


024/2016
13/02/2019
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AFRICAN UNION		UNION AFRICAINE
الاتحاد الأفريقي		UNIÃO AFRICANA
AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS COUR AFRICAINE DES DROITS DE L'HOMME ET DES PEUPLES		

THE MATTER OF

AMINI JUMA

V.

UNITED REPUBLIC OF TANZANIA

APPLICATION NO. 024/2016

ORDER

13 February 2019



The Court composed of: Sylvain ORÉ, President; Ben KIOKO, Vice-President; Rafaâ BEN ACHOUR, Ângelo V. MATUSSE, Suzanne MENGUE, M-Thérèse MUKAMULISA, Tujilane R. CHIZUMILA and Chafika BENSAOULA, Blaise TCHIKAYA, Stella I. ANUKAM, Judges; and Robert ENO, Registrar.

In accordance with Article 22 of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights and Rule 8(2) of the Rules of Court (hereinafter referred to as "the Rules"), Justice Imani D. ABOUD, member of the Court and a national of Tanzania, did not hear the Application.

In the matter of:

AMINI JUMA

represented by:

Mr William Ernest KIVUYO, Advocate

versus

UNITED REPUBLIC OF TANZANIA,

represented by:

Dr. Clement Julius MASHAMBA, Solicitor General, Attorney General's
Chambers

after deliberation,

issues the following Order.

I. THE PARTIES

1. The Applicant, Mr. Amini Juma is a national of the United Republic of Tanzania. He was convicted of the offence of murder on 18 September 2008 by the High Court of Tanzania and sentenced to life imprisonment, subsequently on appeal, his original sentence was substituted with a death sentence by the Court of Appeal of Tanzania at Bukoba on 17 December 2011.

2. The Respondent State, the United Republic of Tanzania, became a party to the African Charter on Human and Peoples' Rights (hereinafter referred to as "the Charter") on 21 October 1986 and to the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights (hereinafter referred to as "the Protocol") on 10 February 2006. On 29 March 2010, it deposited the declaration required under Article 34(6) of the Protocol.

II. PRAYERS OF THE PARTIES

3. The Applicant prays the Court to Order:
 - "1. That the Applicant be permitted to amend or file a supplement to his Application in accordance with the application filed on 19 October 2018;
 2. That the Applicant be permitted to adduce additional evidence under Rule 50 of the Court's Rules in accordance with the Application filed on 19 October 2018;
 3. That the Applicant be permitted to file such evidence and submissions on 18 January 2019;
 4. That the Applicant be permitted to file the Reparation submissions on 18 January 2019;
 5. That drafting or issuing of the judgment in this matter be deferred until the Applicant has had the opportunity to make the contemplated further submissions."

4. The Respondent State did not reply to the prayers of the Applicant.

THE COURT:

- i. Grants the Applicant leave to amend his application and submit further evidence in support of the same to be filed within fifteen (15) days of notification of this Order.
- ii. Grants the Applicant leave to file his submissions on reparations within fifteen (15) days of notification of this Order.

Signed:

Sylvain ORÉ, President



and Robert ENO, Registrar.



Done at Arusha, this thirteenth Day of February in the Year 2019, in English and French, the English text being authoritative.



2019-02-13

Order in Application No. 024 of 2016 - Amini JUMA Dated 13 February 2019

African Court on Human and Peoples' Rights

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