

WRITTEN QUESTION E-0389/04

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to the Commission

Subject: African Court on Human and Peoples' Rights

On 25 January the Protocol for the establishment of the African Court on Human and Peoples' Rights entered into force. This is a major development in the history of the international protection of human rights. Currently, 15 African states are subject to the jurisdiction of this new court. Some of them are troubled by widespread violations of human rights and civil strife, such as Algeria, Burundi, Côte d'Ivoire and Rwanda. Botswana, the Democratic Republic of Congo, Niger, and others, are expected to ratify soon.

As in the erstwhile European human rights system, and, as in the case of the current system for the Americas, the establishment of the African Court will not abolish the African Commission on Human and Peoples' Rights. Rather, the Court will complement the Commission. In tandem, they can alter the landscape of accountable government in Africa. Unlike the case of the African Commission on Human and Peoples' Rights, which has existed since 1987, the judgments of the Court will be legally binding and thus enforceable in courts of law across Africa. Moreover, in the case of those countries who have accepted to do so, individuals will be able to approach the Court directly. This is a not-to-be-missed opportunity to strengthen the effectiveness of the African human rights regime and promote democracy in that continent.

1. What is the Commission doing, or planning to do, to facilitate the process of the establishment of the African Court of Human and Peoples' rights, and promote widespread ratification in the African continent?
2. Is the Commission going to make available funds to this end, and, if so, through what channels and procedures?