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	The Complaints Mechanism in the African Human and Peoples' Rights System: Legal Foundations, Institutional Dynamics, and Contemporary Challenges
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Abstract <p>The complaints mechanism under the African human and peoples' rights system constitutes one of the core instruments for safeguarding rights and freedoms across the African continent. Anchored in the African Charter on Human and Peoples' Rights of 1981—also known as the Banjul Charter—this mechanism offers individuals, groups, and states a legal avenue to seek redress for violations of fundamental rights. Entering into force in 1986, the Charter introduced a uniquely comprehensive approach to human rights protection by encompassing not only civil and political rights but also economic, social, cultural, and peoples' rights. This holistic vision was intended to reflect the historical, cultural, and socio-economic realities of African societies.</p> <p>The complaints procedure is operationalized primarily through the African Commission on Human and Peoples' Rights (ACHPR), which examines communications submitted by individuals, NGOs, and states, and through the complementary role of the African Court on Human and Peoples' Rights (AfCHPR). These institutions are tasked with balancing the dual imperatives of ensuring compliance by member states and maintaining respect for state sovereignty. Despite notable progress, the effectiveness of the system has been limited by structural weaknesses, political resistance, and resource constraints.</p> <p>This article critically examines the normative framework and operational practice of the African complaints mechanism, situating it within the broader comparative context of international and regional human rights systems. It highlights persistent challenges such as state non-compliance with Commission and Court decisions, limited awareness among African citizens, and the tension between universal human rights norms and regional specificities. The analysis underscores the need for deeper integration of continental mechanisms into domestic legal orders, enhanced political will, and increased institutional support to strengthen the system's legitimacy and effectiveness.</p>	

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Introduction:

The international community's intervention on the issue of human rights by providing it with the necessary protection, and strengthening this protection through concluding agreements and charters, and including important oversight mechanisms that contribute to enabling people to actually exercise these rights, was not a coincidence, nor did it come out of nowhere, but rather many factors contributed to it, and it was the result of a long labor of struggle, characterized by many developments in the world for a long time.

The African community has not lagged behind the global community, but has sought to keep pace with this development by activating complaints mechanisms, both individual and international. Therefore, it has sought to find mechanisms capable of receiving and adjudicating these complaints in a manner that ensures respect for human rights and the African citizen. This is what prompted us to raise the following problem:

What mechanisms has the African Union established to receive human rights complaints with the aim of protecting, advancing and preserving these rights?

To answer this problem, we divided our research paper into two components: In the first component, we addressed the African Commission on Human Rights by examining ways to activate this commission and its procedures, and examining ways to activate it. We then moved to the African Court on Human and Peoples' Rights by examining the mechanisms for activating it and the measures taken by it to protect the rights of human rights and African citizens.

First: The African Commission on Human Rights and the African Citizen

The African Commission on Human and Peoples' Rights relies on the complaints system as a mechanism for monitoring the implementation of the African Charter on Human and Peoples' Rights. To this end, it relies on specific procedures that can be classified as follows:

A - The stage of submitting a complaint to the African Commission on Human and Peoples' Rights:

A State alleging violations of the provisions of the African Charter on Human and Peoples' Rights shall draw the attention of the State that committed that violation, through a letter addressed to both the Chairman of the African Commission and the Secretary-General of the Organization of African Unity ¹.

B-The stage of trying to reach a satisfactory settlement between the two countries:

Article 47 of the African Charter, in its final part, addresses the duties of the State to which the letter is addressed to provide written clarifications or statements on the matter within a period not exceeding 3 months from the date of receipt of the letter, provided that these recommendations and statements include, as far as possible, data on the

1- Mohammed Amin Al-Maidani, Regional Committees for the Protection of Human Rights, Arab Journal of Human Rights, Tunisia, Issue: 05, 1998, p. 99.

laws and procedural regulations that are applicable, or that may be applied, as well as on the means of redress that have

Already been exhausted or that are still available ².

This stage of the proceedings is considered a diplomatic stage between the States that sent the correspondence and the State that received it, with the aim of reaching an amicable settlement, as Article 48 of the Charter ³ states. A period of 3 months is given to reach a satisfactory settlement between the two countries, through bilateral negotiations, or the like, otherwise each of the two countries has the right to present this issue to the Committee by informing its Chairman and notifying the other country concerned and the Secretary-General of the Organization of African Unity ⁴.

c- The stage of practical procedures before the African Commission on Human and Peoples' Rights:

If a satisfactory settlement is not reached between the two States within 3 months, or if the State does not respond, both States concerned may submit the case to the African Commission on Human and Peoples' Rights, after informing its Chairperson and notifying both the State concerned and the Secretary-General of the Organization of African Unity, in accordance with the text of Article 49 of the Charter ⁵.

