

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

المحكمة الأفريقية لحقوق الإنسان والشعوب

AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS
COUR AFRICAINE DES DROITS DE L'HOMME ET DES PEUPLES
TRIBUNAL AFRICANO DOS DIREITOS HUMANOS E DOS POVOS

P.O Box 6274 Arusha, Tanzania- Telephone:+255 732 979506/9; Fax.+255 732 979503

Web site: www.african-court.org Email registra@african-court.org

OFFICE OF THE REGISTRAR

Ref:.....

APPLICANT(S)

.....
.....

Vs

RESPONDENT (S)

.....
.....

NOTICE OF APPLICATION¹
Rule 33(1)², 34 and 40³

¹ There are no filing fees for Applications.

² **Rule 33 of the Rules of Court -Access to the Court**

Pursuant to the Provisions of Article 5 and 34(6) of the Protocol, the following are entitled to submit cases to the court:

- a. The African Commission on Human and Peoples' Rights
- b. The State party which has lodged an Application to the Commission
- c. The State party against which an Application has been lodged at the Commission
- d. The State party whose citizen is a victim of Human Rights violation
- e. An African inter- governmental Organisation
- f. Individual or Non- Governmental Organisation which has observer status before the Commission provided the state party has made a declaration to this effect.

³ **Rule 40 of the Rules of Court -Conditions for Admissibility of Applications**

Pursuant to the provisions of Article 56 of the Charter to which Article 6(2) of the Protocol refers, Applications to the court shall comply with the following conditions:

1. Disclose the identity of the Applicant notwithstanding the latter's request for anonymity;
2. Comply with Constitutive Act of the Union and the Charter;
3. Not contain any disparaging or insulting language;
4. Not be based exclusively on news disseminated through mass media;
5. Be filed after exhausting local remedies, if any, unless it is obvious that this procedure is unduly prolonged;
6. Be filed within a reasonable time from the date local remedies were exhausted or from the date set by the court as being the commencement of the time limit within which it shall be seized with the matter; and
7. Not raise any matter or issue previously settled by the parties in accordance with the principles of the Charter of the United Nations, the Constitutive Act of the African Union, the provisions of the Charter or of any legal instrument of the African Union.

Barcode label

If you have already received a sheet of barcode labels from the court, please place one barcode label in the box below.

Reference number

If you already have a reference number from the Court in relation to these complaints, please indicate it in the box below

A. The Applicant**A.1. Individual**

This section refers to applicants who are individual persons only.

1. Surname

2. First name(s)

3. Date of birth

e.g 31/12/2000

D	D	M	M	Y	Y	Y	Y

4. Place of birth

5. Nationality

6. Address

7. Telephone (including international dialing code)

8. Email (if any)

9. Sex male Female**A.2 Organisation.**

For Applicants who are a Company, NGO, Association or other legal entities.

10. Name

11. Identification number(if any)

12. Date of Registration of or incorporation (if any)

D	D	M	M	Y	Y	Y	Y

e.g 18/12/2000

13. Main Activity

14. Registered address.

15. Telephone (including international dialing code)

16. Email (if any)

B. States(s) against which the Application is directed

This must be a State that has ratified the Protocol establishing the African Court on Human and Peoples Rights.

If the Applicant is an individual or NGO, the State must have made the declaration in terms of Article 34(6) of the Protocol, accepting the competence of the Court to receive such applications.

17. Tick the name(s) of the States against which the application is directed.

- Algeria
- Angola
- Benin
- Botswana
- Burkina Faso
- Burundi
- Cameroon
- Central African Republic
- Chad
- Comoros
- Congo
- Cote d'Ivoire
- Democratic Republic of the Congo

- Djibouti
- Egypt
- Equatorial Guinea
- Eritrea
- Ethiopia
- Gabon
- Gambia
- Ghana
- Guinea

- Guinea-Bissau
- Kenya
- Lesotho
- Liberia

Zimbabwe

- Libya
- Madagascar
- Malawi
- Mali
- Mauritania
- Mauritius
- Mozambique
- Namibia
- Niger
- Nigeria
- Rwanda
- Sahrawi Arab Democratic Republic
- Sao Tome and Principe
- Senegal
- Seychelles
- Sierra Leone
- Somalia
- South Africa
- South Sudan
- Sudan
- Swaziland
- Tanzania
- Togo
- Tunisia
- Uganda
- Zambia
-

C. Representative(s) of the individual applicant

An individual applicant does not have to be represented by a lawyer at this stage. If the applicant is not represented, please go to section E.

