022	Salaheddine Kchou	Republic of Tunisia
45.	010/2021	Houngue Eric Noudehouenou	Republic of Benin
G. Orders (Re-opening)			
46.	032/2016	Hoja Mwendesha	United Republic of Tanzania
47.	051/2016	Nzigiyimana Zabron	United Republic of Tanzania
H. Order (Change of Title of Application)			
48.	005/2019	Issiaka KEÏTA and Others	Republic of Mali

iv. Adoption of new Internal Judicial Practice of the Court

22. Following the adoption of the new Rules of Court in 2020, the Court embarked on a review of other basic texts of the Court relating to case management, to align them to the new Rules. During its 71st Ordinary Session held from 6 November to 4 December 2023 in Algiers, the People's Democratic Republic of Algeria, on 8 November 2023, the Court adopted its new Internal Judicial Practice which entered into force immediately.

v. Public Sitings

23. From 1 January to 31 December 2023, the Court organized five (5) public sittings to mark the official opening of the judicial year and to deliver judgments, orders, and rulings.

vi. Non-compliance with the decisions of the Court

24. Under Article 31 of the Protocol, in submitting its Activity Report, the Court "...shall specify, in particular, the cases in which a State has not complied with the Court's judgment". **Annex II** of the present Report indicates the cases in which States have not complied with the Court's judgments and orders, after the deadline set by the Court.

vii. Legal Aid Programme

25. The Court administers a Legal Aid Scheme which seeks to provide legal assistance to indigent applicants, thus enhancing access to justice. In 2023, the Court considered a total of twenty (20) requests for legal assistance: eight (8) applicants were granted legal aid, ten (10) were not granted legal aid and two (2) were still pending the decision of the Court. Of the 10 requests which were rejected, 4 applicants were already represented by counsel and their applications were well articulated, while 6 applicants had requested for legal assistance to pursue their cases at the domestic level, for which the African Court lacks jurisdiction.

26. During the same period, the Court considered nineteen (19) applications from counsel who sought to be registered on the Court's Roster. The applications were from four (4) female and fifteen (15) male applicants from: Burundi, Cameroon, Congo, Democratic Republic of Congo, Ghana, Guinea, Kenya, Malawi, Niger, Nigeria, Rwanda, Senegal, South Africa, and Italy. The Court approved 14 applications which fulfilled the criteria for counsel to be listed on the Court's Roster as provided for in the Legal Aid Policy. Five applications were rejected: 4 applicants had not submitted the required documents and 1 did not possess the required years of experience.

B. Non-judicial activities

27. The main non-judicial activities undertaken by the Court during the period under review are described below:

i. Participation in AU Summits

28. The Court took part in the 44th and 45th Ordinary Sessions of the Permanent Representatives Committee (PRC), the 42nd and 43rd Ordinary Sessions of the Executive Council, the 36th Assembly of Heads of State and Government of the African Union. The Court also took part in the 5th Mid-Term Coordination Meeting.

ii. Implementation of Executive Council Decisions

29. During its 41st Ordinary Session, held from 14 to 15 July 2022 in Lusaka, Zambia, the Executive Council adopted Decision **EX.CL/Dec. 1177(XLI)**, paragraphs 6 and 8 thereof provided as follows:

6. **REQUESTS** the Commission and the AfCHPR, within the framework of the ongoing institutional reform, to propose new entitlements and benefits for the Judges of the AfCHPR.
8. **REQUESTS** the Commission and the AfCHPR to report to the Executive Council in February 2023 on the implementation of this Decision”.

30. On 14 March 2023, on the side-lines of its 68th Ordinary Session, the Court held a meeting in Arusha, Tanzania, with the Reform Unit of the African Union Commission (AUC) and the Experts from Deloitte and Touche, recruited by the AUC within the framework of the AU Institutional Reform. The Court made reform proposals relating to, among other things, its composition, quorum, repeal of Article 34(6) of the Protocol, the AU Legal aid fund, funding of the Court, remuneration of Judges and the restructuring of the Registry of the Court.

31. From 8-11 June 2023, the Court attended a joint retreat in Kigali, Rwanda between the Permanent Representatives’ Committee (PRC) of the African Union and African Union Organs, on the reforms of the AU. The Experts on the reform process from Deloitte and Touche presented their report on the proposals for reform of the mandate and structure of AU organs. In response to the proposals of the experts, the Court made a proposal to have a virtual meeting with the experts together with the African Commission on Human and Peoples’ Rights and the Committee of Experts on the Rights and Welfare of the Child, to discuss proposals relating to AU human rights organs.

32. On 20 June 2023, the Court, the African Commission on Human and Peoples’ Rights and the Committee of Experts on the Rights and Welfare of the Child held a virtual meeting with the Experts from Deloitte and Touche on the reforms of the three AU human rights organs. In this regard, the three human rights organs reiterated the need for their mandates to remain *status quo ante*. The three organs subsequently submitted their separate reform proposals to the Experts.

33. Further to the consultations on the Reform of organs, the Court, during its 70th Ordinary Session held in September 2023, considered Executive Council Decision EX.CL/Dec. 1177(XLI), in particular, paragraph 6, and formulated its responses thereto, and the same was transmitted to the Cabinet of the Deputy Chairperson of the AUC. The proposal, to a very large extent, is to the effect that the benefits of Judges of the African Court, should, at least for now, remain unchanged.

iii. Execution of the 2023 budget

34. The budget appropriated to the Court for 2023 stood at US\$ 11,982,334 comprising \$ 10,300,324 [86 %] from Members States and \$ 1,682,010 [14 %] from International Partners. The total budget execution as at end of 31 December 2023 was \$11,100,622, which represents a budget execution rate of 93%. As at 31 December 2023, the Court had received subvention for the year 2023 (for 4 quarters) amounting to US\$ 10,300,235 from Members States and 737,858 from Partners.

iv. Capacity development and promotional activities

35. The Court undertook several capacity development and promotional activities, aimed at enhancing staff capacity and raising awareness among stakeholders, about its existence and activities. The activities undertaken included, *inter alia*, staff trainings, sensitization visits, retreats and dialogue, as well as meetings organized by other key stakeholders.

a. Staff Capacity development

36. The Court organized the following activities, aimed at, among other things, developing staff capacity.

List of capacity development activities undertaken by the Court in 2023				
No.	Date	Activity	Venue	Organiser
1	10-14 July	Electronic Court Records Management	Dar es Salaam, Tanzania	African Court
2	19-21 September	Provision of Library and Information Services Symposium	Mwanza, Tanzania	African Court
3	09-13 October	Strategic Advanced Executive Administrative Masterclass	Johannesburg, South Africa	African Court
4	2 – 6 October	Occupational safety and security	Arusha, Tanzania	African Court
5	July - December	ALC online training – software	Online	African Court
6	28 Aug to 1 Sept 2023	Roll out of SAP OpenText Functionality to the African	Arusha, Tanzania	African Court
7	11-12 November 2023	Leadership Training for Management Staff	Arusha, Tanzania	African Court

b. Sensitisation visits

37. During the period under consideration, the Court undertook five sensitization visits to engage with States about the work of the Court in general, and to encourage those that have not already done so, to ratify the Protocol and/or deposit the Article 34(6) Declaration.

- **Sensitisation visit to Kenya**

38. The Court undertook a sensitization visit to the Republic of Kenya from 18 to 20 July 2023, to encourage the country, which has already ratified the Protocol, to consider depositing the Declaration envisaged under Article 34(6) thereof.

39. The delegation of the Court, led by its President, met and held fruitful discussions with high-ranking government officials from the Government of Kenya, including H. E. Dr. William Ruto, President of Kenya, the Minister of Foreign Affairs, the Attorney General and the Deputy Chief Justice of the Republic of Kenya. The delegation of the Court called on the Kenyan authorities to take urgent steps to implement the Court's judgment in the matter of African Commission on Human and Peoples' Rights v. Republic of Kenya.¹

40. The Kenyan authorities undertook to consider the requests made by Court, and express willingness to engage with all relevant stakeholders to see how best to implement the Judgment.

- **Sensitisation visit to Mozambique**

41. The Court undertook a sensitization visit to the Republic of Mozambique from 9 to 11 August 2023, to encourage the country to deposit the Article 34(6) Declaration.

42. The delegation of the Court, led by its President, met and held fruitful discussions with high-ranking government officials from the country, including, H. E. Filipe Jacinto Nyusi, President of the Republic of Mozambique, the Minister of Justice, Constitutional and Religious Affairs, the president of the National Assembly, the Vice-President of the Supreme Court, the Deputy Attorney General, the Ombudsman, the Head of the Bar Association, the Director of the National Human Rights Commission, the National Director of the Penitentiary.

43. In the course of the visit, the Court organized a half-day Seminar on the work of the Court. In order to foster its institutional collaboration, the Court also proposed to sign a Memorandum of Understanding (MOU) with the Supreme Court of Mozambique. This MOU was signed on the side-lines of the 6th African Union Judicial Dialogue which took place in Algiers, Algeria in November 2023.

44. The authorities undertook to consult with all relevant stakeholders before deciding on the deposit the Declaration.

- **Sensitisation visit to Sao Tomé and Principe**

45. The Court undertook a sensitization visit to the Democratic Republic of Sao Tomé and Principe from 10 to 12 October 2023 to encourage the country to ratify the Protocol and deposit the Article 34(6) Declaration.

46. The delegation of the Court, led by its President, met and held fruitful discussions with high-ranking government officials from the country, including the H. E. Carlos Manuel Vila Nova, President of the Democratic Republic of Sao Tomé and Principe, the Minister of Justice, Public Administration and Human Rights, the President of the Supreme Court, the President of the Constitutional Court.

47. During the visit, the Court organized a half-day Seminar on the work of the Court. To foster its institutional collaboration, the Court also proposed to sign a

¹ Application 006/2012.

Memorandum of Understanding (MOU) with the Supreme Court of Sao Tomé and Príncipe. This MOU was signed on the side-lines of the 6th African Union Judicial Dialogue which took place in Algiers, Algeria in November 2023.

48. The authorities indicated that it will undertake further consultation with all relevant stakeholders in the country in order to decide on the ratification of the Protocol and deposit the Declaration.

- **Sensitisation visit to Cape Verde**

49. The Court undertook a sensitization visit to the Republic of Cape Verde from 16 to 18 October 2023, to encourage the country to ratify the Protocol and deposit the Article 34(6) Declaration.

50. The delegation of the Court, led by its President, met and held fruitful discussions with high-ranking government officials from the country, including, H. E. José Maria Neves, President of Cape Verde, the Minister of Justice, the Secretary of State, Foreign Affairs, the President of the Supreme Court, the Attorney General, the President of the National Commission of the Human Rights, the President of the High Judicial Council.

