

AFRICAN UNION		UNION AFRICAINE
الاتحاد الأفريقي		UNIÃO AFRICANA
UNIÓN AFRICANA		UMOJA WA AFRIKA
<p>AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS COUR AFRICAINE DES DROITS DE L'HOMME ET DES PEUPLES</p> <p>P.O. Box 6274 Arusha, Tanzania – Telephone: +255 272 510 510 Website: www.african-court.org / Email: registrar@african-court.org</p>		

ACTIVITY REPORT OF THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS

1 JANUARY – 31 DECEMBER 2024

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I. INTRODUCTION

1. The African Court on Human and Peoples' Rights (the Court) was established in terms of Article 1 of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights (hereinafter referred to as the Protocol), adopted in June 1998, in Ouagadougou, Burkina Faso, by the Organization of African Unity (OAU). The Protocol entered into force on 25 January 2004.
2. The Court became operational in 2006 and is composed of eleven (11) Judges elected by the Executive Council of the African Union. The Seat of the Court is in Arusha, the United Republic of Tanzania.
3. Article 31 of the Protocol requires the Court to *"...submit to each regular session of the Assembly, a report on its work during the previous year. The report shall specify, in particular, the cases in which a State has not complied with the Court's judgment"*.
4. The present Report is submitted in conformity with the above-cited Article of the Protocol. The Report describes the activities undertaken by the Court from 1 January to 31 December 2024, in particular, the judicial, administrative and outreach activities, as well as measures taken to implement decisions of the Executive Council relating to the work of the Court.

II. STATUS OF RATIFICATION OF THE PROTOCOL AND THE DEPOSIT OF THE ARTICLE 34(6) DECLARATION, ACCEPTING THE JURISDICTION OF THE COURT TO RECEIVE CASES FROM INDIVIDUALS AND NON-GOVERNMENTAL ORGANIZATIONS (NGOS)

5. As at 31 December 2024, the Protocol had been ratified by thirty-four (34) Member States of the African Union, namely: Algeria, Benin, Burkina Faso, Burundi, Cameroon, Chad, Congo, Côte d'Ivoire, Comoros, Democratic

Republic of Congo, Gabon, Gambia, Ghana, Guinea-Bissau, Kenya, Libya, Lesotho, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Niger, Nigeria, Rwanda, Sahrawi Arab Democratic Republic, Senegal, South Africa, Tanzania, Togo, Tunisia, Uganda and Zambia. **See Table 1.**

6. Of the thirty-four (34) State Parties to the Protocol, only eight (8) have deposited the Declaration required under Article 34(6) thereof, accepting the jurisdiction of the Court to receive cases directly from individuals and NGOs. These States are: Burkina Faso, Gambia, Ghana, Guinea-Bissau, Malawi, Mali, Niger and Tunisia. **See Table 2.**

7. Between 2016 and 2020, four (4) State Parties to the Protocol withdrew their Article 34(6) Declaration. These States are Rwanda (2016), Tanzania (2019), Benin (2020) and Côte d'Ivoire (2020).

Table 1: List of State Parties to the Protocol				
No.	Country	Date of Signature	Date of Ratification/ Accession	Date of deposit
1.	Algeria	13/07/1999	22/04/2003	03/06/2003
2.	Benin	09/06/1998	22/08/2014	22/08/2014
3.	Burkina Faso	09/06/1998	31/12/1998	23/02/1999
4.	Democratic Republic of Congo	09/09/1999	08/12/2020	08/12/2020
5.	Burundi	09/06/1998	02/04/2003	12/05/2003
6.	Cameroon	25/07/2006	17/08/2015	17/08/2015
7.	Chad	06/12/2004	27/01/2016	08/02/2016
8.	Congo	09/06/1998	10/08/2010	06/10/2010
9.	Cote d'Ivoire	09/06/1998	07/01/2003	21/03/2003
10.	Comoros	09/06/1998	23/12/2003	26/12/2003
11.	Gabon	09/06/1998	14/08/2000	29/06/2004
12.	The Gambia	09/06/1998	30/06/1999	15/10/1999
13.	Ghana	09/06/1998	25/08/2004	16/08/2005
14.	Guinea Bissau	09/06/1998	3/11/2021	3/11/2021

15.	Kenya	07/07/2003	04/02/2004	18/02/2005
16.	Libya	09/06/1998	19/11/2003	08/12/2003
17.	Lesotho	29/10/1999	28/10/2003	23/12/2003
18.	Madagascar	09/06/1998	12/10/2021	12/10/2021
19.	Malawi	09/06/1998	09/09/2008	09/10/2008
20.	Mali	09/06/1998	10/05/2000	20/06/2000
21.	Mauritania	22/03/1999	19/05/2005	14/12/2005
22.	Mauritius	09/06/1998	03/03/2003	24/03/2003
23.	Mozambique	23/05/2003	17/07/2004	20/07/2004
24.	Niger	09/06/1998	17/05/2004	26/06/2004
25.	Nigeria	09/06/2004	20/05/2004	09/06/2004
26.	Rwanda	09/06/1998	05/05/2003	06/05/2003
27.	Sahrawi Arab Democratic Republic	25/07/2010	27/11/2013	27/01/2014
28.	Senegal	09/06/1998	29/09/1998	30/10/1998
29.	South Africa	09/06/1999	03/07/2002	03/07/2002
30.	Tanzania	09/06/1998	07/02/2006	10/02/2006
31.	Togo	09/06/1998	23/06/2003	06/07/2003
32.	Tunisia	09/06/1998	21/08/2007	05/10/2007
33.	Uganda	01/02/2001	16/02/2001	06/06/2001
34.	Zambia	09/06/1998	28/12/2022	10/01/2023

of Countries – 55

of Signature – 52

of Ratification – 34

of Deposit – 34

Source: African Union Website.

