

AFRICAN UNION

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AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS

COUR AFRICAINE DES DROITS DE L'HOMME ET DES PEUPLES

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2019 NEW YEAR MESSAGE OF THE PRESIDENT OF THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS

Dear members of the African human rights community and dear friends of the African Court on Human and Peoples' Rights, it is with a dual feeling of pride and hope that I deliver to you the traditional annual message of the President of the Court on the solemn occasion of the beginning of this year, 2019.

The African Court is justifiably proud of its achievements during the year 2018, which has just ended. As I announced in my 2018 message, the Court's action was informed by the reforming trend within the African Union, whose watchwords are convergence of action and rationalisation of resources. The Court has, *inter alia*, undertaken the reform of its working methods, mainly with regard to judicial matters. We have initiated or completed major new projects such as the digitization of proceedings before the Court, the improvement of case-handling processes, the enhanced staffing of the Legal Division, the strengthening of the legal aid mechanism through the ongoing establishment of the assistance fund, as well as the recruitment of counsel to the Court, their training, and the launch of their Code of Ethics and the procedural manual on their interaction with the Court. The Court has also proceeded with plans to launch its Reparations Guidelines and the Framework for Monitoring Reporting and Implementation of its Decisions.

A notable feature of the Court's performance in 2018 was its increased judicial productivity. It should be noted that the number of decisions rendered by the Court was significantly higher than in 2017, reaching twice the figures achieved in 2016. While this result exceeds expectations, the Court's mission and the current and potential overcrowding of its docket require an increased effort. The willingness to reform working methods from within the Court, combined with the reform proposals

under discussion at the level of the African Union, augurs well for changes that could significantly improve these results from the first session in 2019. The strong commitment of the Judges and staff of the Court also points to an increased productivity in the coming year.

It is therefore on a pedestal of hope that the Court is embracing the year 2019, which holds great potential for the implementation of reforms driven both from within and by the coordinated reforming wave of the African Union as a whole. The Court has been methodically preparing for this as much as it is resolutely ready for it. With regard to reforms undertaken from within, by launching the third wave of recruitment of counsel on its list, the Court will finalise the establishment of the legal aid fund and the dissemination of documents relating to this mechanism. With regard to modernizing judicial work, projects related to digitization will continue and be completed, at least with respect to the design and pre-implementation phase of the transition from manual to digital case management.

The Court will also continue its cooperation with States and other relevant stakeholders, including civil society, advocacy groups and academic institutions. The strengthening of cooperation will extend to providing a new impetus to the continental and inter-continental judicial dialogue, in particular through tripartite cooperation between the African Court and the European and Inter-American Courts of Human Rights. The African Court will also initiate a new cycle of interaction with national courts through multilateral or country-specific technical exchange projects. With regard to judicial work, engagements initiated by Judges with officers of the Court, especially in the Legal Division, will focus on a reorganization of methods and procedures, particularly with regard to the handling of cases, a more effective implementation of the Rules of Procedure and the finalisation of the new draft Regulations, as well as the finalisation of decisions. The stated aim is to increase the number of decisions and substantially clear the emerging backlog by focusing in particular on older cases. These actions will benefit from the consistent implementation of the new Communication Strategy which was adopted by the Court in 2018. With this new strategy, the Court intends to achieve the visibility required for such important action as the administration of justice at the continental level. Particular attention will be paid to communication around the judicial work of the Court, especially with regard to the preparation of sessions, the status of cases, public hearings and the publication of decisions. The continued publication of the African Human Rights Yearbook jointly with the African Commission and the Committee, and the launch of the first volume of the African Court Law Reports will contribute to enhancing the visibility of the Court's action on the continent and beyond.

The progress achieved during 2018 and the prospects forecast for 2019 are the result of the concerted action of various stakeholders, including the Court itself but foremost the African Union, its Member States and organs, litigants, African and international civil society, and all other partners and members of the human rights community in Africa. The Court welcomes the support of these various actors, which it wishes to see strengthened with a view to achieving the objectives outlined for

2019. This sustained cooperation, in particular with States, the Union's other human rights bodies and litigants from various parts of the continent and elsewhere, is in line with our "collective responsibility" to uphold human rights, as proclaimed in the relevant chapter of the Union's Agenda 2063.

It is with this vision that I wish you, on behalf of the Court and on my own behalf, a very successful 2019, a year of shared prosperity and, for the whole continent, a renewed pledge to solidarity that will restore human rights at the heart of political and social action.

Sylvain ORÉ,

03 January, 2019
Arusha, Tanzania