

**DECISION ON THE 2017 ACTIVITY REPORT OF THE AFRICAN  
COURT ON HUMAN AND PEOPLES' RIGHTS  
Doc. EX.CL/1057(XXXII)**

**The Executive Council,**

1. **TAKES NOTE** of the 2017 Activity Report of the African Court on Human and Peoples' Rights (the Court) for the period 1 January - 31 December 2017, and the recommendations therein;
2. **DIRECTS** the Court to finalize the study on the establishment of a Trust Fund for the Court for consideration by AU Policy Organs in June/July 2018 Summit, with the aim of ensuring judicial impartiality, independence and integrity, and taking into account the on-going reforms within the Union, in particular, the initiative for self-financing by Member States of the Union's activities;
3. **REITERATES** its decision calling on the Chairperson of the Commission to take all necessary measures to operationalise the Legal Aid Fund in 2017, and **ENCOURAGES** all Member States of the Union to make generous voluntary contributions to the Fund to ensure its sustainability and success;
4. **Recalling** Decision Assembly/AU/Dec.578(XXV) adopted in Johannesburg in June 2015 and Declaration Assembly / All/ Decl.1 (XXVII) Rev.1 adopted in Kigali in July 2016, **DECIDES** that starting from 2019, 100% of the operations and programmes budget of the Court will be funded from Member States' contributions, and **ENCOURAGES** Member States to support programmes of the Court aimed at the promotion of its activities;
5. **NOTES** that, almost two decades after its adoption, only thirty (30) Member States of the African Union have ratified the Protocol and only eight (8) of the 30 State Parties, have deposited the Declaration required under Article 34 (6) thereof, allowing individuals and NGOs to bring cases to the Court;
6. **CONGRATULATES** the thirty (30) Member States that have ratified the Protocol, namely: Algeria, Benin, Burkina Faso, Burundi, Cameroon, Chad, The Comoros, Congo, Cote d'Ivoire, Gabon, The Gambia, Ghana, Kenya, Lesotho, Libya, Malawi, Mali, Mauritania, Mauritius, Mozambique, Niger, Nigeria, Rwanda, Sahrawi Arab Democratic Republic, Senegal, South Africa, 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: Benin, Burkina Faso, Cote d'Ivoire, Ghana, Malawi, Mali, Tanzania and Tunisia;
8. **INVITES** those Member States that have not already done so, to accede to the Protocol and deposit the Declaration required under Article 34 (6) of the Protocol;

9. **WELCOMES** the steps taken by Burkina Faso to comply with the judgments of the Court and **ENCOURAGES** all Member States and other relevant stakeholders to emulate the example of Burkina Faso;
10. **EXPRESSES ITS APPRECIATION** to the Government of the United Republic of Tanzania for the facilities it has placed at the disposal of the Court, and for the architectural designs for the construction of the permanent premises of the Court submitted to the Commission, and **URGES** the Government of the United Republic of Tanzania, the PRC and the Commission, in collaboration with the Court to meet urgently to discuss the finalization of the architectural designs to ensure the expeditious construction of the premises;
11. **DECIDES** to establish a Joint Task Force composed of representatives of the Government of the United Republic of Tanzania, the PRC, the Commission and the Court with mandate to mobilise resources towards the construction of the permanent premises of the Court;
12. *Noting* the emphasis by Member States for the Court to be guided by its mandate and its Protocol, **DIRECTS** the Court to develop and submit a policy on dealing with Partners in documented, transparent, accountable and verifiable ways that Member States are confident do not interfere with the Court's independence and impartiality, for consideration and approval by the Policy Organs by the June/July 2018 Summit;
13. **FURTHER REQUESTS** the Commission to conduct a human resources and management audit in order to ensure that the Court has the required capacity to execute its mandate and to address any human resource challenges that may be faced by the Court and report to the Policy Organs by the June/July 2018 Summit;
14. **REQUESTS** the Court, in collaboration with the PRC and the Commission, to report at the next Ordinary Session of the Executive Council in June/July 2018, on the implementation of this Decision.