No.	Country	Date of Signature	Date of deposit
1.	Burkina Faso	14/07/1998	28/07/1998
2.	Ghana	09/02/2011	10/03/2011
3.	Malawi	09/09/2008	09/10/2008
4.	Mali	05/02/2010	19/02/2010
5.	Tunisia	13/04/2017	29/05/2017
6.	The Gambia	23/10/ 2018	03/02/2020
7.	Niger	28/10/2021	28/10/2021

8.	Guinea Bissau	03/11/2021	03/11/2021
Source: African Union Website		Total	# Eight (8)

III. COMPOSITION OF THE COURT

8. During its 45th Ordinary Session held in Accra, Ghana, from 18 to 19 July 2024, the Executive Council of the African Union elected Hon. Justice Duncan GASWAGA, a national of the Republic of Uganda, as Judge of the Court, to replace Hon. Justice Ben Kioko, from the Republic of Kenya, who had served two terms as Judge of the Court. At its 74th Ordinary Session held from 2 to 27 September 2024 in Arusha, Tanzania, Hon. Justice Duncan GASWAGA took oath of office in accordance with Article 16 of the Protocol and Rule 2 of the Rules of Court (hereinafter referred to as the Rules).
9. The current composition of the Court is attached to the present Report as **Annex I**.

IV. ACTIVITIES UNDERTAKEN BY THE COURT

10. During the reporting period, the Court undertook several judicial as well as non-judicial activities.

A. Judicial Activities

11. The judicial activities undertaken by the Court related to, among others, opening of the judicial year, holding of sessions, the receipt and examination of cases filed before it, through, *inter alia*, case management, delivery of decisions (judgments, rulings and orders).
12. From 1 January to 31 December 2024, the Court received ten (10) new cases.

13. Since its operationalization in 2006, the Court has received a total of three-hundred and sixty-six (366) Applications in contentious matters and sixteen (16) Requests for Advisory Opinion. The Court has disposed of a total of two hundred and fifty-three (253) Applications and sixteen (16) Requests for Advisory Opinion, and has one hundred and thirteen (113) Applications pending before it.

i. Opening of the 2024 Judicial Year of the Court

14. The Opening of the 2024 Judicial Year of the Court was held on 12 February 2024 under the theme *"Enhancing the Justiciability of Economic, Social and Cultural Rights, with an emphasis on the Right to Education"*. The event was held at the Seat of the Court in Arusha, United Republic of Tanzania, and officially opened by Hon. Lady Justice Imani D. Aboud, President of the Court. The event was graced by His Excellency President William Samoei Ruto, President of the Republic of Kenya, represented by Honourable Justin Muturi, The Attorney General of the Republic of Kenya, who was guest of honour and delivered the keynote address.

15. The Opening of the 2024 Judicial Year was attended by amongst others, AU Member States, AU human rights organs, other regional human rights courts, inter-governmental and non-state actors, and was an opportunity for the Court to engage with key stakeholders, to brainstorm, exchange and reflect on the work of the African Court.

ii. Sessions held

16. During the reporting period, the Court held four (4) Ordinary Sessions as follows:

- i. 72nd Ordinary Session, from 12 February to 8 March 2024, in Arusha, Tanzania;
- ii. 73rd Ordinary Session, from 3 to 28 June 2024, in Arusha, Tanzania;
- iii. 74th Ordinary Session, from 2 to 27 September 2024, in Arusha, Tanzania; and

- iv. 75th Ordinary Session, from 11 November to 6 December 2024, in Arusha, Tanzania.

iii. Case Management

17. During the period under review, the Court delivered forty-three (43) decisions as shown on Table 3 below:

Table 3 - Decisions rendered by the Court from January – December 2024

No.	Application No.	Applicant	Respondent State	Type of Decision
1.	001-2022	Misozi Charles Chanthunya	Republic of Malawi	Ruling on Provisional Measures
2.	017/2016	Deogratias Nicholaus Jeshi	United Republic of Tanzania	Judgment
3.	030/2016	Romward William	United Republic of Tanzania	Judgment
4.	044/2016	John Mwita	United Republic of Tanzania	Judgment
5.	050/2016	Crosperry Gabriel and Another	United Republic of Tanzania	Judgment
6.	048/2016	Dominick Damian	United Republic of Tanzania	Judgment
7.	051/2016	Nzigiyimana Zabron	United Republic of Tanzania	Judgment
8.	023/2017 v.	Amadou Dembele and Others	Republic of Mali	Judgment
9.	031/2017	Kabalabala Kadumbangula and Another	United Republic of Tanzania	Judgment
10.	017/2019, 018/2019 et 019/2019	Goh Taudier and Others	Republic of Côte d'Ivoire	Judgment