51. During the visit, the Court organized a half-day Seminar on the work of the Court. To foster its institutional collaboration, the Court also proposed to sign a Memorandum of Understanding (MOU) with the Supreme Court of Cape Verde. This MOU was signed on the side-lines of the 6th African Union Judicial Dialogue which took place in Algiers, Algeria in November 2023. The authorities undertook to consult with all relevant stakeholders in the country in order to ratify the Protocol and deposit the Declaration.

- **Sensitization visit to Algeria**

52. During the 71st Ordinary Session of the Court held in Algiers, Algeria from 6 November to 4 December, the Court took the opportunity to pay courtesy visits and held fruitful discussions with high-ranking government officials in the country, to among other things, brief them about the work of the Court, and encourage Algeria, which ratified the Protocol establishing the Court in 2003, to consider depositing the Declaration required under Article 34(6) of the Protocol.

53. From 26 November to 4 December 2023, a delegation of the Court visited H.E. Abdelmadjid Tebboune, President of the Republic, the Minister of Foreign Affairs, the Minister of Justice, the President of Senate, President of the Supreme Court, the President of the Constitutional Council, the National Human Rights Council and the Algerian Bar Association. The Court received assurance from the authorities that the government was considering the request.

- c. Retreat of Judges of the African Court**

54. The African Court held its Second Retreat of Judges from 14 to 16 June 2023 in Dodoma, Tanzania. The Retreat, which was attended by the Judges and Registry

staff of the Court, was a follow-up to the first retreat held on 2 and 3 June 2021 in Arusha, Tanzania.

55. The objective of the Retreat was to examine the Court's working methods with a view to enhancing the Court's effectiveness in protecting human rights on the continent.

56. The Court adopted the Dodoma Resolution which provided clear guidelines on, among others, the role of Judges' Rapporteur in finalisation of judgments, how to effectively operationalise the Complementarity Roadmap between the African Court and the African Commission, how to enhance implementation of decisions of the Court, preparation of opinions of Judges, the award of compensation, and the application of the principle of margin of appreciation.

d. Retreat of the Permanent Representatives' Committee (PRC) on the AU Institutional Reform

57. From 8-11 June 2023, the Court attended a joint retreat in Kigali, Rwanda, between the Permanent Representatives' Committee (PRC) of the African Union and African Union Organs on the reforms of the AU. The Experts on the reform process presented their report on the proposals for reform of the mandate and structure of the AU organs and institutions. In response to the proposals of the experts, the Court made a proposal to have a virtual meeting with the experts together with the African Commission and the Committee of Experts on the Rights of the Child, to discuss proposals relating to AU human rights organs.

e. Participation in the development of an AU-Wide Strategic Plan

58. From 2-5 August 2023, the Court attended the meeting of the technical experts on the development of an AU-Wide Strategic Plan 2024-2028 which took place in Midrand, South Africa. During this meeting, the technical experts finalized the road map for the development of the AU-Wide Strategic Plan 2024-2028 and produced a skeletal of the AU-Wide Strategic Plan 2024-2028. Furthermore, the Court attended a meeting in Lusaka, Zambia on the same subject-matter to develop a Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis for the AU strategic plan (2024-2028), and refine key objectives for the AU Strategic Plan (2024-2028). Virtual meetings were also held on 14 and 20 September 2023, where the technical experts developed the AU Strategy Score Card for the strategic plan and the Court contributed to both meetings.

59. From 2 – 6 October 2023, the Court attended a meeting of the technical experts on the AU-Wide Strategic Plan 2024-2028 in Kigali, Rwanda, on the review and fine-tuning of the AU Strategy Balance Scorecard. The focus of the Court was on Moonshot 3 – *"Public institutions are more responsive to citizens' needs"*, whereby the Court contributed to the formulation of human rights specific strategic goals. The fine-tuned Balance Scorecard was then presented to the Directors of the AU organs who reviewed the document and provided feedback.

f. Retreat of the Executive Council of the African Union on Agenda 2063

60. From 1 to 3 October 2023, the Court attended the Retreat of the Executive Council of the African Union on Agenda 2063, held in Kigali, Rwanda. The Retreat examined the extent of implementation of the First Ten-Year Implementation Plan of Agenda 2063, as well as considered the draft Second Ten-Year Plan of Agenda 2063.

61. During the Retreat, the President of the Court emphasized the necessity to ensure human rights are fully mainstreamed in the Second Ten Year Implementation Plan.

g. 6th African Union Judicial Dialogue

62. Under the auspices of the African Union (AU), the African Court on Human and Peoples' Rights in collaboration with the Government of the People's Democratic Republic of Algeria, organized the Sixth African Union Judicial Dialogue under the theme: *"Advancing Human Rights in Africa: Challenges and opportunities for integrating regional and international human rights jurisprudence in domestic courts"*, from 20 to 22 November 2023, in Algiers, People's Democratic Republic of Algeria.

63. The Judicial Dialogue was officially opened by H.E. Nadir Larbaoui, Prime Minister, representing H.E. Abdelmadjid Tebboune, President of the Peoples' Democratic Republic of Algeria.

64. The main objective of the Sixth African Union Judicial Dialogue was to provide a platform for judges of national and regional courts and other stakeholders to deliberate on the challenges and opportunities related to integrating regional and international human rights jurisprudence into domestic courts in Africa. It also aimed at exploring, discussing, and analysing the trajectory of the Protocol to the African Charter on Human and Peoples' Rights on the Protection of the Rights of Women in Africa (the Maputo Protocol), the evolving human rights jurisprudence concerning women's rights within the African human rights system, and the critical importance of creating awareness among Chief Justices of African Union Member States, about the importance of integration of this jurisprudence into their respective domestic legal frameworks. The Dialogue also afforded participants the opportunity to discuss and share experiences on the emerging jurisprudence from case law on the justiciability of economic, social and cultural rights.

65. The Final Communique of the 6th African Union Judicial Dialogue, which captures the main outcomes of the Dialogue, is attached in the present Report as **Annex III**.

C. Other outreach and networking initiatives

i. Engagement with other stakeholders

66. The Court undertook several activities, aimed at, among other things, raising awareness among stakeholders, about its existence and activities in line with its objectives in the Strategic Plan for the period 2021-2025. To this end, the President, Judges and senior staff members of the Court were engaged in a number of outreach

activities organised by other relevant stakeholders, aimed at enhancing the visibility of the Court. These activities, included the following:

S/N	Date	Activity	Venue	Organiser
1.	2-3 March 2023	Forum on Dignity and Development	Indiana Chicago	University of Notre Dame
2	11-14 May 2023	Women Judges Biennial Conference	Marrakesh Morocco	IAWJ
3	20-21 July 2023	World Law Congress	New York City	World Jurist law foundation
4	16-18 September 2023	International Conference on Constitutional Law	Marrakech	Charles University Czech Republic
5	19 October 2023	20 th Anniversary of the Maputo Protocol	Arusha	African Institute of International Law (AIIL)
6	22-27 October 2023	The Southern and Easter Africa Chief Justices' Forum conference and Annual General Meeting	Arusha	Chief Justice of Tanzania
7	24 October 2023	Stakeholders Dialogue on the ratification of the Protocol African Court	Arusha	Centre for Human Rights Pretoria and African Court Coalition
8	21-22 October 2023	Lomé Peace and Security Forum	Lomé, Togo	MOFA Togo
9	21-27 October 2023	Working group Courtesy visit to strengthen cooperation	Arusha	UN Human rights special Rapporteur
10	2-3 November 2023	Invitation to the 28th Edition of the World Congress-	New York	World Jurist Association (WJA)
11	2-3 November 2023	The Global commemoration of the international day to end of impunity for crimes against journalists	Washington D.C	Special rapporteur freedom of expression (IACHR/RELE)
13	9 Dec 2023	Inaugural annual dinner of the Female Lawyer's Network (FLN)	Kampala Uganda	female Lawyers Network (Uganda)
14	11-12 December 2023	Participate in the "Human Rights 75" High Level Event	Geneva	UN The High Commissioner for Human Rights

ii. Relations with the African Commission on Human and Peoples' Rights

67. The Court and the African Commission continue to strengthen their relationship and consolidate the complementarity envisaged under the Protocol. The Court participated in the opening ceremony of the 76th and 77th Ordinary Sessions of the African Commission. These meetings contributed in strengthening the relationship between the two organs.

iii. Relations with African Governance Architecture Platform Members

68. The Court worked closely with members of the African Governance Architecture (AGA) Platform and participated in technical and statutory meetings and other events organized by the Platform. It took an active part in the various meetings held throughout the year and identified areas where closer cooperation and synergy could be developed with the various members of the AGA platform, particularly with regard to the organization of joint or flagship activities.

69. On 13 and 14 January 2023, the Registry of the Court participated in the virtual meeting for the review and validation of the African Governance Report (AGR-23) and presented its comments and observations. During the statutory meeting on 13 February followed by the political meeting on 14 February, the Court's delegation proposed flagship activities to be implemented by the members of the Platform.

70. At the strategic retreat, followed by the political meeting from 6 to 12 July 2023, held in Nairobi, Kenya, the Registry of the Court assessed the platform's 20206-2023 strategic plan, which was examined and adopted. The Court's Registry also examined the initial reports of Togo and Rwanda on the implementation of the Protocol on Governance, Democracy and Elections and presented its observations and recommendations. The workshops on youth and women as actors in African free trade policy provided an opportunity for the Court's registry to contribute to the resolutions and recommendations for more fluid trade between African countries.

71. The Court continues to work with relevant stakeholders, including external partners, for the continuation of the AGA-SP programme, the first phase of which is nearing completion. In this regard, the Registry took part in the project evaluation meeting held in Johannesburg on 12 and 13 June 2023.

iv. Participation at the Third International Human Rights Forum

72. A delegation of the African Court, comprising of Judges and Registry staff, participated in the 3rd International Human Rights Forum (the Forum) that was hosted by the Inter-American Court of Human Rights (the Inter-American Court) from 25 to 26 May 2023. The Forum was held at the seat of the Inter-American Court in San Jose, Costa Rica. All the three regional human rights courts, that is, the African Court, the Inter American Court and the European Court of Human Rights were represented at the Forum.

73. The Forum was structured as a dialogue among the three regional human rights courts and the deliberations were held under two major blocks. The first block covered 'judicial independence and the rule of law' while the second block focused on the

'environment, climate change and human rights'. The Forum also included a Seminar at the University of Costa Rica on 'Regional human rights protection systems and their challenges.'

74. At the conclusion of the Forum, the three Courts adopted a Declaration, the San Jose Declaration, which reiterated, among other things, that democracy, good governance and effective access to justice and independence of the judiciary are essential for the protection and realization of human rights and effective democracy. The Declaration also recognized the importance of strengthening coordination and collaboration among regional courts and reaffirmed the three Courts' commitment to contributing to permanent dialogue and consultation mechanisms among themselves.

75. The Declaration also mandated the renewal, for four years, of the Tri-partite Memorandum of Understanding which was signed in October 2019 at the end of the First International Human Rights Forum that was held in Kampala, Uganda.