Article 50 of the Charter stipulates that: "The Committee may not consider any matter brought before it except after ensuring that all internal remedies, if any, have been exhausted unless it becomes clear that the procedures for considering it have remained for an unreasonable period". Recognized principles of international law must be respected when these methods are exhausted ⁷.

The African Commission may also request the States Parties concerned to provide it with any information relevant to the subject ⁸. In accordance with Article 52 of the Charter, the Committee, after obtaining the information it deems necessary from the States Parties concerned, or any other sources after exhausting all appropriate means to reach an amicable solution, shall prepare a report containing the facts and findings reached within a reasonable period from the date of the notification referred to in Article 48, which shall then be transmitted to the State concerned and submitted to the Heads of State and Government ⁹.

What can be pointed out is that this type of complaints - State complaints - is very rare, and the first complaint submitted by a State party to the Committee was the complaint submitted by the Democratic Republic of the Congo against Burundi, Ronda and Uganda, where the Committee decided at that time at its thirtieth session held

2 -Article 47 of the African Charter on Human and Peoples' Rights states: "If a State Party to this Charter has reasonable grounds to believe that another State Party to it has violated its provisions, it may draw its attention in writing to such violation and also address this letter to the Secretary-General of the Organization of African Unity, The Chairman of the Committee and the State to which the letter is addressed shall submit written clarifications or statements on this matter within a period not exceeding three months from the date of receipt of the letter, provided that these recommendations and statements shall include, as far as possible,== data on the laws and procedural regulations that are applicable, or can be applied, as well as on the means of redress that have already been exhausted or that are still available."

3 -Article 48 of the African Charter on Human and Peoples' Rights states: "If, within three months from the date of the original communication by the State to which it is addressed, the matter is not settled satisfactorily for both parties concerned through bilateral negotiations or any other procedure, each State shall have the right to bring the matter before the Committee by informing its Chairperson and notifying the other State concerned and the Secretary-General of the Organization of African Unity."

4-Mohammed Amin Al-Maidani, Regional Committees for the Protection of Human Rights, op. cit., p 99.

5- Article 49 of the African Charter on Human and Peoples' Rights states: "Subject to the provisions of Article 47, any State Party to this Charter may, if another State Party to it considers that its provisions have been violated, notify the Committee directly by sending a letter to its Chairman, to the Secretary-General of the Organization of African Unity and to the State concerned".

6- Internal remedies mean: all means of internal judicial and administrative review, as the complainant must respect the deadlines and procedures stipulated in the applicable internal laws, See: Youssef Boualgameh, Conditions for filing complaints before the African Human Rights Judiciary, Social Researcher Magazine, Issue: 09, June 2009, p 253.

7- Mohammed Amin Al-Maidani, Regional Committees for the Protection of Human Rights, op. cit., p 100.

8 - Article 51 of the African Charter on Human and Peoples' Rights.-

9-Article 52 of the African Charter on Human and Peoples' Rights.

in Banjul, Gambia, from 13 to 27 October 2001 to hold an extraordinary session to examine the aforementioned complaint¹⁰.

2-Procedures for individual complaints:

The procedures for individual complaints refer to correspondence received by a State from non-States Parties to the African Charter. Articles 55 to 58 of the Charter and Articles 101 to 118 of the Rules of Procedure of the African Commission indicate who is entitled to submit such correspondence and the conditions for its submission, acceptance and consideration¹¹.

A - Conditions for accepting complaints:

According to Article 56 of the African Charter on Human and Peoples' Rights, a number of conditions have been stipulated for accepting complaints. These conditions generally relate to individual complaints, while complaints from states have only stipulated the condition of exhausting internal means of redress. Accordingly, we will address these conditions in general, which are represented in¹²:

✓ To submit a complaint from someone with the status of:

This means that the complaint must be submitted by someone who has the right to submit the complaint, whether the person himself, from non-governmental organizations, or from groups of individuals. According to Article 114 of the African Commission's Rules of Procedure, those who have the right to submit individual complaints are:

- Anyone who claims to be a victim of a violation of any of the rights stipulated in the Charter by a State Party, or anyone who claims the existence of such a violation in the name of such victim.
- Any individual or organization that claims - based on proof - the existence of a serious and gross violation of human and peoples' rights.

