



### THE CONDITION OF “IRREPARABLE HARM TO PERSONS” IN THE ORDERS ON PROVISIONAL MEASURES ADOPTED BY THE AFRICAN COURT OF HUMAN AND PEOPLES’ RIGHTS

One of the most salient features of the jurisprudential policy of the African Court of Human and Peoples’ Rights is the adoption of provisional measures aimed at avoiding irreparable harm to persons resulting from a risk of violation of any human right. Indeed, provisional measures can undoubtedly also protect rights which are generally repairable *ex post* by restitution or financial compensation. Where, as a result of the persistence of State behaviour apparently contrary to international human rights obligations, the claimant is deprived of his means of subsistence or risks unjustly losing property which will no longer be returned to him but at most compensated, the damage the claimant suffers can only be considered irreparable.

Furthermore, according to the Court, the scope of the State’s obligation to protect human rights cannot be limited to the rights provided for in the African Charter of Human and Peoples Rights, but must be extended to the rights protected by other treaties that complement it.