



TEN YEARS ON: THE MALABO PROTOCOL RELATING TO AMENDMENTS TO THE PROTOCOL ON THE STATUTE OF THE AFRICAN COURT OF JUSTICE AND HUMAN RIGHTS. WHAT DOES THE FUTURE HOLD?

Ten years after its adoption, the Malabo Protocol, adopted on 27 June 2014 by the Twenty-third Assembly of Heads of State and Government of the African Union, is still not in force. In May 2024, Angola, the first State to ratify the Protocol, solemnly deposited the relevant instruments of ratification with the AU Legal Counsel. As a result, the Protocol now has only one State Party. If the Malabo Protocol is still not in force after 10 years since its adoption, it is because its adoption is the source of a veritable *legal scam*. Moreover, the Protocol has led to a miniaturisation of the African Court of Human Rights, which has now been in operation for twenty years, and of the Court of Justice of the African Union, which has never become operative. Finally, the aspect of the Malabo Protocol relating to the criminal jurisdiction of the African Court of Justice, Human and Peoples' Rights, provided for by the Sharm El Sheikh Protocol of 1 July 2008, marks a regression in relation to the advances made in international criminal justice.