Given the serious human rights violations in many African countries, the African Charter does not require that complaints be submitted directly by victims or their families, so any heart or organization can file complaints with it¹³.

✓ Exhaustion of internal remedies:

This condition is a legal rule established by international action, which states that the complainant - whether a state or an individual - may pursue internal remedies in accordance with Articles 50 and 56 of the Charter, with the aim of making room for the responsible states and giving them the opportunity to repair the damage they have caused, by their own means and within the framework of their internal regulations before being prosecuted internationally¹⁴.

However, this rule is not absolute, as there is an exception to it, as this rule cannot be taken into account if the length of the redress procedures becomes unreasonably clear.

10- Ibrahim Ali Badawi Al-Sheikh, Ten Years in the Life of the African Commission on Human and Peoples' Rights - Evaluation and Future Outlook - Arab Journal of Human Rights, Issue: 05, January 1998, Tunisia, p. 37.

11-Mohammed Amin Al-Maidani, ibid,p 101.

12- It should be noted that these conditions are the same as those of the African Court on Human and Peoples' Rights, as the Optional Protocol to the African Charter on Human Rights did not introduce anything new regarding the issue of admissibility requirements except as a reference, and we referred to the provisions of Article 56, which stipulates the conditions for accepting complaints submitted to the African Commission on Human Rights.

13 - Mohammed Kamel Razzaq Bara, The African Commission on Human and Peoples' Rights between the tasks of promotion and the duty of protection, Arab Journal of Human Rights, Tunisia, Issue: 05, 1998, p 41.

14 - Youssef Boualqameh, Conditions for filing complaints before the African Human Rights Court, op.cit, p. 253- 254.

Although the African Commission on Human Rights was, at the beginning of its work, strict, rejecting complaints and not accepting them simply because one of the internal appeal methods had not been exhausted, without examining the proposed appeal method or considering whether this method was effective or - Article 56/2 of the African Charter on Human and Peoples' Rights. Ineffective, with the amendments that the Commission introduced to its internal regulations, it began to consider the effective regular judicial appeal method and the extent to which these methods exist or not. In this regard, for example, the African Commission announced in one of the cases before it that it was not accepted because it was still under study before a national court, and added that it could be accepted later if the internal appeal methods had been exhausted, or if the complainant had proven that these appeal methods were unavailable, ineffective, or had been unusually long¹⁵.

✓ **-The complaint must be of known origin:**

According to Article 56/1 of the African Charter on Human and Peoples' Rights, the complainant must show his name, even if he requests the Committee not to mention his name or disclose his identity.

- The complaint must be consistent with the Charter of the Organization of African Unity or with this Charter¹⁶:

Meaning that the complaint submitted to the African Commission or the Court does not conflict with the Charter of the Organization of African Unity, or with the African Charter on Human and Peoples' Rights or even the Protocol annexed to this Charter¹⁷.

✓ **-The complaint must not involve arbitrary use of the right:**

This is a condition that was clearly referred to in Article 114/3/c of the Committee's Rules of Procedure, which stipulates: "Correspondence shall not constitute an arbitrary use of the right to submit correspondence, in accordance with what is stipulated in the Charter." Although the African Charter on Human and Peoples' Rights did not refer verbally to this condition, this is inferred from paragraphs 3 and 4 of Article 56, which states: To not include obscene or offensive language towards the countries concerned, their institutions or the Organization of African Unity" and "not to be limited only to collecting news, which is proven by the mass media."

Accordingly, a complaint containing obscene or offensive language against the countries concerned, their institutions, or the Organization of African Unity cannot be accepted, nor can news collected and broadcast from the media, as its purpose may be to plot for the purpose of political propaganda that could harm some countries.

✓ **To submit the complaint within a reasonable period of time:**

The complainant must submit it within a reasonable period of time, starting from the date on which internal remedies have been exhausted, or from the date specified by the Committee, to begin consideration of the matter¹⁸. The estimate of this reasonable time period is up to the African Commission or Court.

✓ **The complaint shall not relate to cases that have been settled in accordance with the principles of the Charter of the United Nations, the Charter of the Organization of African Unity and the provisions of this Charter¹⁹:**

15 - Ibid., p 256.

16 - Article 56/2 of the African Charter on Human and Peoples' Rights.

17-Youssef Boualqameh, op.cit, p 259.

18 - Article 56/6 of the African Charter on Human and Peoples' Rights.