76. On 27 November 2023, the three Courts published Volume 3 of their Joint Law Report, pursuant to the MOU. The Law Report follows the same format as the previous ones, divided into three chapters, one for each Court. Each chapter highlights major cases that represent new standards or innovative case-law developments during the year. The African Court's contribution to the Third Edition of the Tri-Courts Law Report features three cases, relating to: non-implementation of a previous judgment; personal jurisdiction and exhaustion of local remedies.

v. Dialogue with Sub-Regional Courts

77. The Court continues to promote strong relations with sub-regional courts on the continent. From 22 to 24 June 2023, the Community Court of Justice, ECOWAS (ECOWAS Court) and the African Court held the 2nd Judicial Dialogue between the two Courts in Arusha, Tanzania. All the Judges of both Courts attended the Dialogue and were co-chaired by the President of the African Court, Hon. Lady Justice Imani D. Aboud and the President of the ECOWAS Court, Hon. Justice Edward Amoako Asante.

78. The biennial Dialogue was aimed at reinforcing the relationship between the two Courts in the protection of human and people's rights and evaluating the implementation of the Memorandum of Understanding (MOU) signed by them on 1 March 2018. The two Courts renewed the MOU for a further period of five years, effective from 24 June 2023.

79. Under the new MOU, the two Courts committed to strengthening their existing good relationship and, to this end, have agreed on several initiatives to improve the execution of their respective mandates. The areas of cooperation identified included: staff exchanges, representation, joint training, knowledge and information sharing, publication of respective jurisprudence, research and capacity building within the framework of the constituent instruments of the two Courts. The two Courts also adopted a five-year Plan of Action.

80. On 20 September 2023, Judges of the African Court and Judges of the Court of Justice of the West African Economic and Monetary Union (WAEMU Court of

Justice) held the Second Judicial Dialogue between the two Courts in Arusha, Tanzania. The Dialogue was co-chaired by the President of the African Court, Hon. Lady Justice Imani D. ABOUD, and the President of the WAEMU Court of Justice, Hon. Justice Mahawa Sémou DIOUF.

81. The Dialogue was aimed at strengthening relations between the two Courts in the protection of human and people's rights and exploring opportunities and prospects for judicial cooperation. The two Courts signed a five-year Memorandum of Understanding, taking effect from 20 September 2023.

vi. Relations with Partners

82. The Court continues to benefit from the support of its traditional partners, the UN Office of the High Commissioner for Human Rights, (OHCHR), the European Union (EU) and the German International Cooperation Agency GMZ (GIZ). These partners continue to support outreach activities of the Court, including sensitization visits, dialogues with national, sub-regional and international courts, and institutional capacity development.

vii. Host Agreement and relations with the Host State

83. The Court continues to work with the Host State, the United Republic of Tanzania, to effectively implement the Host Agreement. It intensified its engagement with authorities of the Host State in 2023, to, among other things, encourage Tanzania, to reconsider re-depositing the Article 34(6) Declaration, as well as to construct the permanent premises of the Court. To this end, the President of the Court met and held fruitful discussions with the Minister of Foreign Affairs and the Minister of Constitutional Affairs in January 2023; the latter also addressed the Judges in Arusha in February 2023, and in June 2023, a delegation of the Court visited the Minister of Foreign Affairs in the capital city of Dodoma. In June 2023, the Parliamentary Committee of Defence and Security, which exercises oversight on the construction of the Court premises visited the Court, and also inspected the site allocated for the construction of the Court premises.

84. On 2 June 2023, the Host State officially commissioned the site for the building of the permanent seat of the Court, by officially handing over the site to the Construction Company in a ceremony presided over by the Permanent Secretary in the Ministry of Foreign Affairs and East African Cooperation of the United Republic of Tanzania, in the presence of the President and Vice President of the African Court. In August 2023, work began in earnest on the construction of the premises, and the government has indicated that the construction will be completed within a period of between 18 and 24 months.

V. ASSESSMENT AND RECOMMENDATIONS

A. Assessment

85. Since the operationalization of the Court in 2006, the Court has contributed in advancing the African human rights jurisprudence and the protection of human and

peoples' rights on the continent. The jurisprudence of the Court covers a wide range of issues shaping the socio-economic and political landscape of the continent, including issues of elections, good governance, freedom of expression, and the rights of indigenous peoples, etc.

86. The theme of the Court for 2023 was “*integrating the jurisprudence of regional and international human rights mechanisms into national systems*”. This theme is not only relevant but very timely, as the year 2023 marks the 60th Anniversary of the adoption of the Charter and eventual establishment of the Organisation of African Unity (OAU). The OAU Charter encapsulated the dream of the founders of the OAU of a united, strong and prosperous Africa, and that freedom, equality, justice, peace and dignity were essential for the achievement of this dream.

87. In 2013, half a century after the establishment of the OAU, at what was dubbed the Golden Jubilee Summit, African leaders adopted yet another initiative, Agenda 2063, as the basis for Africa's long term socio-economic and integrative transformation.

88. The theme of the Court for 2023 thus sought to reposition the debate about the very essence, not only for the establishment of the African Court, but the entire African human rights system and the African Union architecture. It was a reflection of how human rights can and should contribute to the realisation of the objectives of the African Union as a whole and the Aspirations of Agenda 2063 in particular.

89. The Court strongly believes that the Africa we want cannot be built on political integration alone. It requires all the various constituents, including good governance and respect for human rights. History teaches us that all stable economies and communities around the world are built on a strong foundation of the rule of law, justice and respect for human rights. It is therefore imperative that if Africa is to develop, if Africa is to prosper, if Africa is to unite, if Africa is to silence the guns, and if truly we long for the AFRICA WE WANT, our actions must be guided by justice, the rule of law and respect for human rights.

90. One of the major factors hindering the effective discharge of the mandate of the Court is the seeming inadequate cooperation from Member States. To date, over twenty-five years after the adoption of the Protocol establishing the Court, only 34 of the 55 Member States of the African Union have ratified the Protocol. Of the 34 State Parties, only 8 have deposited the Declaration under Article 34(6) of the Protocol. Even more, of the over 200 decisions adopted by the Court since its establishment, less than 10% have been implemented.

91. These challenges notwithstanding, the African Court holds the view that the role of Member States in the protection of human rights cannot be underestimated. To this end, the Court continued with its judicial diplomacy and sensitization missions to Member States. In 2023, the Court visited five countries, Kenya, Cape Verde, Sao Tomé and Príncipe, Mozambique and Algeria, to engage them in fruitful and constructive discussion on the work of the Court, and the need to either ratify the Protocol or deposit the Declaration or to do both, as the case may be.

92. The Court has also sought cooperation with other sub-regional and continental human rights and justice tribunals, with a view to benchmarking, share experiences and best practices in the area of human rights and proper administration of justice. The Court thus participated in the Third International Human Rights Forum in Costa Rica and hosted the ECOWAS Community Court of Justice and the Court of Justice of the West Africa Economic and Monetary Union. The 2023 edition of the African Union Judicial Dialogue brought together Chief Justices and Presidents of Constitutional Courts from 37 African Union Member States to discuss cooperation between national and regional judiciaries in the protection of human rights. These engagements provided an opportunity for the African Court to forge meaningful relationships with similar bodies at the national, sub-regional and continental level with a view to advancing the protection of human rights and the administration of justice as a whole.

93. The Court recognizes that its mandate is to complement the work that Member States are doing at the domestic level to promote and protect human and peoples' rights. The Court is not and cannot replace the domestic institutions charged with this exercise, as the primary responsibility for the promotion and protection of human rights resides with Member States.

94. To this end, the Court has decided to intensify its engagement with Member States in 2024, to ensure that they adequately understand the role of the Court and how the Court operates.

B. Recommendations

95. Based on the above, the Court submits the following recommendations for consideration and adoption by the Executive Council:

- i. **Calls on** the twenty-one (21) Member States of the African Union that have not yet acceded to the Protocol to do so, to ensure full recognition of the African Court's jurisdiction by all fifty-five (55) AU Member States;
- ii. **Calls on** the twenty-six (26) State Parties to the Protocol that have not yet deposited the Declaration under Article 34(6) to do so;
- iii. **Urges** the four (4) State Parties to the Protocol that withdrew their Article 34(6) Declaration to reconsider their decision;
- iv. **Requests** the Chairperson of the AUC to take all necessary measures to establish the Legal Aid Fund for African Union Human Rights Organs;
- v. **Invites** and encourages all Member States and other relevant human rights stakeholders on the continent to make generous voluntary contributions to the Legal Aid Fund to ensure its sustainability and success;
- vi. **Requests** Member States of the African Union to cooperate with the Court and comply with its decisions.

ANNEX I

**LIST OF JUDGES OF THE AFRICAN COURT ON HUMAN AND PEOPLES'
RIGHTS AS AT DECEMBER 31, 2022**

No.	Name	Term		Country
		Duration	Expiry	
1.	Lady Justice Imani D. Aboud	6	2026	Tanzania
2	Justice Modibo Sacko	6	2026	Mali
3.	Justice Ben Kioko	6	2024	Kenya
4	Justice Rafaâ Ben Achour	6	2026	Tunisia
5	Lady Justice Ntyam Ondo Mengue	6	2028	Cameroon
6	Lady Justice Tujilane Rose Chizumila	6	2029	Malawi
7	Lady Justice Chafika Bensaoula	6	2029	Algeria
8	Justice Blaise Tchikaya	6	2024	Congo
9	Lady Justice Stella I. Anukam	6	2024	Nigeria
10	Justice Dumisa Ntsebeza	6	2026	South Africa
11	Justice Dennis D. Adjei	6	2028	Ghana

AFRICAN UNION		AFRICAN UNION
الاتحاد الأفريقي		UNIÃO AFRICANA
<p>AFRICAN COURT ON HUMAN AND PEOPLE' RIGHTS COUR AFRICAINE DES DROITS DE L'HOMME ET DES PEUPLES</p> <p>P.O. Box 6274 Arusha, Tanzania Telephone: +255 732 979506/9; Fax: 255 732 979503 Website: www.african-court.org/Email: registrar@african-court.org</p>		

**2023 REPORT ON IMPLEMENTATION OF DECISIONS
DELIVERED BY THE COURT**

STATUS AS AT 30 NOVEMBER 2023

ANNEX II

I. INTRODUCTION

1. This is a report on the implementation of judgments delivered by the Court as at 30 November 2023.
2. Considering that the report focuses mainly on the status of implementation of the Court's judgments, it does not include any remarks on judgments in which the Court found no violations.
3. In accordance with the Court's instructions issued at the 63rd Session, the cases have been grouped by Respondent State, the names of the States appearing in alphabetical order. Also, cases against the United Republic of Tanzania where the Court found a violation of the right to legal aid and ordered the payment of three hundred thousand (TZS 300 000) have been presented under one group.