11.	019/2018	CHR and Others	United Republic of Tanzania	Order reopening of pleadings
12.	020/2020	Houngue Éric Noudehouenou	Republic of Benin	Order reopening of pleadings
13.	014/2018	Ajaye Jogoo	United Republic of Tanzania	Order for Reopening Pleadings in
14.	015-2016	Habyalimana Augustino and Another	United Republic of Tanzania	Judgment
15.	021/2018	Boukary Waliss	Republic of Benin	Judgment
16.	017/2018	Dadu Sumano Kilagela	United Republic of Tanzania	Judgment
17.	016/2019	Lompo Bahanla	Burkina Faso	Ruling on Jurisdiction and admissibility
18.	009/2023	Safinaz Ben Ali and Lamya El-Jendoubi	Republic of Tunisia	Ruling on Jurisdiction and admissibility
19.	009/2024	Moulaye Baba Haïdara and others	Republic of Mali	Ruling on Jurisdiction and admissibility
20.	001/2018	Tembo Hussein	United Republic of Tanzania	order for reopening of pleadings
21.	008/2024	Hammadi Rahmani	Republic of Tunisia	Ruling on Provisional measures
22.	007/2024	Hasna Ben Slimane	Republic of Tunisia	Ruling on Provisional measures
23.	004/2023	Moahd Kheriji Ghannouch & others	Republic of Tunisia	Ruling on Provisional measures
24.	010-2024	Joseph Letuya and Others	Republic of Kenya	Ruling on Jurisdiction
25.	001/2022	Misozi Charles Chanthunya	Republic of Malawi	Order for reopening
26.	012/2018	Glory Cyriaque Houssou	Republic of Benin	Judgment
27.	015/2018	Kija Nestory Jinyamu	United Republic of Tanzania	Judgment

28.	023/2018	Rashidi Romani Nyerere	United Republic of Tanzania	Judgment
29.	024/2018	Gerald Koloso Kalonge	United Republic of Tanzania	Judgment
30.	027/2018	Lameck Bazil	United Republic of Tanzania	Judgment
31.	030/2018	Edison Simon Mwombeki	United Republic of Tanzania	Judgment
32.	029/2019	Moussa Doumbia	Republic of Côte d'Ivoire	Judgment
33.	037/2020	Harouna Dicko	Burkina Faso	Judgment
34.	016/2021	Samia Zorgati	Republic of Tunisia	Judgment
35.	001/2022	Misozi Charles Chanthunya	Republic of Malawi	Judgment
36.	007/2023	Republic Democratic of Congo	Republic of Rwanda	Order on request for expedited procedure
37.	008/2023	Flora Mustafa	Republic of Malawi	Ruling on provisional measures
38.	004/2023	Cheikh Mohamed Cherif Kone et Dramane Diarra	Republic of Mali	Ruling on provisional measures
39.	009/2024	Moulaye Baba Haïdara et deux autres	Republic du Mali	Ruling on Provisional Measures
40.	006/2012	African Commission on Human and Peoples' Rights	Republic of Kenya	Order on Adjournement
41.	010/2024	Joseph Letuya and others	Republic of Kenya	Ruling (Jurisdiction)
42.	001/2013	Urban Mkandawire	Republic of Malawi	Judgment (Review)
43.	001/2013	Urban Mkandawire	Republic of Malawi	Judgment (Interpretation)

iv. Public Sitings

18. From 1 January to 31 December 2024, the Court organized five (5) public sittings to mark the official opening of the judicial year, hold public hearings and deliver judgments, orders, and rulings.

v. Non-compliance with the decisions of the Court

19. Under Article 31 of the Protocol, in submitting its Activity Report, the Court "...shall specify, in particular, the cases in which a State has not complied with the Court's judgment". **Annex II** of the present Report indicates the cases in which States have not complied with the Court's decisions, after the deadline set by the Court.
20. In conformity with Rule 81 (3) of its Rules, the Court organised a compliance hearing in the matter of Application 006/2012 – African Commission on Human and Peoples' Rights v. the Republic of Kenya. During the hearing, the Respondent State informed the Court that it had not complied with the judgment, and requested additional time of three (3) months within which to submit its compliance report. The Court adjourned the hearing and ordered the Respondent State to file its compliance report within three months from 12 November 2024.

vi. Legal Aid Programme

21. The Court administers a Legal Aid Scheme which seeks to provide legal assistance to indigent applicants, with the aim of enhancing access to justice. In 2024, the Court reviewed a total of seven (7) applications¹ in order to

1. ¹ Application 003/2024 Flywell Chikulukutu Banda v. Republic of Malawi
2. Application No. xxx/2024 Domingos Simões Pereira v. Republic of Guinea Bissau
3. Application .../ 2024 Abdennabi Mabrouk v. Republic of Tunisia
4. Application No. 045/2020 Bashiru Rashid Omar v. United Republic of Tanzania
5. Application No. 021/2020 Sudy Mshana Alias Kasala v. United Republic of Tanzania

determine whether they required legal assistance. The Court granted legal aid in two (2) Applications namely: *Application 003/2024 Flywell Chikulukutu Banda v. Republic of Malawi* and *Application 025/2017 Iddi Amani v United Republic of Tanzania*, while decisions on the other five (5) were deferred.

22. During the same period, the Court considered eighteen (18) applications from counsel who sought to be registered on the Court's Roster to provide *pro bono* legal aid services under the Courts Legal Aid Scheme. The applications were submitted by one (1) female and seventeen (17) male applicants, from: Mauritania, Kenya, Burundi, Congo, Cameroon, Zambia, Tanzania, Ghana, Liberia, Nigeria, Burkina Faso, Malawi, Nigeria and the United Kingdom. The Court approved sixteen (16) applications for registration, which fulfilled the criteria for counsel to be listed on the Court's Roster as provided for in the Court' Legal Aid Policy. Two (2) applications were rejected as the applicants did not possess the required minimum five years of professional experience.

B. Non-judicial activities

23. The main non-judicial activities undertaken by the Court are described below.

i. Participation in AU Summits

24. The Court took part in the 47th and 48th Ordinary Sessions of the Permanent Representatives Committee (PRC), the 44th and 45th Ordinary Sessions of the Executive Council, the 37th Assembly of Heads of State and Government of the African Union. The Court also took part in the 6th Mid-Term Coordination Meeting.

