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EX.CL/989(XXIX)

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**REPORT ON ELECTION OF FOUR (4) JUDGES OF
THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS
(AfCHPR)**

**REPORT ON ELECTION OF FOUR (4) JUDGES OF THE AFRICAN
COURT ON HUMAN AND PEOPLES' RIGHTS
(AfCHPR)**

1. The elections of the Judges of the African Court on Human and Peoples' Rights (African Court) are based on the provisions of the Protocol to the African Charter on Human and Peoples' Rights on the establishment of an African Court on Human and Peoples' Rights (the Protocol) adopted in 1998 as well as the Rules of Procedure of the Executive Council.
2. Article 11 of the Protocol provides that the African Court shall be composed of eleven (11) Judges who should be jurists of high moral character and of recognized practical, judicial, or academic competence and experience in the field of human and peoples' rights.
3. In addition, Article 11 of the Protocol provides that no two (2) Judges should be nationals of the same State.
4. The current elections relate to the election of four (4) Judges as a result of expiry of the term of office, in July 2016, of the following Judges of the African Court:

NO.	NAME	COUNTRY	TERM OF OFFICE
1.	Mr. Fatsah OUGUERGOUZ	Algeria	Re-elected in July 2010 for a 6-year term
2.	Mr. Augustino S.L Ramadhani	Tanzania	Elected in July 2010 for a 6-year term
3.	Mr. Duncan TAMBALA	Malawi	Elected in July 2010 for a 6-year term
4.	Ms Eisie Nwanwuri THOMPSON	Nigeria	Elected in July 2010 for a 6-year term

* The last three (3) Judges are eligible for re-election, only once.

5. Article 14 of the Protocol stipulates that "*the judges of the Court shall be elected by secret ballot by the Assembly from the list referred to in Article 13(2) of the present Protocol*". However, the judges of the Court shall be elected by secret ballot by the Executive Council by virtue of delegation of power by the Assembly in accordance with Article 9(2) of the Constitutive Act of the African Union.
6. The Executive Council should ensure that in the Court as a whole, there is representation of the main regions of Africa and of their principal legal traditions. In addition, Council should ensure that there is adequate gender representation (Article 14 of the Protocol).

7. The Commission would like to draw to the attention of Member States that after the expiry of the terms of office of the four (4) Judges in July 2016, the regional and gender representation at the African Court will be as follows:

a) Regional representation

Central	:	One (1)
East	:	Two (2)
North	:	One (1)
South	:	One (1)
West	:	Two (2)
Vacancies	:	Four (4)
Total	:	Eleven (11)

b) Gender representation

Female Judges	:	One (1)
Male Judges	:	Six (6)

8. As can be seen from the figures above, the challenge is to ensure both regional representation and adequate gender representation in the composition of the African Court.

9. Furthermore, the Commission would like to draw the attention of all Member States to decision EX.CL/907 (XXVIII) adopted by the Executive Council during the January 2016 Summit on the Modalities on Implementation of Criteria for Equitable Geographical and Gender Representation in the African Union Organs. Paragraph 2 of the said Decision provides as follows:

- i) The regional representation, where applicable, shall be East (2), Central (2), North (2), South (2) and West (2), except in cases in which a region which has been duly informed has not presented candidates;
- ii) Where applicable, one (1) seat shall be a floating seat and will rotate among the five (5) regions;
- iii) At least one (1) member from each region should be a woman;
- iv) The modalities shall become effective immediately.

10. In this regard, during these elections, the Modalities on Implementation of Criteria for Equitable Geographical and Gender Representation in the African Union Organs shall be applied.

11. The candidatures received by the Commission from the States Parties to the Protocol is as follows:

NO.	NAMES	GENDER	COUNTRY	REGION
1	Kimelabalou ABA *	Male	Togo	Western
2	Richard ADJEI-FRIMPONG	Male	Ghana	Western
3	Mamadou DIAKITE	Male	Mali	Western
4	Hamdi FANNOUSH *	Male	Libya	Northern
5	Marie-Therese MUKAMULISA	Female	Rwanda	Eastern
6	Ntyam ONDO MENGUE	Female	Cameroon	Central
7	Augustino Stephen Lawrence RAMADHANI*	Male	Tanzania	Eastern
8	Fatimata TOURE SANOU	Female	Burkina Faso	Western
9	Duncan TAMBALA*	Male	Malawi	Southern
10	Blaise TCHIKAYA	Male	Congo	Central
11	Elsie Nwanwuri THOMPSON*	Female	Nigeria	Western

*Seeking Re-election

Annex: Curriculum Vitae

AfCHPR ELECTIONS
July 2016

CURRICULUM VITAE OF CANDIDATES

2016

Report on Election of four (4) Judges of the African Court on human and Peoples' Rights (AFCHPR)Report on Election of four (4) Judges of the African Court on human and Peoples' Rights (AFCHPR)Report on Election of four (4) Judges of the African Court on human and Peoples' Rights (AFCHPR)

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