REPUBLIC OF BENIN	1. Sébastien Germain Ajavon		
	Application N° 013/2017	Application N° 062/2019	Application N° 065/2019
	Judgments of 29 March 2019 on merits and of 28 November 2019 on reparations.	Judgment of 4 December 2020 on merits and reparations.	Judgment of 29 March 2021 on merits and reparations.
	Violations found:	Violations found:	Violations found:
Respondent State's Action: The Respondent State has not filed any report on the measures taken, as yet. The time limits to report on the three judgments (concerning applications 013/2017, 062/2019 and 065/2019/11) elapsed on 1 August 2020, 4 March 2021 and 5 April 2021, respectively.	Articles 3, 5, 7(1) (a), (b), (c), 14 and 26 of the Charter and Articles 14(3) (d), 14(5) and (7) of the ICCPR.	Articles 2, 4, 5, 7(1), 10, 13(1), 26 of the Charter; Article 8(1)(d) and 8(2) of the ICESCR; Article 10(2), 17(1) of the ACDEG; Article 3 of the ECOWAS Protocol on Democracy and Good Governance.	Article 30 of the Protocol of the Court and Article 1 of the Charter.
Media reports indicate that the Respondent State amended the law establishing CRIET and set up the Court of Appeal as ordered in the judgment.	Reparations Order:	Reparations Order:	Reparation Order:
	Take all necessary measures to annul CRIET judgment N° 007/3C.COR dated 18 October 2018 in a way that erases all effects thereof and to report to the Court within six (6) months from the date of notification of the judgment. Pay the Applicant 36 330 444 947 CFA for material damage and a total of 3 045 000 000 CFA for moral damage	Repeal Article 27 (2) of Law N° 2018; Articles 1 and 2 of Organic Law N° 2018; Law N° 2019 – 39 and carry out all necessary investigations likely to result in recognition of the victims' rights to reparation; repeal all provisions prohibiting the right to embark on strike; guarantee the independence of the Constitutional Court and the Judiciary.	Implement the orders contained in the judgment on Application N° 013/2017.

	suffered by his spouse, three children and himself.		
<p>Respondent State's Action:</p> <p>The Respondent State has not filed any report. The time limit to report on Applications 059/2019 and 010/2020 elapsed on 27 February 2021.</p>	2. XYZ		
	Application N° 059/2019	Application N° 010/2020	
	Judgment of 27 November 2020 on merits and reparations.	Judgment of 27 November 2020 on merits and reparations.	
	Violations found:	Violations found:	
	Article 13(1) of the Charter, Article 17(1) of the ACDEG and Article 3 of the ECOWAS Protocol on Democracy.	Articles 9(1), 22(1), 23(1), and 26 of the Charter; 10(2) of the ACDEG.	
	Reparations Oder:	Reparations Order:	
	Take measures to align the composition of COS-LEPI with the provisions of Articles 17(2) of the ACDEG and 3 of the ECOWAS Protocol on Democracy prior to the election.	Guarantee the independence of the Constitutional Court and repeal Law N° 2019-40 of 1 November 2019 on the Constitution of the Republic of Benin and all subsequent laws, particularly, Act. 2019-43 on the Electoral Code and pay the Applicant 1 symbolic Franc.	
<p>Respondent State's Action:</p> <p>The Respondent State has not filed any report. The time limit to file a report elapsed on 27 February 2021.</p>	3. Eric Houngue		
	Application N° 003/2020		
	Judgment of 27 November 2020 on merits and reparations.		
	Violations found:		
	Articles 13(3) of the Charter, 10(2) of the ACDEG and the UDHR.		
	Reparations:		
	Repeal Law N° 2019-40; comply with the principle of national consensus enshrined in Article 10(2) of the ACDEG for any constitutional revision; take all measures to repeal Inter-Ministerial Decree N° 023/MJL/DC/SGM/DACPG/SA 023SGGG19 of 22 July 2019; take all measures to stop and eliminate all the effects of the constitutional revision.		
	4. Conaïde Togla Latondji Akouedenoudje		

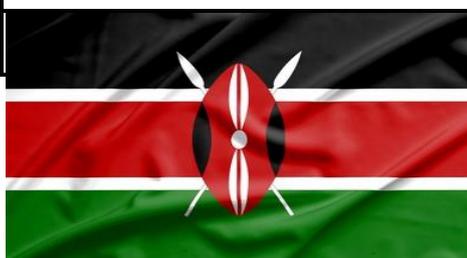
<p>Respondent State's Action:</p> <p>The Respondent State has not filed any report. The time limit to file a report on Application N° 024/2020 will elapse on 2023.</p>	<p>Application N° 024/2020</p> <p>Judgment of 13 June 2023 on merits and reparations.</p> <p>Violations found:</p> <p>Article 5, 7(1)(b) of the Charter and 15 of the Universal Declaration of Human Rights.</p> <p>Reparations:</p> <p>Order the Respondent State to take all necessary measures to repeal Inter-Ministerial Decree N° 023/MJL/DC/SGM/DACPG/SA 023SGGG19 of 22 July 2019 within six (6) months of notification of this judgment.</p> <p>Implementation and reporting</p> <p>Order the Respondent State to submit to the Court, within six (6) months of notification of this judgment, a report on the measures taken to implement Point VII of the operative part.</p>
<p>REPUBLIC OF COTE D'IVOIRE</p>	<p>1. Actions Pour la Protection des Droits de l'Homme</p>
	<p>Application N° 001/2014</p> <p>Judgments of 18 November 2016 on merits and of 28 September 2017 regarding interpretation of a judgment.</p> <p>Violations found:</p> <p>Articles 3(2), 13(1) and (2) of the Charter; 10(3) and 17 of the African Charter on Democracy, Elections and Governance; 3 of the ECOWAS Protocol on Democracy; and 26 of the ICCPR.</p>
<p>Respondent State's Action:</p> <p>On 28 August 2019, the Registry received an e-mail sent on behalf of the Respondent State in which</p>	<p>Reparations Order:</p> <p>[Respondent State to] amend Law N° 2014-335 of 18 June 2014 on Independent Electoral Commission to align the said law with the above-mentioned instruments to which it is a Party.</p>

<p>the Respondent State explained that, after public consultations, it had adopted a new law amending the composition of the election management body. According to the Respondent State, having made those amendments, it considers that it has implemented the judgment of the Court. On 19 November 2019, the Applicant filed a report stating that although the law had been revised to include more non-governmental members, it had not sufficiently addressed the issue of impartiality of the Electoral Commission. They were also of the opinion that the process of reviewing the law was not inclusive.</p> <p>In response, the Respondent State reiterated that it had fully implemented the Court's judgment, that it had enacted a new law that conferred independence on the Electoral Commission. It further stated that it had consulted all stakeholders willing to participate in the process of reviewing the law. Finally, it argued that the letter from APDH did not constitute a true reflection of the Applicant's point of view since the composition of their Bureau had changed and the author of the report submitted to the Court was not mandated to speak on behalf of APDH.</p>						
<p>Respondent State's Action:</p> <p>On 1 September 2020, the Respondent State filed its interim</p>		<table border="1"> <tr> <td data-bbox="584 1731 1479 1771" style="text-align: center;">2. Suy Bi Gohore</td> </tr> <tr> <td data-bbox="584 1771 1479 1832">Application N° 044/2019</td> </tr> <tr> <td data-bbox="584 1832 1479 1895">Judgment of 15 July 2020 on merits and reparations.</td> </tr> <tr> <td data-bbox="584 1895 1479 1957"></td> </tr> <tr> <td data-bbox="584 1957 1479 2031">Violations found:</td> </tr> </table>	2. Suy Bi Gohore	Application N° 044/2019	Judgment of 15 July 2020 on merits and reparations.	
2. Suy Bi Gohore						
Application N° 044/2019						
Judgment of 15 July 2020 on merits and reparations.						
Violations found:						

<p>report on the implementation of the measures taken by the Government. On 14 September 2020, the Applicants challenged the Respondent State's interpretation of the Court's judgment in their report. The Respondent State was invited to reply to the applicants' observations within five (5) days. On 2 November 2020, the Registry received both the Respondent State's implementation report and the Applicants' observations on implementation of the Court's judgment. In its Implementation Report, the Respondent State claims to have complied with the Court's order to organize fresh Bureau elections for the electoral bodies at the local level. The said elections were organized in August 2020. Regarding the Court's Order on the process for nomination of electoral body members by civil society and political parties, particularly opposition parties, the Respondent State avers that, already, the said entities decide among themselves whom to nominate and that they have been requested to submit their own criteria to the Government for the Respondent State to formalize such criteria. The Respondent State indicated that it would submit an additional implementation report upon completion of the formalization process. In their response regarding implementation of the Court's judgment, the Applicants claim that the Respondent State has not implemented the judgment in question at all. They</p>	<p>Articles 3(7), 3(8), 13, 17 of the African Charter on Democracy, Elections and Governance; and 3 of the ECOWAS Protocol on Democracy and Good Governance.</p> <p>Reparations order:</p> <p>Take the necessary steps before any election to ensure that fresh elections to the Bureau are organized at local levels, based on the new composition of the electoral body; take the necessary steps before any election to ensure that the process for nominating members of the electoral body by political parties, in particular opposition parties, as well as CSOs, is led by such entities, on the basis of specified criteria, with the power to organise themselves, to consult one another, to hold elections if necessary and to present the required candidates; and report to the Court on the measures taken within three (3) months from the date of notification of this judgment.</p>
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argue that, in accordance with the Court's decision, the electoral body should be recomposed, specifically, in respect of members of the said body nominated by opposition parties and civil society. The said re-composition did not take place, instead, the Respondent State invited only one opposition party to nominate a member to the electoral body. However, this approach of inviting specific political parties constitutes a violation of the letter and spirit of the Court's order since the Court's instruction was to ensure that civil society organisations and opposition parties decide among themselves whom to nominate to the electoral body. The Applicants aver that the opposition parties convened different meetings and nominated four new members to the Central Electoral Commission, however, the Respondent State rejected the nominations. Wherefore, the Applicants argue that, since the electoral bodies (national and local levels) were not recomposed, contrary to the Court's judgment, the ensuing elections of the Bureau of the electoral bodies also failed to comply with the Court's judgment, especially considering that the local electoral bodies are now 100% headed by members of the ruling party. Finally, the Applicants argue that since the Respondent State did not implement the Court's orders before the elections organized on 31 October 2020, the said elections should be declared null and void.