6. Application 001/2019 Vuyo Jack v. United Republic of Tanzania

7. Application 025/2017 Iddi Amani v. United Republic of Tanzania

ii. Implementation of Executive Council Decisions

25. During its 41st Ordinary Session, held from 14 to 15 July 2022 in Lusaka, Zambia, the Executive Council adopted Decision **EX.CL/Dec. 1177(XLI)**, paragraph 6 which provided as follows:

6. REQUESTS *the Commission and the AfCHPR, within the framework of the ongoing institutional reform, to propose new entitlements and benefits for the Judges of the AfCHPR.*

26. During its 70th Ordinary Session held in September 2023, the Court considered paragraph 6 of Executive Council Decision EX.CL/Dec. 1177(XLI), and formulated its responses thereto, and the same was transmitted to the Cabinet of the Deputy Chairperson of the AUC. The proposal, to a very large extent, is to the effect that the benefits of Judges of the African Court, should, at least for the time being, remain unchanged.

27. During its 44th Ordinary Session, held from 14 to 15 January 2024 in Addis Ababa, Ethiopia, the Executive Council adopted Decision **EX.CL/Dec.1245(XLIV)**, paragraphs 10 and 11 thereof provided as follows:

10. RECALLS *the recommendations made by the PRC during the Joint retreat between the PRC and the Court, held from 10 to 11 March 2022, Arusha, United Republic of Tanzania, requesting the Court, in collaboration with the AUC and relevant sub-committees of the PRC, to develop key performance indicators and targets regarding the protection of human rights on the continent for the next ten years of the Implementation of Agenda 2063, and to consider submitting, in accordance with the provisions of the Protocol, an amendment to Article 34(6) of the Protocol.*

11. CALLS *on the Commission, in collaboration with the Court and other relevant AU Organs and Institutions, to undertake a study on the state of compliance with decisions of AU human rights bodies, including in particular, the reasons for the low level of compliance, and make concrete recommendations to the Executive Council, on how to enhance Member States' compliance with such decisions.*

28. With respect to the implementation of paragraph 10 of the Decision, the Court has been working with the relevant Departments of the AUC and relevant AU Organs to develop key performance indicators and targets on human rights for the next ten years of the Implementation of Agenda 2063. It is envisaged that these indicators, when adopted, will facilitate in mainstreaming human rights into Agenda 2063.
29. With respect to the amendment of Article 34(6) of the Protocol, the Court notes that the proposal to amend Article 34(6) of the Court's Protocol already forms part of the recommendation made by Deloitte and Touche, within the framework of the Institutional Reform currently being considered by the policy organs. The Court simply wishes to reiterate the importance of repealing Article 34(6) of the Protocol in advancing the protection of human rights on the continent.
30. With respect to **Paragraph 11** of the Executive Council Decision, the Court wishes to note that due to resource constraints it was unable to engage independent consultants to undertake the study.

iii. Execution of the 2024 budget

31. The budget appropriated to the Court for 2024 stood at US\$11,656,013, comprising \$10,999,673 [94 %] from Members States and \$656,340 [6 %] from International Partners. The total budget execution as at 31 December 2024 was \$11,372,242, which represents a budget execution rate of 97.6 %. As at 31 December 2024, the Court had received subvention for the year 2024 (for 4 quarters) amounting to US\$ 10,875,106 from Members States.

iv. Capacity development and promotional activities

32. The Court undertook several capacity development and promotional activities, aimed at enhancing staff capacity and raising awareness among stakeholders, about its existence and activities. The activities undertaken included, *inter alia*, staff trainings, sensitization visits and dialogue with other regional courts, as well as meetings organized by other key stakeholders.

a. Staff Capacity development

33. The Court organized the following activities, aimed at, among other things, developing staff capacity.

List of capacity development activities undertaken by the Court in 2024

No.	Activity	Date	Venue	Objectives	Results
1.	Intersection between International Humanitarian Law and International Human Rights Law	20-22 March 2024	Moshi, Tanzania	Enhance knowledge of legal staff in these two branches of international law to enable them deal with cases before the Court	Staff acquired knowledge on the key elements between the two branches of the law.
2.	Trados and Document control Training for Language Staff	1-3 May 2024	Moshi, Tanzania	Empower staff with proficient skills in utilizing Trados translation software, enabling them to conduct fast and accurate translations and effectively utilize Trados translation software	Improved productivity and meeting tight deadlines in the translation of documents.

3.	Electronic Court Records Management	6-10 May 2024	Dar-es-Salaam, Tanzania	Enhance knowledge and practical skills of Court Clerks in applying electronic management approaches to perform their Registry duties efficiently and effectively	Improvement in electronic record keeping at the Registry for both incoming and outgoing correspondences
4.	Electronic Records Management and Document Control documentation	7 to 11 October 2024	Dar es Salaam, Tanzania	To familiarize staff with modern document management systems and technologies such as electronic document storage, workflow automation, and collaboration tools to improve efficiency and reduce reliance on paper-based processes	Improvement in the efficiency of the court operations and improve management of information within the African Court. Lesser use of paper.
5.	Advanced Financial Accounting and Reporting	5-9 August 2024	Johannesburg, South Africa	To provide opportunity to the participants to understand deeply international Accounting and reporting standards	Better handling of Court accounts in line with the Internationally recognized accounting and reporting practices.
6.	Strategic Human Resource Management and Business Partnering	12-16 August 2024	Johannesburg, South Africa	To improve knowledge and skills of HR staff in the field of Business Partnering, building relationships along the	Alignment between business priorities, people management and HR strategy and practices.

