

PROCEDURE

Jurisdiction

Personal jurisdiction – AU bodies

The African Committee of Experts on the Rights and Welfare of the Child is not an intergovernmental organisation in terms of article 5(1)(e) of the Protocol and therefore has no standing to bring a contentious case before the Court. However, the Court went on to hold that ‘there does not appear to be a conceivable reason why the Committee was not included among the organs that can bring cases before the Court under Article 5(1) of the Protocol in order to give it the same reinforcement that the African Commission has under the complementary relationship with the African Court’ (*Request for advisory opinion by the African Committee of Experts on the Rights and Welfare of the Child*, 002/2013, advisory opinion, 5 December 2014, paras 73-76).