

DECISION ON THE ACTIVITY REPORT OF THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS (AfCHPR) INCLUDING OUTCOME OF THE PRC-AFCHPR RETREAT HELD IN ARUSHA, TANZANIA, MARCH 2022)

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 2022, and commends the Court for its work.
2. **WELCOMES** the organization of a Joint Retreat between the African Court on Human and Peoples' Rights and the Permanent Representatives' Committee (PRC) of the African Union from 10 - 11 March 2022, in Arusha, United Republic of Tanzania.
3. **INVITES** the African Union Commission (the Commission), the PRC and the Court to work closely to ensure the effective implementation of the Recommendations of the said Retreat.
4. **COMMENDS** Member States that have ratified the Court's Protocol and **ENCOURAGES** those that have not ratified to do so;
5. **REQUESTS** the Court to submit a new structure of its Registry to the relevant sub-Committee of the PRC, taking into account the current needs and core business of the Court;
6. **CALLS ON** the Commission, in collaboration with the relevant Sub-Committee of the PRC, to immediately implement Decision EX.CL/1177(XLI), on the Report of the Retreat between the African Court on Human and Peoples' Rights (AfCHPR) and the Permanent Representatives' Committee (PRC), including amendment of Niamey Decision relating to the benefits of judges, adopted by the Executive Council during its 41st Ordinary Session held from 14 to 15 July 2022 in Lusaka, Zambia.
7. **FURTHER WELCOMES** the Joint Retreat between the African Court on Human and Peoples' Rights and the African Commission on Human and Peoples' Rights held from 12 to 14 October 2022 in Addis Ababa, Ethiopia, and the adoption of a Complementarity Roadmap to guide and strengthen the relations between these two African Union human rights bodies.
8. **URGES** the Court and the African Commission to put in place concrete measures to strengthen their relationship with a view to enhancing the promotion and protection of human and peoples' rights on the continent.

9. **INVITES** the Commission and the PRC to work closely with the two organs and provide them with the necessary technical and financial support to enable them effectively implement the Complementarity Roadmap.
10. **COMMENDS** the thirty-four (34) State Parties to the Protocol, namely; Algeria, Benin, Burkina Faso, Burundi, Cameroon, Chad, Côte d'Ivoire, Comoros, 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.
11. **COMMENDS** 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.
12. **ENCOURAGES** Member States that have not already done so, to consider acceding to the Protocol, and/or to consider depositing the Declaration required under Article 34 (6) of the Protocol.
13. **NOTES** with concern the low level of compliance with the decisions of the Court and **CALLS** for complete compliance with the Court's decisions, and **ALSO URGES** State Parties to appoint national focal points to ensure effective follow up on all matters relating to the Court, including on compliance with the Court's decisions.
14. **ENCOURAGES** the Court to continue its engagement with Member States, and **URGES** it to improve its communication channels with Member States on issues relating to the work of the Court.
15. **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, 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 consider making generous voluntary contributions to the Fund to ensure its sustainability and success.
16. **URGES** the Commission to expedite the reform process of the Court and other organs of the Union.
17. **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 African Union 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 commence the construction of the Court premises.

18. **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 2023, on the implementation of this Decision.