				Business Partner model and build capacity in Conflict Resolution and Change Management.	
7.	Inventory & Stock Control Management Course	14-18 October 2024	Dae es Salaam, Tanzania	To Improve the management of inventories from receiving products to storage and delivering	Improvement in the management of Court stores and assets
8.	Supply Chain Operations Reference	21-25 October 2024	Johannes burg, South Africa	Learn techniques for managing and measuring the performance of a global supply chain utilizing the Supply Chain Operations Reference (SCOR) model	Improved service delivery of Court's Materials Management activities
9.	Speech writing course	28-30 October 2024	Arusha, Tanzania	Enhance capacity of staff and all legal officers who work with Judges to draft or write official documents for the President and Judges of the Court	Improvement in style and quality of speeches
10	In-house Training on editing and formatting of documents	31 October 2024	Arusha, Tanzania	Enhanced capacity of staff involved in drafting and editing Court documents that are required to be translated into various AU working languages	Improvement in quality of documents

11	Peer to Peer Exchange Visit to ECWAS Community Court of justice	22-26 April 2024	Abuja, Lagos	Fostering collaboration and sharing experiences and best practices in the field of justice and Human rights protection in Africa.	Strengthening cooperation between African Court and ECIOWAS Court by developing joint activities, exchanging experiences and exchanging staff.
12	Induction /orientation Training for new staff	10 May 2024	Arusha, Tanzania	Facilitating integration into the Court and adapting to the duty post of newly recruited staff member.	New staff acquired knowledge of how the Court operates across all Units and integrated into the system
13	French Language courses for Staff	Ongoing	Online	Empower staff to understand and work with more African Union languages	Improvement in communication in the French language
14	French and English Language courses for Hon Judges	Ongoing	Online	Empower staff to understand and work with more African Union languages	Improvement in communication in more languages

b. Sensitisation visits

34. During the period under consideration, the Court undertook sensitization visits to the Republic of Liberia and the United Republic of Tanzania.

(i). Sensitisation visit to the Republic of Liberia

35. From 15-17 May 2024, the Court undertook a visit to the Republic of Liberia, to engage with the State about the work of the Court in general, and to encourage it to ratify the Protocol and deposit the Article 34(6) Declaration.
36. The delegation of the Court, led by its President, met and held fruitful discussions with high-ranking government officials from the Government of Liberia, including among others, H. E. Jeremiah Kpan Koung, the Vice President of Liberia, the Acting Minister of Foreign Affairs, Jeddi Mowbray Armah, the Speaker of the House of Representatives, Fonati Koffah, the President Pro Tempore, Senate of Liberia, Nyonblee Karnga-Lawrence and the Chief Justice of Liberia, Sie A-Nyene G Yuoh.
37. The Liberian authorities undertook to consider the requests made by the Court. Specifically, they undertook to initiate national conversations towards the ratification of the Court's Protocol and the depositing of the Declaration under Article 34(6), to permit direct access to the Court by individuals and Non-Governmental Organisations.

(ii) Sensitisation visit to the United Republic of Tanzania

38. From 4 to 6 December 2024, the Court undertook a visit to the United Republic of Tanzania, to engage with the State about the work of the Court in general, and to encourage it to re-deposit the Article 34(6) Declaration.
39. The delegation of the Court, led by its President, met and held fruitful discussions with high-ranking government officials, including among others, the Minister of Foreign Affairs and East African Cooperation, the Minister of Constitutional and Legal Affairs, the Speaker of the National Assembly and the President of the Human Rights Commission.
40. The authorities undertook to engage with relevant authorities for further consultations on re-depositing of the Declaration under Article 34(6).

C. Other outreach and networking initiatives

i. Engagement with other stakeholders

41. The Court undertook several activities, aimed at, among other things, raising awareness among stakeholders, about its existence and activities in line with its objectives in the Strategic Plan for the period 2021-2025. To this end, the President, Judges and staff members of the Court were engaged in a number of outreach activities organised by other relevant stakeholders, aimed at enhancing the visibility of the Court. These activities, included the following:

Date	Activity	Venue	Organizer	Objectives
19 Jan 2024	Opening of the 2024 Judicial Year of the "ICC", "Court" and to the ICC's 6th Judicial Seminar.	The Hague, Netherlands	International Criminal Court	To explore the interdependent nature of international law and the crucial role of judicial institutions in upholding the rule of law at international level, ensuring accountability and justice for victims, as well as deterring future violations. To Reflect a spirit of solidarity between the various judicial institutions created within multilateral structures.
25-27 April 2024	Joint forum of the Special Mechanism of the Banjul Commission	Dakar Senegal	African Commission	To foster an exchange of experience, promoting partnerships that bridge the gap between aspirations and realities on the ground
8-9 May 2024	'High-Level Roundtable'	Johannesburg South Africa	The Institute for Integrated Transitions (IFIT)	To discuss the draft Global guidelines for the appointment of Apex Court Judges
12-14 May 2024	J20 - Summit of the Supreme Courts and Constitutional Courts of the G20 countries	Rio de Janeiro, Brazil	Federal Supreme Court of Brazil	To discuss key challenges encountered by the Courts of J20 Members States in their efforts to enhance proximity to citizens and ensure comprehensive legal and constitutional protection for all.
7-9 June 2024	Nuremberg and the FAU Human rights Talks 2024	Nuremberg, Germany	Friedrich Alexander University (FAU)	Discussions/ exchange on regional human rights practices
8-10 July 2024	2024 ICON-S Annual Conference on the Future of Public Law: Resilience, Sustainability	Madrid Spain	IE University Law School	To examine Challenges facing international human rights courts

