

**DECISION ON THE ACTIVITY REPORT OF THE AFRICAN COURT ON HUMAN AND
PEOPLES' RIGHTS
Doc. EX.CL/1204(XXXVI)**

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 2019, and the recommendations therein;
2. **COMMENDS** the African Court and the Republic of Uganda for the successful organization of the 4th African Judicial Dialogue and takes note of the recommendations of the Dialogue; and **REQUESTS** the Commission and the PRC, in collaboration with the African Court, to undertake an in-depth study and present the legal and financial implications on the establishment of an African Judicial Network within the African Union structures;
3. **NOTES** that two decades after its adoption, only thirty (30) Member States of the African Union have ratified the Protocol and eight (8) of the 30 States Parties, have deposited the Declaration required under Article 34 (6) thereof, allowing individuals and NGOs to bring cases directly to the Court, and **TAKES NOTE** of the decision of the United Republic of Tanzania to withdraw from Article 34 (6);
4. **CONGRATULATES** the thirty (30) States Parties to the Protocol, namely; Algeria, Benin, Burkina Faso, Burundi, Cameroon, Chad, Cote d'Ivoire, The Comoros, Congo, Gabon, The Gambia, Ghana, Kenya, Libya, Lesotho, Mali, Malawi, Mozambique, Mauritania, Mauritius, Nigeria, Niger, Rwanda, South Africa, Sahrawi Arab Democratic Republic, Senegal, Tanzania, Togo, Tunisia and Uganda;
5. **FURTHER CONGRATULATES** the eight (8) States Parties that have deposited the Declaration under Article 34(6) of the Protocol, namely: Benin, Burkina Faso, Cote d'Ivoire, Ghana, Malawi, Mali, The Gambia and Tunisia;
6. **ENCOURAGES** 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;
7. **REQUESTS** the Chairperson of the AUC to, in conformity with previous Executive Council Decisions, take all necessary measures to operationalize the Legal Aid Fund, and to this end, **ENCOURAGES** all Member States of the Union to make generous voluntary contributions to the Fund to ensure its sustainability and success;
8. **FURTHER URGES** the Commission to expedite the processes of organizing the

Joint Retreat between the PRC and Legal, Judicial and Legislative Organs of the Union before June 2020, with a view to considering the reform proposals for the said Organs;

9. **CALLS ON** the African Court to meaningfully engage with the PRC to exchange with the latter on, among other things, the recurrent challenges to the effective discharge of the mandate of the Court, in particular, the slow pace of ratification of the Protocol, the low number of deposits of the declaration, the withdrawal of declarations by some States and the poor state of implementation of decisions of the Court;
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 AUC, and **URGES** the Government of the United Republic of Tanzania, the PRC and the Commission, in collaboration with the Court, working under the framework of the Task Force established by decision EX.CL/Dec.994(XXXII), to take steps to ensure the expeditious construction of the premises, bearing in mind the structures of the African Court of Justice and Human and Peoples' Rights;
11. **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 2020, on the implementation of this Decision;
12. **AUTHORISES** the publication of the Activity Report of the Court; and in that regard **REQUESTS** State Parties, if they so wish, to submit, within fourteen (14) days of the date of closure of the Executive Council Session at which this Decision is adopted, their written observations on the Activity Report, to be annexed thereto upon its publication.