<p>Respondent State's Action:</p> <p>The time limit for the Respondent State to file its report elapsed on 2 May 2022. The said report has not been filed, as yet.</p>	3. Kouadio Kobena
	Application N° 034/2017
	Judgment of 2 December 2021 on merits and reparations.
	Violations found:
	Article 7(1)(d) of the Charter.
	Reparations Order:
	Pay the Applicant a total of forty-five million CFA francs (45 000 000).
<p>The time limit to file a report elapsed on 22 March 2023.</p>	4. Kouassi Kouame Patrice and Baba Sylla
	Application N° 015/2021
	Judgment of 22 September 2022 on merits and reparations.
	Violations found:
	Articles 6 and 13 of the Charter, and 6 of the ECOWAS Protocol on good Governance.
	Reparations Order:
	Pay the Applicants the sum of three million four hundred and eighty-five thousand (3 485 000) CFA francs.
REPUBLIC OF KENYA	African Commission on Human and Peoples' Rights
Application N° 006/2012	



	<p>Judgments of 26 May 2017 on merits and of 23 June 2022 on reparations.</p> <p>Violations found:</p> <p>Articles 1, 2, 8, 14 17(2) and (3), 21 and 22 of the Charter.</p> <p>Reparations Order:</p>
<p>Respondent State's Action:</p> <p>The Respondent State has not filed any report on the measures taken to implement the judgment. The time limit to file a report elapsed on 26 November 2017.</p> <p>However, it should be noted that the information on creation of a working group on the implementation of the Court's judgment per Notice N° GN/10944/2017 of 23 October 2017 published in the Official Gazette, as amended by Notice N° GN/2446/2018 of 28 February 2018, are in the public domain.</p> <p>On 25 January 2022, the Respondent State filed a report on implementation of the measures ordered in the judgment on merits.</p> <p>The time limit to file a report on the measures taken to implement the judgment on reparations elapsed on 23 June 2023.</p>	<p>Pay the Applicant one hundred and fifty-seven million eight hundred and fifty thousand (157 850 000) Kenyan Shillings to be deposited in a community development fund; establish and operationalize the Development Fund Management Committee.</p> <p>Take all necessary legislative, administrative or other measures to identify, in consultation with the Ogiek people and/or their representatives, delimit, demarcate, and grant collective title to the Ogiek ancestral land to guarantee use and enjoyment by legal certainty.</p> <p>Engage in dialogue and consultations between the Ogiek people and/or their representatives, and other parties concerned with a view to agreeing on continuation or discontinuation of the activities of the beneficiaries of the said concessions in the form of leases and/or sharing of royalties and benefits, with the Ogiek people, in accordance with the Community Lands Act. In case of failure to reach a compromise, the Respondent State must compensate the third parties concerned and return the land to the Ogiek people.</p> <p>Effectively ensure full recognition of the Ogiek people as an indigenous population of Kenya within one year.</p> <p>Recognize, respect, and protect the right of the Ogiek people to be effectively consulted, in accordance with their traditions/customs, for all development, conservation or investment projects on the Ogiek ancestral lands.</p>

Publish the official English summaries of this judgment.

On merits, the Respondent State indicates that it has taken legislative measures to give effect to the Forest Conservation and Management Act No. 34 of 2016 and the Community Lands Act No. 27 of 2016 which provides that community land rights must be registered in accordance with the provisions thereof and the provisions of the land registration Act 2012. Furthermore, the Respondent State points out that on 25 January 2022 ten (10) Community land titles were processed: four (4) in West Pokot County, two (2) in Laikipia County, one (1) in Samburu County and two (2) in Kajiado County. As at 30 October 2020, two communities (Llingwesi and Musul of Laikipia County) successfully registered their communal lands with an area of 8675.5 and 2646.0 hectares.

- As regards the right to non-discrimination, in their report on the 2019 Kenya Population and Housing Census, the Ogiek people were classified as a separate sub-tribe from the Kalenjin people. The census report indicated that the Ogiek population was 52596. The Respondent State believes, therefore, that it has recognized the Ogiek as a fully-fledged ethnic tribe in Kenya.
- As regards property rights, the Respondent State has established a Working Group on the Implementation of the African Court on Human and Peoples' Rights' Decision. The Working Group facilitated extensive stakeholder consultations with the affected community and presented its recommendations and findings to the appointing authority in October 2019. The Working Group's recommendations are currently undergoing internal review (since 25 January 2022).
- As regards the right to culture, to implement the constitutional principles on culture in 2018, the Government, in collaboration with academia, civil society organizations and other stakeholders, prepared a draft national policy on culture covering a range of major areas related to culture, such as national development, national heritage, languages, cultural industries, family, human rights, education, media; education and tourism.

STATE OF LIBYA	African Commission on Human and Peoples' Rights
	Application N° 002/2013
	Judgment of 3 June 2016 on merits.
	Violations found:
	Articles 6 and 7 of the Charter.
	Reparations Order:
<p>Respondent State's Action:</p> <p>The Respondent State has not filed any report to date. The time limit to file a report elapsed on 22 November 2016. Unconfirmed media reports indicate that Mr. Kadhafi was released in 2017.</p>	<p>Protect all the rights of Mr. Kadhafi's under Articles 6 and 7 of the Charter by terminating the illegal criminal procedure initiated at the domestic courts.</p>
REPUBLIC OF MALI	1. <i>Association pour le Progrès et la Défense des Droits des Femmes Maliennes</i> [Association for the Promotion and Defence of the Rights of Malian Women] and Institute for Human Rights and Development in Africa
	Application N° 046/2016
	Judgment of 18 November 2018 on merits.
	Violations found:
	Articles 2, 2 (2), 6 (a) and (b), 21 (1) and (2) of the Maputo Protocol, 1 (3), 2, 3, 4 and 21 of the African Charter on the Rights and Welfare of the Child; 5 (a) and 16 (1) of the Convention on the Elimination of all Forms of Discrimination against Women.
<p>Respondent State's Action:</p>	<p>Reparations Order:</p>

<p>The Respondent State has not filed any report on the measures taken, as yet. Meanwhile, the time limit for doing so elapsed on 11 August 2020.</p>	<p>Amend the contested law by bringing it into conformity with international instruments and take the necessary measures to put an end to the violations found.</p>
<p>Respondent State's Action:</p> <p>The time limit to file a report on the measures taken to implement the judgment on reparations elapsed on 24 September 2022. The Respondent State has not filed any report to that effect, as yet.</p>	<p style="text-align: center;">2. Oumar Mariko</p> <p>Application N° 029/2018</p> <p>Judgment of 24 March 2022 on merits and reparations.</p> <p>Violations found:</p> <p>Articles 7(1)(d) and 26 of the Charter; 14(1) of the ICCPR; 17(1) of the African Charter on Democracy, Elections and Governance; and 3 of the ECOWAS Protocol on Democracy and Good Governance.</p> <p>Reparations Order:</p> <p>Pay the Applicant the sum of one million (1 000 000) CFA Francs; amend the laws governing the Constitutional Court by including provisions to ensure respect for the adversarial principle, provisions relating to the procedure for recusal of members of the Constitutional Court, within three (3) years from the date of service of this judgment; take all necessary measures to fully implement its obligation to guarantee the independence of the Constitutional Court, within (3) years of the service of this judgment; take all necessary measures, in any case before any election, repeal Articles 27 and 28 of the electoral law within (3) years from the service of this judgment; take all necessary measures to fully implement its obligation to establish and strengthen independent and impartial electoral bodies within (3) years of the service of this judgment.</p>

REPUBLIC OF MALAWI	Harold Mbalanda Munthali
	Application N° 022/2017
	Judgment of 23 June 2022 on merits and reparations.
	Violations found:
	Articles 1, 3(2), 7(1) and 7(1)(a) of the Charter.
	Reparations Order:
<p>Respondent State's Action:</p> <p>The time limit for the Respondent State to file its report elapsed on 23 December 2022.</p>	<p>Pay the Applicant two hundred and nine million (209 000 000) Malawian Kwacha.</p>
REPUBLIC OF RWANDA	1. Ingabire victory Umuhoza
	Application N° 003/2014
	Judgments of 24 November 2017 on merits and of 7 December 2018 on reparations.
	Violations found:
	Articles 7(1)(c), 9(2) of the Charter and 19 of the International Covenant on Civil and political Rights (ICCPR).
<p>Respondent State's Action:</p> <p>The Respondent State has not filed any report on implementation</p>	<p>Reparations Order:</p> <p>Pay the Applicant the sum of ten million two hundred and eighty-five thousand (10 285 000) Rwandan Francs.</p>
2. Kennedy Gihana et al	

<p>of the judgments. Meanwhile, the time limits to do so elapsed on 16 September 2018 for Application N° 003/2014, 1 August 2020 for Application N° 017/2015 and 27 April 2021 for Application N° 012/2017.</p> <p>The Respondent State has informed the Court that it would no longer cooperate with the Court.</p>	<p>Application N° 017/2015</p> <p>Judgment of 28 November 2019 on merits and reparations.</p> <p>Violations found:</p> <p>Articles 12(2) and 13(1) of the Charter.</p> <p>Reparations Order:</p> <p>Pay each Applicant the sum of four hundred and sixty-five thousand (465 000) Rwandan Francs.</p> <p style="text-align: center;">3. Léon Mugesera</p> <p>Application N° 012/2017</p> <p>Judgment of 27 November 2020 on merits and reparations.</p> <p>Reparations Order:</p> <p>Pay the Applicant a total sum of thirty-five million (35 000 000) Rwandan Francs; appoint an independent medical doctor to assess the Applicant's state of health and determine the necessary actions for his assistance.</p>
<p style="text-align: center;">UNITED REPUBLIC OF TANZANIA</p>	<p style="text-align: center;">1. Tanganyika Law Society and Legal and Human Rights Centre and Rev. Christopher R. Mtikila</p>
	<p>Applications Nos. 009 and 011/2011 (Consolidated applications)</p> <p>Judgments of 14 June 2013 on merits and 13 June 2014 on reparations.</p>
	<p>Violations found:</p> <p>Articles 2, 3, 10 and 13(1) of the Charter.</p> <p>Reparations Order:</p>

<p>Respondent State's Action:</p> <p>The Respondent State filed three reports in this regard on 17 April 2015, 18 January 2016, and 3 January 2017. The Respondent State indicated that the implementation of the Court's judgment was contingent on the outcome of a referendum on the proposed Constitution and that the proposed Constitution made provision for independent candidates in local, parliamentary, and presidential elections. On 3 January 2017, the Respondent State informed the Court that the referendum was still pending.</p> <p>On 16 October 2020, the Legal and Human Rights Centre and the Tanganyika Law Society filed an application with the Court mainly praying the latter to order the Respondent State to take measures to implement the judgment. This case has been registered without any response so far.</p>	<p>Take all necessary constitutional, legislative and other measures within a reasonable time, to put an end to the violations found and publish the summary of the judgment.</p>
<p>Respondent State's Action:</p> <p>On merits – The Respondent State pointed out that the order issued requiring it to take all necessary measures within a reasonable time to remedy the violations found, excluding the</p>	<p style="text-align: center;">2. Alex Thomas</p> <p>Application N° 005/2013</p> <p>Judgments of 20 November 2015 on merits and of 4 July 2019 on reparations.</p> <p>Violations found:</p> <p>Articles 7(1)(a), (c) and (d) of the Charter and 4(3)(d) of the ICCPR.</p>