	and Artificial Intelligence			
22-27 July 2024	33 rd Christof Heyns African human rights Moot Court competition	Kigali, Rwanda	University of Pretoria and School of Law of Rwanda	To participate in the final round of the 33rd Christof Heyns African Human Rights Moot Court Competition
17-18 Sep 2024	All Africa Judges and Jurists Summit	Nairobi, Kenya	All Africa Judges and Jurists Forum (AJJF)	To evaluate and discuss means of strengthening the role of judiciaries in implementing Aspiration No.3 of the AU Agenda 2063 on “An Africa of Good Governance, Democracy, Respect for Human Rights, Justice and the Rule of Law.”
22-23 Oct 2024	The Joint Colloquium on Realizing Economic, Social and Cultural Rights in Africa	Banjul The Gambia	African Commission	To assess the progress and challenges in realizing Economic, Social and Cultural rights (ESCR) in Africa
23-24 Oct 2024	Rule of law Forum, 2 nd edition	Doha Qatar	Hamad Bin Khalifa University	To highlight and discuss current dynamics and happenings within the scope of the rule of law in the Middle East and North Africa.
30 Oct to 3 Nov 2024	Victoria Falls Zimbabwe	7 th Congress of the Constitutional Court	Constitutional Court of Zimbabwe	To contribute to the initiatives that aims to strengthen the role of constitutional courts and other constitutional bodies in protecting human rights.
17-19 Nov 2024	Lecture at the Institute for Interregional Study of constitutionalism Charles University	Doha, Qatar	Institute for Interregional Study of constitutionalism Charles University	To provide an insight into the functioning and jurisprudence of the African Court
19-21 Nov 2024	Nairobi, Kenya	Training on Artificial Intelligence and the Rule of law for African Judicial operators	UNESCO Regional Office for Eastern Africa	To provide the African Judges access to knowledge and tools necessary to understand and consider the benefits of Artificial Intelligence
20-24 Nov 2024	Lucknow, India	25 th International Conference of Chief Justices of the World	City Montessori Scholl society	To contribute meaningfully to the ongoing discussions on UN reform and to advocate for a future where unity, peace, justice and democracy prevail on the international stage.
27-30 Nov. 2024	Kampala, Uganda	East Africa Law Society Annual Conference	East African Law Society	To discuss and develop concrete measures to ensure the effective implementation of decisions of human rights treaty bodies on the continent.
18-20 Sept 2024	Tripartite Dialogue with the East	Arusha, Tanzania	Biennially dialogue between	Significance of the three Courts’ capacity to contribute jointly toward the advancement of human rights

	African Court of justice and ECOWAS Court of justice		continental and regional courts in Africa to strengthen cooperation among these Courts and with the United Nations human rights mechanisms	in Africa, which may in turn deepen and consolidate the rule of law, peace, security and development across the continent

ii. Relations with the African Commission on Human and Peoples' Rights

42. The Court and the African Commission continued to strengthen their relationship and consolidate the complementarity envisaged under the Protocol. The Court participated in the opening ceremony of the 79th and 81st Ordinary Sessions of the African Commission. These meetings contributed in strengthening the relationship between the two organs.

iii. Relations with African Governance Architecture Platform Members

43. The Court worked closely with members of the African Governance Architecture (AGA) Platform and participated in technical and statutory meetings and other events organized by the Platform.

44. On 29 and 30 January 2024, the Registry of the Court participated in the virtual meeting for the evaluation of the Implementation of 2021-2023 AGA Project.

45. The Registry also participated in the technical and political meetings held respectively from 12 to 13 January 2024 and on 16 to 17 July 2024. These meetings discussed the performance of different AGA platform members in the implementation of the project. These meeting were followed by another meeting aimed at consolidating and finalising the draft programme for the 2025-2029 AGA project. This was held from 21 to 22 November 2024.

46. The Court continued to work with relevant stakeholders, including external partners, for the continuation of the AGA-SP programme. In this regard, the Court took part in the end of technical assistance of the project meeting held in Nairobi, Kenya on 22 and 23 May 2024.

iv. Dialogue with Sub-Regional Courts

47. The Court continued to promote strong relations with sub-regional courts on the continent. The Second Tripartite Judicial Dialogue between the African Court on Human and Peoples' Rights, the ECOWAS Community Court of Justice and the East African Court of Justice took place from 18 to 20 September 2024 in Arusha, United Republic of Tanzania. The Dialogue was attended by Judges from the three Courts as well as other relevant human rights stakeholders on the continent.
48. The biennial Dialogue was aimed at reinforcing the relationship between Continental and Regional Economic Community Courts in the protection of human and people's rights on the continent.
49. The Conclusions of the Second Tripartite Judicial Dialogue are here attached as **Annex III**.

v. Relations with Partners

50. The Court continued to benefit from the support of its traditional partners, the UN Office of the High Commissioner for Human Rights, (OHCHR), the European Union (EU) and the German International Cooperation Agency GMZ (GIZ). These partners supported the outreach activities of the Court, including sensitization visits, dialogues with national, sub-regional and international courts, and institutional capacity development.

vi. Host Agreement and relations with the Host State

51. The Court continued to work with the Host State, the United Republic of Tanzania, to effectively implement the Host Agreement. It intensified its engagement with authorities of the Host State in 2024, to, among other things, encourage Tanzania to consider redepositing the Article 34(6) Declaration, as well as the construction of the permanent premises of the Court. To this end, the President of the Court met and held fruitful discussions with the Hon. Solicitor General of Tanzania on 8 November 2024, and from 4 to 6 December 2024, the Court undertook a sensitization visit to Tanzania to engage with government authorities of the need to redeposit the Article 34(6) Declaration.
52. Significant progress has been made in the construction of the permanent premises of the Court. In June 2024, a joint delegation from the Parliamentary Standing Committee on Foreign Affairs, Defence and Security, which exercises parliamentary oversight on the construction of premises, and the Ministry of Foreign Affairs and East African Cooperation, visited the Court, and further visited and took stock of progress in the construction of the premises.

