

ACHPR/Res.177 (XLVIII) 10: RESOLUTION ON THE RATIFICATION OF THE PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS ON THE ESTABLISHMENT OF AN AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS

The African Commission on Human and Peoples' Rights meeting at its 48th Ordinary Session, held in Banjul, The Gambia, from 10 – 24 November, 2010,

Recalling its mandate to promote and protect human and peoples' rights under *the African Charter on Human and Peoples' Rights* (the African Charter),

Considering Article 2 of the Protocol to the African Charter on the Establishment of an African Court on Human and Peoples' Rights (the Court Protocol), which provides that the Court shall complement the Protective mandate of the African Commission;

Recalling ACHPR/Res.29 (XXIV) 98, ACHPR/Res.60 (XXXI) 02 and ACHPR/Res.74 (XXXVII) 05, which among other things call on States Parties to ratify the Court Protocol and make the Declaration under article 36(4) of the Court Protocol to enable individuals and NGOs to have direct access to the Court;

Concerned about the perceived slowness on the part of some state parties to ratify the court protocol and make the Declaration under article 34 (6); which result that , only 25 states parties have ratified the Court protocol and that only four states have made the Declaration under article 36(4) of the Court Protocol;

Underscoring the importance of an effective and accessible human rights court to the protection of human rights in the African continent;

Appeals all states parties that have not done so to **ratify as is the case with the African Charter**, the Court Protocol;

Urges African states that have not done so, to make the Declaration under article 34 (6) of the Court Protocol in order to give due recognition and Competence to the African Court to receive petitions directly, from individuals and NGOs.