

ACHPR/Res.86(XXXVIII)05: RESOLUTION RELATING TO THE OPERATIONALISATION OF AN INDEPENDENT AND EFFECTIVE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS.

The African Commission on Human and Peoples' Rights meeting at its 38th Ordinary Session from 21st November to 5th December 2005 in Banjul, The Gambia;

Considering the terms of its *Resolution* of the 11th May 2005 on the creation of an effective African Court on Human and Peoples' Rights;

Favorably receiving the recommendations of the Executive Council of the African Union requesting its Member States that have not yet ratified the *Protocol* on the establishment of the African Court to do so;

Noting with appreciation the decision of the Assembly of Heads of State and Government of the African Union to elect Judges for the African Court on Human and Peoples' Rights;

1. **Urges** the Assembly of Heads of State and Government to operationalise the African Court on Human and Peoples' Rights by electing judges and allocating adequate resources to the African Court on Human and Peoples' Rights for its functioning;
2. **Urges** the African Union to include the African Commission on Human and Peoples Rights in the work and operationalisation process of the African Court on Human and Peoples' Rights;
3. **Urges** the Assembly of Heads of State and Government to consider putting in place a mechanism that will allow direct access for individuals to the African Court on Human and Peoples' Rights;
4. **Urges** the Member States of the African Union to take measures for the settlement of their financial obligations towards the African Union and to take concrete measures for eliciting voluntary contributions to the Human Rights Fund.