V. ASSESSMENT AND RECOMMENDATIONS

A. Assessment

53. The establishment of the African Court in 1998, following the adoption of the Protocol, ushered in a sense of hope and heightened expectation in the African human rights landscape. In less than two decades since its operationalization in 2006, the Court has demonstrated that it can be a viable tool in facilitating socio-economic and political development on the continent. The jurisprudence of the Court reflects the diverse issues which impact the daily lives of Africans, ranging from the right to property, the protection of indigenous communities, the environment; and especially the fight against pollution and the dumping of toxic waste in Africa, right to education, and in particular, guaranteeing, effective access to schools; elections, and particularly, ensuring the independence of electoral bodies;

protecting the rights of independent candidates as well as guaranteeing transparent, inclusive and participatory legislative processes to change electoral frameworks; freedom of expression and especially the protection of journalists; the right to fair trial and in particular ensuring free legal assistance for indigene applicants; the right to dignity and in particular the prohibition of corporal punishment, and the protection against harmful social and cultural practices, particularly the prohibition of child and forced marriages.

54. Through its jurisprudence, the Court has demonstrated that human rights, peace and development are not only intertwined, but mutually reinforcing, a position recognised by the UN as far back as 2005, that “... *development, security and human rights are not only ends in themselves - they reinforce each other, and depend on each other. In our interconnected world, the human family will not enjoy development without security, it will not enjoy security without development, and it will not enjoy either without respect for human rights...*”
55. The above successes notwithstanding, there is still a lot to be done if the huge expectation that accompanied the establishment of the Court is to be realised. Several challenges stand in the way of the Court to effectively discharge its mandate and realise its vision, that is, an Africa with a viable human rights culture.
56. To date, only 34 of the 55 Member States of the African Union have ratified the Protocol. Of the 34 State Parties, only 8 have deposited the Declaration under Article 34(6) of the Protocol. Even more, of the over 259 decisions adopted by the Court since its establishment, less than 10% have been fully implemented. Other challenges include the inadequate resources allocated to the Court to effectively undertake its work, and the sheer lack of awareness about the existence of the Court and how to access it.

57. In spite these challenges, the Court recognises the significant efforts Member States have made and continue to make to enhance the protection of human rights generally, and support the work of the Court in particular. The Court welcomes the improvement in the relationship with human rights stakeholders, especially Member States. To this end, the Court appreciates the frank discussions it had with authorities from the Republic of Liberia and the United Republic of Tanzania, during the sensitization visits to these countries.
58. The Court notes with appreciation that twenty-four (24) Member States have responded favourably to the Executive Council's Decision for the appointment of National Focal Points to work with the Court. The States are Algeria, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Comoros, Democratic Republic of Congo, Ghana, Lesotho, Liberia, Madagascar, Malawi, Mauritius, Mauritania, Mozambique, Nigeria, Uganda, Senegal, South Africa, Tanzania, Zimbabwe. These focal points have been helpful in facilitating communication between the Court and Member States. It is important that those States that have not already done so, to take steps to appoint their focal points.
59. The Court continued with its judicial diplomacy, to engage with Member States, to explain its mandate and solicit cooperation in the discharge of its mandate. The Court holds the view that Member States have the primary responsibility for the promotion and protection of human rights, and the Court was established by States to complement their efforts in this regard.
60. The Court has also sought cooperation with other sub-regional courts with a view to benchmarking, share experiences and best practices in the area of case management, use of Information Technology and general administration of justice. To this end, Staff members of the Court had a one-week peer-to-peer exchange with their counterparts of the ECOWAS Community Court of Justice.

61. Next year, the Court will commemorate 20 years since it became operational. It will be an opportunity to take stock of the work of the Court, but more importantly, for all human rights stakeholders on the continent, to brainstorm on the future of the Court in the ever-evolving socio-economic and political African landscape. It will be an occasion for all human rights stakeholders working in the promotion and protection of human and peoples' rights in Africa, to make concrete contributions towards the achievement, not only of the African we want, but also, of the African Court we want.

B. Recommendations

62. Based on the foregoing, the Court submits the following recommendations for consideration and adoption by the Executive Council:

- i. The twenty-one (21) Member States of the African Union that have not yet acceded to the Protocol should do so, to ensure full recognition of the African Court's jurisdiction by all fifty-five (55) AU Member States;
- ii. The twenty-six (26) State Parties to the Protocol that have not yet deposited the Declaration under Article 34(6) should do so;
- iii. The four (4) State Parties to the Protocol that withdrew their Article 34(6) Declaration should reconsider their decision and redeposit the Declaration;
- iv. The Chairperson of the AUC should take all necessary measures to operationalise the Legal Aid Fund for African Union Human Rights Organs;
- v. Member States and other relevant human rights stakeholders on the continent should make generous voluntary contributions to the Legal Aid Fund to ensure its sustainability and success;
- vi. Member States of the African Union should cooperate with the Court and comply with its decisions;
- vii. Member States and relevant human rights stakeholders should work with the African Court to ensure an effective commemoration

of the 20th Anniversary of the operationalisation of the Court, including making concrete contributions, on how to strengthen the Court, and make it fit for purpose within the ongoing socio-economic and political developments on the continent.

