

PROCEDURE

Jurisdiction

Meaning of human rights instrument

In determining whether an instrument is a human rights instrument the Court must look at the purpose of the instrument which may be expressed in the enunciation of rights of individuals or the prescription of mandatory obligation of state parties for the enjoyment of such rights (*Actions Pour la Protection des Droit de L'homme (APDH) v The Republic of Cote D'Ivoire*, application 001/2014, Judgement, 18 November 2016, para 57). In this respect the African Charter on Democracy, Elections and Governance and the ECOWAS Protocol on Democracy, Good Governance supplementary to the Protocol relating to the Mechanism for Conflict Prevention, Management and Resolution are human rights instruments as they prescribe obligations on state parties for the enjoyment of certain rights (*Actions Pour la Protection des Droit de L'homme (APDH) v The Republic of Cote D'Ivoire*, application 001/2014, Judgement, 18 November 2016, para 63).