<p>reopening of the defence case, and reopening of the trial, was unimplementable. Thus, the Respondent State filed an application for interpretation of the judgment. The interpretation was provided by the Court on 28 September 2017. Be that as it may, the Respondent State has not filed a follow-up report to indicate the measures that it has taken following the said interpretation.</p> <p>On reparations – The Respondent State has not filed any report on implementation of the reparation judgment, as yet. Meanwhile, its time limit to file a report elapsed on 5 January 2020.</p>	<p>Reparations Order:</p> <p>Pay the Applicant three million five hundred thousand (3 500 000) Tanzanian Shillings and one million (1 000 000) Tanzanian Shillings to family members identified as indirect victims.</p>
<p>Respondent State’s Action:</p> <p>On merits – The Respondent State has filed its reports on the implementation of the judgment on merits stating that the stakeholders have been informed of the legal aid provisions and their obligation to inform suspects/accused persons of the possibility to obtain such assistance. The Law on Legal Aid was published in the Official Gazette in March 2017. The Respondent State clarified that, at the time the Court ordered it to provide legal assistance to the Applicants in the proceedings pending against them before the domestic courts, the High Court had already ruled on their appeals in criminal terms, in particular, Appeals Nos. 47 and 48 of 2014.</p>	<p style="text-align: center;">3. Wilfred Onyango Nganyi</p> <p>Application N° 006/2013</p> <p>Judgments of 18 March 2016 on merits and of 4 July 2019 on reparations.</p> <p>Violations found:</p> <p>Articles 7(1)(a), (c) and (d) of the Charter and 14(3)(d) of the ICCPR.</p> <p>Reparations:</p> <p>In the judgment on merits, the Court ordered the Respondent State to take all necessary measures, within a reasonable period, to expedite and finalize all appeal proceedings in criminal matters concerning the applicants before the national courts. On reparations, to pay the Applicants and their family members the amounts of sixty-five thousand five hundred (65 500) US dollars and three million (3 000 000) Tanzanian Shillings, respectively.</p>

<p>In its judgment dated 10 December 2015, the High Court struck out the applicants' appeals. The Respondent State further reported that it is stated on page 11 of the Court's judgment that some of the applicants continued to engage an Advocate, namely, Mr. Mwesijo, although the latter subsequently recused himself. The Respondent State further pointed out that the Applicants filed their notice of intention to appeal against the High Court's decision with the Tanzania Court of Appeal. The Respondent State is expecting the Applicants' memorandum of appeal. The Respondent State has not filed any report concerning the reparation judgment. On reparations: The Respondent State has not filed any report on implementation of the reparation judgment even though the time limit to file a report elapsed on 5 January 2020.</p>	
<p>Respondent State's Action:</p> <p>On merits – The Respondent State indicated that stakeholders in the criminal justice system had been informed of the legal aid provisions and their obligation to inform suspects/accused of the possibility of obtaining such assistance. Also, according to the Respondent State, the Legal Aid Act of 2017 has been adopted. This law regulates and coordinates the provision of legal aid services to indigent persons, recognizes paralegals, repeals the Law on Legal Aid in Criminal</p>	<p>4. Mohamed Abubakari</p>
	<p>Application N° 007/2013</p>
	<p>Judgments of 6 June 2016 on merits and of 4 July 2019 on reparations.</p>
	<p>Violations found:</p>
	<p>Articles 7 of the Charter and 14 of the ICCPR.</p>
<p>Reparations Order:</p>	
<p>Pay the Applicant a total of four million five hundred thousand (4 500 000) Tanzanian Shillings.</p>	

<p>Procedure, and provides for related matters. The Respondent State also requested an interpretation regarding the reparation for violations, which [interpretation] was provided by the Court on 28 September 2017. The Respondent State has not filed a follow-up report on this matter.</p> <p>On reparations – The Respondent State has not filed any report on implementation of the judgment. Meanwhile, its time limit to file a report elapsed on 5 July 2020.</p>	
<p>Respondent State's Action:</p> <p>The Respondent State has not filed any report, as yet. Meanwhile, its time limit to do so elapsed on 21 September 2020.</p> <p>On 24 February 2020, the Applicant filed a letter with the Court praying the latter to intervene for the Respondent State to implement the judgment dated 21 September 2018. The Court served the letter on the Respondent State, inviting the latter to submit its reply concerning the matter. The time limit for the Respondent State to submit its reply elapsed on 23 May 2020 without the Respondent State having done so.</p>	<p style="text-align: center;">5. Diocles William</p> <p>Application N° 016/2016</p> <p>Judgment of 21 September 2018 on merits and reparations.</p> <p>Violations found:</p> <p>Article 7(1) and (1)(c) of the Charter.</p> <p>Reparations Order:</p> <p>Order the Respondent State to reopen the trial, in accordance with the standards provided for in the Charter and any other relevant international human rights standards, within a period of six (06) months, and to conclude the trial within a reasonable period which shall in no circumstances exceed two years from the date of notification of this judgment.</p>
<p>Respondent State's Action:</p>	<p style="text-align: center;">6. Armand Guehi</p> <p>Application N° 001/2015</p> <p>Judgment of 7 December 2018 on merits and reparations.</p>

<p>The Respondent State has not filed any report as yet. Meanwhile, its time limit to file a report elapsed on 14 June 2019.</p>	<p>Violations found:</p> <p>Articles 1, 5 and 7(1)(d) of the Charter.</p> <p>Reparations Order:</p> <p>Pay the Applicant a total sum of two thousand five hundred (2500) US Dollars.</p>
<p>Respondent State's Action:</p> <p>The Respondent State has not filed any report, as yet. Meanwhile, its time limit to file a report elapsed on 2 October 2019. The Applicant filed numerous requests seeking the Court's intervention for the Respondent State to implement the Court's judgment. All the said requests by the Applicant were served on the Respondent State for the latter to submit its reply within thirty (30) days. The time limit for the Respondent State to submit its reply has elapsed without it complying.</p> <p>On 5 March 2021, the Applicant filed a letter with the Court stating that he had requested the representative of Burundi to the African Union and the President of Burundi to intervene and facilitate the implementation of the judgment.</p>	<p style="text-align: center;">7. Lucien Ikili Rashidi</p> <p>Application N° 009/2015</p> <p>Judgment of 28 March 2019 on merits and reparations.</p> <p>Violations found:</p> <p>Articles 4, 5, 7(1)(d) and 12(1) of the Charter.</p> <p>Reparations Order:</p> <p>Pay the Applicant a total sum of (11 000 000) million Tanzanian Shillings; take all necessary measures to ensure that the cavity searches prescribed in the instant case are conducted in strict compliance with its international obligations.</p>

<p>Respondent State's Action:</p> <p>The time limit for the Respondent State to file its report elapsed on 30 August 2020.</p> <p>On 29 September 2020, Counsel for the Applicants filed an application with the Court for financial assistance to enable them to better monitor the implementation of the judgment. The Registry acknowledged receipt of the Applicants' letter and informed Counsel that the Court's current legal aid policy did not provide for support to counsel in monitoring the implementation of its judgments.</p>	<p align="center">8. Ally Rajabu et al</p> <p>Application N° 007/2015</p> <p>Judgment of 28 March 2019 on merits and reparations.</p>
	<p>Violations found:</p> <p>Articles 4, 5, 7(1)(d) and 12(1) of the Charter.</p>
	<p>Reparations Order:</p> <p>Pay each Applicant four million (4 000 000) Tanzanian Shillings as compensation for moral damage; expunge the mandatory death penalty from its Penal Code; rehear the case on determination of the penalty and publish the judgment within three (3) months.</p>
<p>Respondent State's Action:</p> <p>The time limit for the Respondent State to file its report elapsed on 30 August 2020.</p> <p>The Respondent State has not filed any report, as yet.</p>	<p align="center">9. Robert John Penessis</p> <p>Application N° 013/2015</p> <p>Judgment of 28 March 2019 on merits and reparations.</p>
	<p>Violations found:</p> <p>Articles 1, 5, 6, 12 of the Charter; and 15 of the UDHR.</p>
	<p>Reparations Order:</p> <p>Pay the Applicant 15 000 000 Tanzanian Shillings as moral damages for himself and his mother and 300 000 Tanzanian</p>

<p>The Applicant filed a letter with the Court praying the latter to enforce its judgment.</p>	<p>Shillings for each month of unlawful detention from the date of notification of the judgment until his release.</p>														
<p>Respondent State's Action:</p> <p>The Respondent State has not filed any report, as yet. Meanwhile, its time limit to file a report elapsed on 8 February 2021.</p>	<table border="1"> <tr> <td colspan="2" style="text-align: center;">10. Nguza Viking and Johson Nguza</td> </tr> <tr> <td colspan="2">Application N° 006/2015</td> </tr> <tr> <td colspan="2">Judgments of 23 March 2018 on merits and of 8 May 2020 on reparations.</td> </tr> <tr> <td colspan="2">Violations found:</td> </tr> <tr> <td colspan="2">Articles 1 and 7(1)(c) of the Charter.</td> </tr> <tr> <td colspan="2">Reparations Order:</td> </tr> <tr> <td colspan="2">Award the First Applicant twenty million (20 000 000) Tanzanian Shillings and the Second Applicant five million (5 000 000) Tanzanian Shillings; publish the judgment within three (3) months from the date of notification, on the official websites of the Judiciary and the Ministry of Constitutional and Legal Affairs, as a measure of satisfaction, and ensure that the publication remains accessible for, at least, one (1) year.</td> </tr> </table>	10. Nguza Viking and Johson Nguza		Application N° 006/2015		Judgments of 23 March 2018 on merits and of 8 May 2020 on reparations.		Violations found:		Articles 1 and 7(1)(c) of the Charter.		Reparations Order:		Award the First Applicant twenty million (20 000 000) Tanzanian Shillings and the Second Applicant five million (5 000 000) Tanzanian Shillings; publish the judgment within three (3) months from the date of notification, on the official websites of the Judiciary and the Ministry of Constitutional and Legal Affairs, as a measure of satisfaction, and ensure that the publication remains accessible for, at least, one (1) year.	
10. Nguza Viking and Johson Nguza															
Application N° 006/2015															
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Award the First Applicant twenty million (20 000 000) Tanzanian Shillings and the Second Applicant five million (5 000 000) Tanzanian Shillings; publish the judgment within three (3) months from the date of notification, on the official websites of the Judiciary and the Ministry of Constitutional and Legal Affairs, as a measure of satisfaction, and ensure that the publication remains accessible for, at least, one (1) year.															
<p>Respondent State's Action:</p> <p>The Respondent State has not filed any report, as yet. Meanwhile, its time limit to file a report elapsed on 31 January 2021.</p>	<table border="1"> <tr> <td colspan="2" style="text-align: center;">11. Ambrose Cheusi</td> </tr> <tr> <td colspan="2">Application N° 004/2015</td> </tr> <tr> <td colspan="2">Judgment of 26 June 2020 on merits and reparations.</td> </tr> <tr> <td colspan="2">Violations found:</td> </tr> <tr> <td colspan="2">Articles 7(1)(c) and 7(1)(d) of the Charter.</td> </tr> </table>	11. Ambrose Cheusi		Application N° 004/2015		Judgment of 26 June 2020 on merits and reparations.		Violations found:		Articles 7(1)(c) and 7(1)(d) of the Charter.					
11. Ambrose Cheusi															
Application N° 004/2015															
Judgment of 26 June 2020 on merits and reparations.															
Violations found:															
Articles 7(1)(c) and 7(1)(d) of the Charter.															