ANNEX I

LIST OF JUDGES OF THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS AS AT DECEMBER 31 2024

No.	Name	Term		Country
		Duration	Expiry	
1.	Lady Justice Imani D. Aboud	6	2027	Tanzania
2.	Justice Modibo Sacko	6	2027	Mali
3.	Justice Rafaâ Ben Achour	6	2027	Tunisia
4.	Lady Justice Ntyam Ondo Mengue	6	2028	Cameroon
5.	Lady Justice Tujilane Rose Chizumila	6	2029	Malawi
6.	Lady Justice Chafika Bensaoula	6	2029	Algeria
7.	Justice Blaise Tchikaya	6	2030	Congo
8.	Lady Justice Stella I. Anukam	6	2030	Nigeria
9.	Justice Dumisa Ntsebeza	6	2027	South Africa
10.	Justice Dennis D. Adjei	6	2028	Ghana
11.	Justice Duncan Gaswaga	6	2030	Uganda

ANNEX II

REPORT ON NON-COMPLIANCE WITH THE DECISIONS OF THE COURT. (See attachment)

ANNEX III

FINAL COMMUNIQUE OF THE 2ND TRIPARTITE JUDICIAL DIALOGUE BETWEEN THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS, THE ECOWAS COMMUNITY COURT OF JUSTICE AND THE EAST AFRICAN COURT OF JUSTICE. (See attachment)

**DRAFT DECISION ON THE 2024 ACTIVITY REPORT OF THE AFRICAN COURT
ON HUMAN AND PEOPLES' RIGHTS**

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 2024;
2. **COMMENDS** the Court for its work in enhancing the protection of human and peoples' Rights on the continent, and **Calls on** the Court to continue working closely with Member States and other relevant human rights stakeholders on the continent, to ensure the effective discharge of its mandate.
3. **CONGRATULATES** the twenty-four (24) Member States that have appointed National Focal Points for the Court, namely: Algeria, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Comoros, Democratic Republic of Congo, Ghana, Lesotho, Liberia, Madagascar, Malawi, Mauritius, Mauritania, Mozambique, Nigeria, Uganda, Senegal, South Africa, Tanzania, Zimbabwe, in conformity with Executive Council Decision EX.CL/Dec.1153(XL), adopted during the 40th Ordinary Session of the Executive Council, held from 2 - 3 February 2022, in Addis Ababa, Ethiopia, and **INVITES** those Member States that have not yet done so, to take steps to appoint their National Focal Points.
4. **NOTES WITH CONCERN** that more than two decades after its adoption, only thirty-four (34) Member States of the African Union have ratified the Protocol and only eight (8) of the 34 State Parties, have deposited the Declaration required under Article 34 (6) thereof, allowing individuals and NGOs to bring cases directly to the Court;
5. **CONGRATULATES** the thirty-four (34) State Parties to the Protocol, namely; Algeria, Benin, Burkina Faso, Burundi, Cameroon, Chad, Côte d'Ivoire, Comoros, Congo, Democratic Republic of Congo, Gabon, The Gambia,

Ghana, Guinea Bissau, Kenya, Libya, Lesotho, Madagascar, Mali, Malawi, Mozambique, Mauritania, Mauritius, Nigeria, Niger, Rwanda, South Africa, Sahrawi Arab Democratic Republic, Senegal, Tanzania, Togo, Tunisia, Uganda and Zambia.

6. **FURTHER CONGRATULATES** the eight (8) State Parties that have deposited the Declaration under Article 34(6) of the Protocol, namely: Burkina Faso, Gambia, Ghana, Guinea Bissau, Malawi, Mali, Niger and Tunisia.
7. **INVITES** Member States that have not already done so, to accede to the Protocol, and to deposit the Declaration required under Article 34 (6) of the Protocol.
8. **NOTES** with concern the low level of compliance with the decisions of the Court, and **CALLS** on those Member States that have not done so, to fully comply with the Court's decisions.
9. **NOTES** the constraints faced by the Court in the implementation of Executive Council Decision **EX.CL/Dec.1245(XLIV)**, calling on the African Court and the Commission to *“undertake a study on the state of compliance with decisions of AU human rights bodies, including in particular, the reasons for the low level of compliance, and make concrete recommendations to the Executive Council, on how to enhance Member States' compliance with such decisions”*.
10. **REITERATES** the need for an in-depth study on the question of implementation of decisions of AU Human Rights bodies to be undertaken, and to this end, **REQUESTS** the Commission to provide the necessary resources to the African Court to ensure the effective implementation of the said decision, and report to the Executive Council in July 2025.
11. **URGES** the Chairperson of the Commission, in conformity with previous Executive Council Decisions, that is, (EX.CL/Dec.973 (XXXI); (EX.CL/Dec.994 (XXXII); EX.CL/Dec.1044 (XXXIV); (EX.CL/Dec.1064 (XXXV); and

(EX.CL/Dec.1079), to take all necessary measures to operationalize the Legal Aid Fund for AU Human Rights Organs, and to this end, **INVITES** and **ENCOURAGES** all Member States of the Union, as well as other relevant human rights stakeholders on the continent, to make generous voluntary contributions to the Fund to ensure its sustainability and success.

12. NOTES that the African Court will commemorate twenty (20) years of its existence in 2026, and **INVITES** all Member States and relevant stakeholders to work with the African Court to develop concrete activities to commemorate the 20th Anniversary of its operationalisation, and make concrete contributions, on how to strengthen the Court, enhance its visibility across the continent, and make it fit-for-purpose within the ongoing socio-economic and political developments on the continent.

13. COMMENDS the steps taken by the United Republic of Tanzania towards the construction of the permanent premises of the Court.

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 2025, on the implementation of this Decision.