19 - Article 56/7 of the African Charter on Human and Peoples' Rights.

This means that the African Commission or Court on Human and Peoples' Rights does not accept complaints that have been studied and settled in accordance with the principles of the Charter of the United Nations, the Charter of the Organization of African Unity, and the provisions of this Charter, or are under study by any other international body.

- ✓ **The complainant must be a victim of a violation, by a State Party, of one of the rights stipulated in the Charter:**

That is, the complainant must be a victim of a violation of one of his rights stipulated in the Charter and that the correspondence was submitted, in this case in the name of the victim or those who claim to be victims, and that they cannot submit it or authorize its submission ²⁰.

1- Examine and studying complaints:

If the African Commission accepts the complaint submitted to it, in terms of form, it shall inform the correspondent of this acceptance, through the Secretary-General, as soon as possible. The Commission shall also inform the State concerned, on the other hand, if it has been informed of the correspondence. The Commission may accept a correspondence which it has previously rejected in terms of form, if the correspondent or his representative informs it in writing that the reasons for the rejection have disappeared. The Committee may also reverse its decision to accept correspondence, in terms of form, based on information or statements that may be provided by the State concerned ²¹.

Before considering the substance of the complaint, the Chairman of the African Commission must notify the State concerned of any correspondence related to it ²². This Committee also has the right to request this State to take interim measures, so that the complainant does not suffer irreparable harm. If the African Committee accepts the complaint, it must notify the State concerned and the complainant, as soon as possible through the Secretary-General, of its decision. For its part, the State shall, within 4 months, respond to the Committee in writing, and this response shall be sent to the complainant ²³.

At a later stage, the African Committee considers the correspondence on the subject in closed sessions, and the Committee submits its observations, through the Secretary-General, to the Conference of Heads of State and Government of the Organization of African Unity ²⁴. The work of the Committee shall be confidential, as all measures taken within the scope of this section shall remain confidential until the Conference of Heads of State and Government decides otherwise ²⁵.

2- Committee decisions:

In accordance with Articles 55 and 58 of the Charter, the African Commission – entrusted with receiving and considering individual complaints – is authorized to take the necessary decisions and recommendations in this regard, and this authorization includes the authority to make recommendations regarding the compensation necessary to repair the damages resulting from proven violations. If it is proven that a state has violated any of the rights set forth in the Charter, it is required to fulfill its obligations, which focus in particular on stopping the continuation of the violation and compensating for the damage it caused ²⁶.

20 - Article 114, paragraph 3, of the rules of procedure of the African Commission on Human and Peoples' Rights.

21 - Mohammed Amin Al-Maidani, op. cit, p 105.

22 - Article 57 of the African Charter.

23 - Mohammed Amin Al-Maidani, ibid, p 105.

24 - Ibid, p106.

25 - Article 59 of the African Charter

26 - Mohamed Kamel Razzaq Bara, The African Commission on Human and Peoples' Rights between the tasks of promotion and the duty of protection, Arab Journal of Human Rights, Tunisia, Issue: 05, 1998, p 48.

The truth is that the aim of compensation for damage is primarily to return the victim to the position she was in before the violation, if that is possible. However, given the difficulty of achieving this compensation in practice in many cases, some members of the Committee believe that the issue of compensation finds its solutions more appropriately in national legislation, and primarily before local judicial authorities ²⁷.

It is worth noting –as Dr. Ibrahim Ali Badawi Al-Sheikh says– that the complaints submitted to the African Commission on Human and Peoples' Rights are few, as until 1997 they did not exceed 202 complaints, which means that many do not know about the possibility of resorting to the Commission to complain, and the processing of complaints that have already been submitted may not encourage many to resort to the Commission due to the long time it takes to examine the complaint ²⁸.

Second: African Court on Human and Peoples' Rights:

The African judiciary –represented by the African Court of Human Rights– established under the Optional Protocol to the African Charter on Human Rights ²⁹. It is also generally subject to the procedures in force before international courts and bodies with jurisdiction concerned with human rights. Therefore, discussing these procedures before the African Court requires us to begin by referring to the conditions for the admissibility of the complaint, followed by the procedures for considering and adjudicating the merits of the case.