	<p>Reparations Order:</p> <p>Pay the Applicant five million seven hundred and twenty-five thousand (5 725 000) Tanzanian Shillings; publish the judgment within three (3) months from the date of notification on the official websites of the Judiciary and the Ministry of Constitutional and Legal Affairs, as a measure of satisfaction, and ensure that the publication remains accessible for, at least, one (1) year.</p>
<p>Respondent State's Action:</p> <p>The Respondent State has not filed any report, as yet. Meanwhile, its time limit to file a report elapsed on 31 January 2021.</p>	<p style="text-align: center;">12. Jebra Kambole</p> <p>Application N° 018/2018</p> <p>Judgment of 15 July 2020 on merits and reparations.</p> <p>Violations found:</p> <p>Articles 2, 3(2) and 7(1)(a) of the Charter.</p> <p>Reparations Order:</p> <p>Take all necessary constitutional and legislative measures, within a reasonable time, in any case (38) not exceeding two (2) years, to amend Article 41(7) of its Constitution and bring it into conformity with the provisions of the Charter, in order to put an end to the violation of Articles 2 and 7(1)(a) of the Charter; publish the judgment within three (3) months from the date of notification, on the official websites of the Judiciary and the Ministry of Constitutional and Legal Affairs, as a measure of satisfaction, and ensure that the publication remains accessible for, at least, one (1) year.</p>
<p>Respondent State's Action:</p> <p>The Respondent State has not filed any report, as yet. Meanwhile, its time limit to file a report elapsed on 30 March 2021.</p>	<p style="text-align: center;">13. Kennedy Owino and another</p> <p>Application N° 003/2015</p> <p>Judgments of 28 September 2018 on merits and of 30 September 2021 on reparations.</p> <p>Violations found:</p> <p>Articles 1, 6, 7(1), 7(1) (c) and 22 of the Charter.</p> <p>Reparations:</p>

	Pay each of the Applicants five million (5 000 000) Tanzanian Shillings as compensation for the moral damage they have suffered; release the Applicants.
<p>Respondent State's Action:</p> <p>The Respondent State has not filed any report, as yet. Meanwhile, its time limit to file a report elapsed on 30 March 2021.</p>	14. Amini Juma
	Application N° 024/2016
	Judgment of 30 September 2021 on merits and reparations.
	Violations found:
	Articles 1, 4, 5 and 7(1)(d) of the Charter.
Reparations:	
Pay the Applicant four million (4 000 000) Tanzanian Shillings; expunge the mandatory imposition of the death penalty from its Penal Code; rehear the case on determination of the penalty and publish the judgment within six (6) months.	
<p>Respondent State's Action:</p> <p>The Respondent State has not filed any report, as yet. Meanwhile, its time limit to file a report elapsed on 2 June 2021.</p>	15. Anudo Ochieng Anudo
	Application N° 012/2015
	Judgments of 22 March 2018 on merits and of 2 December 2021 on reparations.
	Violations found:
	Articles 7 of the Charter; 14 of the ICCPR; and 15(2) of the UDHR.
Reparations:	
Pay the Applicants seventy million (70 000 000) Tanzanian Shillings; take all necessary measures to restore the Applicant's rights by allowing him to return to the national territory, ensure his protection and report to the Court within forty-five (45) days from the date of notification of this judgment; [Respondent State to] amend its legislation in order to provide individuals with legal remedies in the event of questions regarding their citizenship; publish the judgment.	
<p>Respondent State's Action:</p>	16. Tobias Mango and another
	Application N° 005/2015
	Judgments of 11 May 2018 on merits and of 2 December 2021 on reparations.

<p>The Respondent State has not filed any report, as yet. Meanwhile, its time limit to file a report elapsed on 22 June 2022.</p>	<p>Violations found:</p> <p>Articles 1, 6, 7 (1), 7 (1) (c) and 22 of the Charter.</p> <p>Reparations Order:</p> <p>Pay Applicants two million five hundred thousand (2 500 000) Tanzanian Shillings each, for [those who are] direct victims, and four million five hundred thousand (4 500 000) Tanzanian Shillings, for indirect victims.</p>
<p>Respondent State's Action:</p> <p>The Respondent State has not filed any report, as yet. Meanwhile, its time limit to file a report elapsed on 2 June 2022.</p>	<p style="text-align: center;">17. Robert Richard</p> <p>Application N° 035/2016</p> <p>Judgment of 2 December 2021 on merits and reparations.</p> <p>Violations found:</p> <p>Article 7(1)(d) of the Charter.</p> <p>Reparations Order:</p> <p>Pay the Applicant five million (5 000 000) Tanzanian Shillings.</p>
<p>Respondent State's Action:</p> <p>The time limit for the Respondent State to file its report elapsed on 23 December 2022.</p>	<p style="text-align: center;">18. Mgesi Mwita Makungu</p> <p>Application N° 006/2016</p> <p>Judgments of 17 December 2018 on merits and of 23 June 2022 on reparations.</p> <p>Violations found:</p> <p>Article 7(1)(a) of the Charter.</p> <p>Reparations Order:</p>
<p>Respondent State's Action:</p>	<p style="text-align: center;">19. Joseph John</p> <p>Application N° 005/2018</p> <p>Judgment of 22 September 2022 on merits and reparations.</p> <p>Violations found:</p>

The time limit for the Respondent State to file its report elapsed on 23 March 2023.	Articles 6 and 7(1)(c) of the Charter.
	Reparations Order:
	Pay the Applicant six hundred thousand (600 000) Tanzanian Shillings.

CASES IN WHICH THE COURT FOUND A VIOLATION OF THE RIGHT TO DEFENCE AND ORDERED THE SAME MEASURES

Application N°	Name of Applicant	Violation found	Date of Judgment on Merits and Reparations	Respondent State's Action
020/2016	1. Anaclet Paulo	Article 7(1)(c) of the Charter read in conjunction with Article 14(3) of the ICCPR	21 September 2018	The Respondent State has not filed any report.
	2. Minani Evarist		21 September 2018	
025/2016	3. Kenedy Ivan		28 March 2019	
025/2015	4. Majid Goa		26 September 2019	
028/2015	5. Kalebi Elisamehe		26 June 2020	
011/2015	6. Christopher Jonas		Judgments of 28 September 2017 on merits and of 25 September 2020 on reparations	
033/2015	7. James Wanjara		25 September 2020	
022/2016	8. Mussa Zanzibar		26 February 2021	
054/2016	9. Mhina Zuberi		26 February 2021	

010/2015	10. Amir Ramadhani		Judgments of 11 May 2018 on merits and of 25 June 2021 on reparations	
032/2015	11. Kijiji Isiaga		Judgments of 28 September 2017 on merits and of 25 June 2021 on reparations	
008/2016	12. Masoud Rajabu		25 June 2021	
001/2016	13. Chrizostom Benyoma		30 2021	
047/2016	14. Ladislaus Onesmo		30 September 2021	
026/2015	15. Hamis Shaban Hamis Ustadh		2 December 2021	
005/2016	16. Sadick Marwa Kisase		2 December 2021	
013/2016	17. Stephen John Rutakikirwa		24 March 2022	
032/2016	18. Hoja Mwendesha		13 June 2023	
058/2016	19. Niyonzima Augustine		13 June 2023	

REPUBLIC OF TUNISIA	Ibrahim Ben Mohammed Ben Belghuith
	Application N° 017/2021
	Judgment of 22 September 2022 on merits and reparations.
	Violations found:
	Articles 1, 7(1)(a) of the Charter read in conjunction with Articles 26 and 13 of the same instrument.
	Reparations Order:
Respondent State's Action:	Repeal Presidential Decrees Nos. 2021-117 of 22 September 2021 and Decrees Nos. 69, 80, 109 of 26, 29 July and 24 August 2021 and Decrees Nos. 137 and 138 of 11 October 2021 and restore constitutional democracy within two (2) years from the date of notification of this Judgment; take all necessary measures for the operationalization of the Constitutional Court and removal of all
On 2 March 2023, the Respondent State filed a report claiming that	

the decision of the Court delivered in its regard had become moot, that it was [delivered] after the entry into force of the 2022 Constitution, parliamentary elections having been held on 17 December 2022 and 29 January 2023, and that Presidential Decree N° 117 ceased to be relevant, as soon as House of Representatives took office. Regarding the Constitutional Court, the Respondent State indicated that the President of the Republic had instructed the Prime Minister to prepare a draft law for the Constitutional Court that would guarantee its supremacy and that, in consequence, they had taken the necessary steps to establish the Constitutional Court and would update the Court on the matter once the law had been promulgated.

In response, the Applicant argued that the judgment was not implemented because Tunisia did not returned to constitutional democracy. He added that the current leaders believe that they have not deviated from democracy and, in consequence, are resolved to avoid implementing the court's decision. He is therefore praying the Court to take measures to ensure the implementation of its judgment.

legal and political obstacles hindering this objective within two (2) years from the date of notification of this Judgment.