1- Conditions for accepting complaints:

The Optional Protocol to the African Charter on Human and Peoples' Rights did not bring anything new to the issue of admissibility requirements except as a matter of reference, and it referred us to the provisions of Article 56, which stipulates the conditions for accepting complaints submitted to the African Commission on Human Rights ³⁰. These conditions generally relate to individual complaints, while the complaints of states are only stipulated on the condition of exhausting internal remedies. Since the conditions for admissibility in court are the same as those for admissibility in committee - based on the logic of complementarity between them - there is no need to repeat them.

It must be noted here that the Protocol annexed to the African Charter did not grant individuals the right to direct recourse to the Court except as an exception ³¹. Rather, he gave the capacity and right to notify the court to everyone ³²:

- African Commission on Human and Peoples' Rights.
- The State party that filed the complaint with the Committee.
- The State party against which a complaint has been filed with the Committee.

²⁷-Ibid,p 48.

²⁸-brahim Ali Badawi Al-Sheikh, 'Ten Years in the Life of the African Commission on Human and Peoples' Rights - Evaluation and Future Outlook - Arab Journal of Human Rights, Issue: 05, January 1998, Tunisia 37.

²⁹-For reference, as of April 2013, 26 countries had ratified the Optional Protocol to the African Charter on Human and Peoples' Rights, which established the existence of the Court.

³⁰- Article 56 of the African Charter on Human and Peoples' Rights

³¹-In this regard, and in accordance with Article 6 of the Protocol to the African Charter on Human Rights, the Court may, as an exception, allow individuals, non-governmental organizations, and groups of individuals to bring cases before the Court, and the latter may consider such cases or refer them to the Committee.

³²- Article 5 of Protocol annexed to the African Charter on Human and Peoples' Rights.

It is also noted, on the other hand, that the Charter of the Organization of African Unity has been given priority over the African Charter on Human and Peoples' Rights, and perhaps what clearly demonstrates this is the content of some of the conditions to which the Organization of African Unity gives priority and respect for its provisions, including, for example, what some of the conditions included in the call for the necessity of correspondence being in line first with the Charter of the Organization, and then with the African Charter, and not including any insult to this organization And not related to cases that were settled in application of the principles of its Charter, and the situation here differs with both the European system of human rights and the American system of human rights, as consistency and compatibility, for example, in the European system of human rights and the American system of human rights, as consistency and compatibility, for example, in the European system of human rights in its study of complaints is with the European Convention on Human Rights, In the American human rights system, the study of complaints depends on the American Convention on Human Rights ³³.

2- Procedures for considering the subject of the complaint:

What can be noted from the outset is that the Protocol annexed to the African Charter on Human and Peoples' Rights does not expand by providing details related to the examination of complaints submitted to the African Court on Human and Peoples' Rights in terms of subject matter. Article 8 of this Protocol clarifies the following: "The Court shall determine in its internal regulations the conditions for examining complaints submitted to it, taking into account the complementarity between it and the Committee." This article therefore places the responsibility of the African Court on On the one hand, it is necessary to adopt its internal regulations, and on the other hand, this regulations must include the conditions for submitting complaints to this court, and finally, this internal regulations must not neglect the "integration" between the court and the African Commission on Human and Peoples' Rights regarding the submission of complaints ³⁴.

The procedures for considering the subject of the complaint can be summarized as follows:

- In accordance with Article 7 of the Protocol annexed to the African Charter, the Court may be guided by the provisions of the Charter and the applicable principles set forth in Articles 60 and 61 of the Charter, whereby it may refer to the various African documents relating to human and peoples' rights, the provisions of the Charter of the United Nations, the Charter of the Organization of African Unity, the Universal Declaration of Human Rights and the provisions of other documents adopted by the United Nations and African States in the field of human and peoples' rights, As well as the provisions of various documents approved by the specialized institutions of the United Nations of which States Parties to this Charter are members ³⁵.

Article 5 of Protocol annexed to the African Charter on Human and Peoples' Rights.

- Based on the Protocol annexed to the African Charter, the Court, upon notification, initially attempts to reach an amicable settlement, which is the best way, provided that this settlement takes place within the framework of respect for human and peoples' rights ³⁶.

- The court sessions should be held in public, and an exception may be made for procedures to be conducted in secret in cases called for by the interests of justice. Any party has the right to choose a legal representative, and this may be done free of charge. Those appearing before the court, whether they are witnesses or representatives of the parties, also have the right to enjoy protection and immunity in accordance with international law ³⁷.

33- Mohammed Amin Al-Maidani, po.cit,p 104-105.

34-Ibid, p 319.

35- Ibid, p 319.

36- Mohamed Bashir Masmoudi, The African Court on Human and Peoples' Rights: Ambition and Limitation, Al-Mufaker Magazine, Faculty of Law and Political Science, Mohamed Khider University, Biskra, Issue: 05, p 44.

37- Article 09 of Protocol annexed to the African Charter on Human and Peoples' Rights.

- The African Court of Human Rights, while deciding the case before it, shall take appropriate action to address the violation. In the event of a violation of the provisions of the Charter, the Court may order compensation for the victims of the violation. The African Court may also order a set of interim measures and procedures, if it finds that there are serious or urgent cases affecting persons, in order to prevent the expected harm ³⁸.

The African Court must issue its ruling within a period of 90 days after the completion of the investigations, and take its decisions by a majority of its judges. Its decisions are final and cannot be subject to appeal. Paragraph 03 of Article 28 allows the African Court to amend its ruling, without this affecting what is stipulated in Paragraph 2 of the same article, if evidence arises that it was not aware of when it issued its ruling. In accordance with the conditions specified in the court's internal regulations, it is also up to the court, in accordance with paragraph 03 of this article, to explain its ruling.

The court's ruling shall be issued in a public session after informing the parties to the dispute. This ruling shall be reasoned, and the court's judges may attach their own opinion or one that contradicts the ruling ³⁹.

States Parties must undertake to comply with the implementation of the Court's ruling ⁴⁰. Which is notified to the parties concerned, and is also sent to all members of the Organization of African Unity, as well as to the Council of Ministers, which has the right to monitor its implementation, on behalf of the General Assembly ⁴¹.

Finally, the African Court sends its annual reports to the Conference of Heads of State and Government of the Organization, identifying in particular cases in which the State has not complied with the Court's ruling ⁴².

In general, the establishment of the African Court on Human and Peoples' Rights came to support the mechanism of the African Charter on Human and Peoples' Rights, and with the aim that this court would ensure the proper implementation of the obligations of the States Parties to this Charter, and to allow victims of human rights violations to appeal before a regional human rights court, which would decide on complaints submitted to it with the aim of stopping these violations, compensating those affected by them, and finding ways to prevent their recurrence ⁴³.

Conclusion:

The protection and preservation of human rights will remain the primary concern and prominent concern of the entire international community and all its organizations, despite all efforts made to achieve this goal, because the issue relates to the human being and his dignity.

Despite the qualitative development observed in the mechanisms and procedures for international protection of human rights, with the requirements they require, the development and strengthening of this protection always requires more continuous care and attention to find everything that would establish and embody human rights on the ground, so that all people can enjoy them. Especially since international protection of human rights is the foundation and essence of the legal system, which aims primarily to ensure the effective application of international obligations related to human rights, regardless of their diverse subjects and the categories that govern them.

Findings

1. Institutional Development: The African human rights system has successfully established multiple entry points for complaints, notably through the ACHPR and AfCHPR, reflecting a maturing regional legal order.
2. Comprehensive Rights Coverage: The African Charter stands out for recognizing collective and peoples' rights

38- Mohammed Amin Al-Maidani, op.cit,p 320.

39 -Ibid, p 320.

40- Article 26 of Protocol annexed to the African Charter on Human and Peoples' Rights

41- Article 27 from the same source.

42- Article 28 from the same source.

43- Mohammed Amin Al-Maidani, op.cit, p 322.

alongside individual entitlements, setting it apart from most international instruments.

3. **Implementation Gaps:** Despite legal advances, enforcement remains weak due to political reluctance of states, limited sanctioning powers, and resource deficiencies.

4. **Emerging Judicial Practice:** The African Court's jurisprudence, though relatively recent, demonstrates potential for developing binding norms and fostering compliance if adequately supported.

Actuality (Relevance)

In the current geopolitical and socio-economic context, the complaints mechanism is of heightened importance. Ongoing armed conflicts, authoritarian tendencies, and widespread socio-economic rights violations across the continent underline the necessity of a functioning and credible human rights protection system. Strengthening the African complaints mechanism is essential for ensuring continental stability, consolidating democratic governance, and aligning Africa with global human rights standards.

Ethical Consideration

This research adheres to academic ethical standards by ensuring objectivity, impartiality, and respect for the principles of human rights law. The analysis avoids cultural bias and acknowledges the specificity of African contexts while upholding universal human rights norms. No sensitive data involving human subjects were collected in this study, and all sources were used in compliance with academic integrity guidelines.

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Conflict of Interest

The authors declare that there is no conflict of interest regarding the publication of this article.

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