SIXTH JUDICIAL DIALOGUE

ADVANCING HUMAN RIGHTS IN AFRICA: CHALLENGES AND OPPORTUNITIES FOR INTEGRATING REGIONAL AND INTERNATIONAL HUMAN RIGHTS JURISPRUDENCE IN DOMESTIC COURTS

PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA

ALGIERS

20-22 NOVEMBER 2023

FINAL COMMUNIQUE

1. Under the auspices of the African Union (AU), the African Court on Human and Peoples' Rights (the Court) organized the Sixth African Union Judicial Dialogue (the Judicial Dialogue) under the theme: " Advancing Human Rights in Africa: Challenges and opportunities for integrating regional and international human rights jurisprudence in domestic courts", from 20-22 November 2023, in Algiers, People's Democratic Republic of Algeria.
2. The Judicial Dialogue was officially opened by H.E. Nadir Larbaoui, Prime Minister of the People's Democratic Republic of Algeria, representing H.E. Abdelmadjid Tebboune, President of the People's Democratic Republic of Algeria. In his remarks, the Prime Minister highlighted the efforts being made by the President of the Republic in the promotion and protection of human and peoples' rights. The Prime Minister recalled the position of the African Union on the Palestinian cause and expressed his condemnation of the crimes against humanity being committed in Gaza, and expressed unconditional African solidarity with the Palestinian people.
3. Other speakers at the opening ceremony included H.E. Abderrachid Tabi, Minister of Justice and Keeper of the Seals of the People's Democratic Republic of Algeria, Hon. Lady Justice Imani D. Aboud, President of the African Court on Human and Peoples' Rights, and H.E. Ambassador Mohamed Salem Khalil the Acting Legal Counsel of the African Union.
4. The Judicial Dialogue was attended by Chief of Justices and Presidents of Constitutional Courts/Councils, Supreme Courts/Cassation Courts or their representatives from 37 Member States of the African Union as well as other relevant stakeholders and partners, including : the African Commission on Human and Peoples' Rights (the Banjul Commission), the African Committee of Experts on the Rights and Welfare of the Child (the Committee of Experts) ,the Southern African Development Community Administrative Tribunal (SADCAT), Office of the High Commission for Human Rights (OHCHR), Court of Maghreb Arab Union, Economic Community of West African States (ECOWAS) Court of Justice (ECOWAS Court of Justice), Court of the West Africa Economic and Monetary Union, the Conference of Constitutional Courts in Africa, and German Agency for International Cooperation (GmbH) (GIZ).
5. The Judicial Dialogue brought together one hundred and thirty-seven (137) participants from various national and international judicial systems as well as African Union organs. Also present were other stakeholders such as the media, civil society organisations, professional organisations/institutions and resource persons from various institutions.
6. The main objective of the Judicial Dialogue was to provide a platform for judges of national and regional courts and other stakeholders to deliberate on the challenges and opportunities related to integrating regional and international human rights jurisprudence into domestic courts in Africa. It also aimed at exploring, discussing, and analyzing the trajectory of the Maputo Protocol, the evolving human rights jurisprudence concerning women's rights within the African human rights system, and the critical importance of creating awareness

among Chief Justices of African Union Member States, about the importance of integration of this jurisprudence into their respective domestic legal frameworks.

7. The Judicial Dialogue also afforded participants the opportunity to discuss and share experiences on the emerging jurisprudence from case law on the justiciability of economic, social and cultural rights.
8. The Judicial Dialogue underscored the importance of continuous collaboration between the international, regional and national courts in order to enhance the effective protection of human and peoples' rights on the continent.
9. The nine sessions of the Judicial Dialogue focused on the following:
 - i. The report on the implementation of the recommendations of previous Judicial Dialogues;
 - ii. Role and significance of regional and international human rights jurisprudence;
 - iii. Challenges faced by domestic courts in integrating human rights jurisprudence;
 - iv. Best practices in applying regional and international human rights standards;
 - v. Strengthening cooperation and collaboration between regional and domestic courts;
 - vi. Capacity building and professional development for judges and legal practitioners;
 - vii. 20 years of the Maputo Protocol;
 - viii. Ratification and domestication of regional and international human rights instruments in Africa;
 - ix. Experience sharing on emerging jurisprudence from case-law on justiciability of economic social cultural rights and the right to development, reflections on contemporary challenges and way forward.
10. After three days of frank discussion, the delegates of the Judicial Dialogue arrived at the following conclusions:
11. **On the implementation of the recommendations of previous Judicial Dialogues, the delegates** *encouraged* the African Court and the Centre for Human Rights (CHR), University of Pretoria, to collaborate and coordinate with other training institutions and relevant stakeholders, including the African Institute of International Law (AIIL), the Judicial Institute for Africa (JIFA) University of Cape Town, human rights centres in different countries, African network of judicial trainers and national judicial training centres, the Office of the High Commissioner for Human Rights, among others, to develop tailor-made training courses for African judicial officers and lawyers in all the working languages of the African Union.
12. The Judicial Dialogue also *called* on the African Union Commission, in collaboration with the African Court, and in conformity to Executive Council Decision EX.CL/Dec.1153 (XL) of February 2022, to operationalise the African Judicial Network without delay.

13. **On the role and significance of regional and international human rights jurisprudence** – the Judicial Dialogue *encouraged* regional and international courts to play their role in developing international law and making it accessible through the setting up of electronic searchable database of all their decisions in all working languages of the African Union.
14. It further *urged* the African Court, and the various African national and regional courts, to continue fostering mutual exchanges of knowledge, experiences and best practices through regular judicial dialogues and other mechanisms.
15. **On the challenges faced by domestic courts and the opportunities in integrating human rights jurisprudence** - the Judicial Dialogue *encouraged* national courts to learn from each other and find innovative ways, where appropriate, of directly applying international human rights jurisprudence and norms.
16. **On the best practices in applying regional and international human rights standards:** the Judicial Dialogue *encouraged* Member States of the African Union to strengthen the rule of law by ensuring and safeguarding judicial independence.
17. Furthermore, the Judicial Dialogue *called* upon judicial officers at domestic level to apply international human rights norms in domestic courts, and national courts were particularly *encouraged* to apply customary international law standards and *jus cogen* norms in deciding cases before them.
18. **On strengthening cooperation and collaboration between regional and domestic courts:** the Judicial Dialogue *recommended* for the amendment of the Protocol establishing the African Court to allow superior courts from various African countries to seek advisory opinions before the African Court.
19. **On capacity building and professional development for judges and legal practitioners,** the Judicial Dialogue *urged* Member States to prioritise training of judges on human rights through the establishment of high-level training institutes, as well as allocating sufficient budget for continuous training of judges.
20. The Judicial Dialogue *recommended* the setting up of networks, along linguistic lines and legal traditions, for purposes of easy sharing of relevant human rights jurisprudence.
21. **On 20 years after the Maputo Protocol** – the Judicial Dialogue *called upon* the remaining eleven (11) African States that have not done so, to ratify the Maputo Protocol, and *encouraged* State Parties to domesticate and fully implement the Maputo Protocol.
22. The Dialogue also identified champions to help with the ratification of the Maputo Protocol in countries that have yet to ratify the instrument.

23. The Dialogue *urged* States to enforce all decisions of international courts, as well as domestic courts, dealing with women rights.
24. It also *urged* international and regional courts to regularly cite the Maputo Protocol, General Comments on its provisions and other soft law instruments, in their decisions relating to women's rights.
25. **On experience sharing on emerging jurisprudence from caselaw on justiciability of economic social cultural rights and the right to development: Reflections on contemporary challenges and way forward –** the Judicial Dialogue *strongly encouraged* international courts, including the African Court, to collaborate closely with national courts by providing them with information on the enforcement of economic, social and cultural rights.
26. It *urged* the African Court, national and regional courts, to continue fostering mutual exchanges of knowledge, experiences and best practices on economic, social and cultural rights.
27. The participants decided that the Seventh African Union Judicial Dialogue will be held in 2025 at a place and date to be determined.
28. The participants expressed their gratitude to H.E Abdelmajid Tebboune, President of Algeria and the Government of the People's Democratic Republic of Algeria for the hospitality and the facilities extended to them to ensure the success of the Judicial Dialogue.
29. The participants thanked the African Court on Human and Peoples' Rights for organizing the Sixth African Union Judicial Dialogue, as well as the African Union Commission, the Office of the High Commissioner for Human Rights, the European Union and GIZ for their support.

**DRAFT DECISION ON THE 2023 ACTIVITY REPORT OF THE AFRICAN COURT
ON HUMAN AND PEOPLES' RIGHTS**

The Executive Council,

1. **TAKES NOTE** of the Activity Report of the African Court on Human and Peoples' Rights (the Court) for the period 1 January to 31 December 2023;
2. **COMMENDS** the African Court and the Peoples' Democratic Republic of Algeria for the successful organization of the Sixth (6th) African Union Judicial Dialogue in Algiers, the People's Democratic Republic of Algeria, from 20 to 22 November 2023, and **TAKES NOTES** of the Final Communiqué adopted at the end of the Dialogue.
3. **CALLS** on the African Court to engage with the Commission and other relevant AU Organs and institutions, as well as relevant national and sub-regional institutions to ensure the effective implementation of the recommendations from the Dialogue.
4. **CONGRATULATES** the fifteen (15) Member States that have appointed National Focal Points for the Court, namely: Algeria, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Democratic Republic of Congo, Malawi, Mauritania, Mozambique, Senegal, South Africa, Uganda and Zimbabwe, in conformity with Executive Council Decision EX.CL/Dec.1153(XL), adopted during the 40th Ordinary Session of the Executive Council, held from 2 - 3 February 2022, in Addis Ababa, Ethiopia, and **INVITES** those Member States that have not yet done so, to take steps to appoint their National Focal Points.
5. **NOTES WITH CONCERN** that more than two decades after its adoption, only thirty-four (34) Member States of the African Union have ratified the Protocol and only eight (8) of the 34 State Parties, have deposited the Declaration required under Article 34 (6) thereof, allowing individuals and NGOs to bring cases directly to the Court;
6. **CONGRATULATES** the thirty-four (34) State Parties to the Protocol, namely: Algeria, Benin, Burkina Faso, Burundi, Cameroon, Chad, Côte d'Ivoire, Comoros, Congo, Gabon, The Gambia, Ghana, Guinea Bissau, Kenya, Libya, Lesotho, Madagascar, Mali, Malawi, Mozambique, Mauritania, Mauritius, Nigeria, Niger, Rwanda, South Africa, Sahrawi Arab Democratic Republic, Senegal, Tanzania, Togo, Tunisia and Uganda.
7. **FURTHER CONGRATULATES** the eight (8) State Parties that have deposited the Declaration under Article 34(6) of the Protocol, namely: Burkina Faso, Gambia, Ghana, Guinea Bissau, Malawi, Mali, Niger and Tunisia.
8. **INVITES** Member States that have not already done so, to accede to the Protocol, and to deposit the Declaration required under Article 34 (6) of the Protocol.

9. **NOTES** with concern the low level of compliance with the decisions of the Court and **CALLS** for complete compliance with the Court's decisions by those Member States that have not complied with the Court's decisions to done so.
10. **CALLS** on the Commission, in collaboration with the African Court and other relevant AU Organs and Institutions, to undertake a study on the state of compliance with decisions of AU human rights bodies, including in particular, the reasons for the low level of compliance, and make concrete recommendations to the Executive Council, on how to enhance Member States' compliance with such decisions.
11. **URGES** the Chairperson of the Commission, in conformity with previous Executive Council Decisions, that is, (EX.CL/Dec.973 (XXXI); (EX.CL/Dec.994 (XXXII); EX.CL/Dec.1044 (XXXIV); (EX.CL/Dec.1064 (XXXV); and (EX.CL/Dec.1079), to take all necessary measures to operationalize the Legal Aid Fund for AU Human Rights Organs, and to this end, **INVITES** and **ENCOURAGES** all Member States of the Union, as well as other relevant human rights stakeholders on the continent, to make generous voluntary contributions to the Fund to ensure its sustainability and success.
12. **COMMENDS** the steps taken by the United Republic of Tanzania to commence construction of the permanent premises of the Court.
13. **REQUESTS** the Court, in collaboration with the PRC and the AUC, to report at the next Ordinary Session of the Executive Council in June/July 2024, on the implementation of this Decision.