Where the application is lodged on behalf of an individual applicant by a non-lawyer (e.g. a relative, friend or guardian), the non – lawyer must fill in section C.1; if it is lodge by a lawyer, the lawyer must fill in section C.2. In both situations section C.3 must be completed

C.1. Non-Lawyer

18. Capacity/relationship/function

19. Surname

20. First name(s)

21. Nationality

22. Address

23. Telephone (including international dialing code)

24. Fax

25. Email

C.2. Lawyer

26. Surname

27. First name(s)

28. Nationality

29. Address

30. Telephone (including international dialing code)

31. Fax

32. Email

C.3 Authority

The applicant must authorise any representative to act on his or her behalf by signing the box below; the designated representative must indicate his or her acceptance by signing the second box below.

I hereby authorise the person indicated above to represent me in the proceedings before the African Court concerning my application lodged under 5 and 34(6) of the Protocol establishing the African Court on Human and Peoples Rights.

33. Signature of applicant.

34. Date

I hereby agree to represent the applicant in the proceedings before the African Court concerning the application lodged under 5 and 34(6) of the Protocol establishing the African Court on Human and Peoples Rights.

34. Signature of

representative

36. Date

D. Representative(s) of the applicant organisation

Where the applicant is an organisation, it must be represented before the Court by a person entitled to act on its behalf and in its name (e.g. a duly authorised director or official). The details of the representative must be set out in section D.1.

If the representative instructs a lawyer to plead on behalf of the organisation, both D.2 and D.3 must be completed.

D.1. Organisation official

37. Capacity/relationship/function (please provide proof)

38. Surname

39. First name(s)

40. Nationality

41. Address

42. Telephone (including international dialing code)

43. Fax

44. Email

D.2. Lawyer

45. Surname

46. First name(s)

47. Nationality

48. Address

49. Telephone (including international dialing code)

50. Fax

51. Email

D.3 Authority

The representative of the applicant organisation must authorise any lawyer to act on its behalf by signing the first box below; the lawyer must indicate his or her acceptance by signing the second box below.

I hereby authorise the person indicated in section D.2 above to represent the organisation in the proceedings before the African Court concerning the application lodged under 5 and 34(6) of the Protocol establishing the African Court on Human and Peoples Rights.

52. Signature of applicant.

53. Date

I hereby agree to represent the organisation in the proceedings before the African Court concerning the application lodged under 5 and 34(6) of the Protocol establishing the African Court on Human and Peoples Rights.

54. Signature of

representative

55. Date

E. Summary of the facts

(The Applicant(s)/victim(s) should explain what happened to him/ her/them that made him/her/them file the application before this Court)

Note: In particular, specify the place, the date (chronologically), and the circumstances in which the alleged violations occurred, including the State Agencies/Institutions alleged to have been involved.

Note: If the complaints relate to a number of different matters (e.g. different sets of court proceedings) please deal with each factual matter separately.

Note: If there are documents or exhibits which provide proof of what happened, these should be included under section J below

56.

A large rectangular box containing horizontal dotted lines for writing.

Summary of the facts continue

57.

Lined writing area for the summary of facts.

G. Prayers to the Court.

What is/are the Applicant(s)/victim(s) requesting the Court to do for him/her/them?

Should the Applicant(s)/victim(s) think there is a need for the Court to order Provisional Measures in accordance with Article 27 of the Protocol of the Court or Rule 51 they should state so and provide a detailed explanation why.

59.

A large rectangular area containing horizontal dotted lines for writing.

H. Exhaustion of Local remedies.

Has/have the applicants(s)/victim(s) taken these complaints to the national courts before bringing them to this Court? If yes, give a summary of all proceedings before the national courts and indicate whether any proceedings are pending. Attach the copies of the records of proceedings and/or Judgments/ Rulings/ Orders delivered by the courts as annexures under **J**. If the complaints have not been taken to the national courts, give reasons why.

60.

A large rectangular box containing horizontal dotted lines for writing.

J. List of accompanying documents/attachments and/or evidence intended to be adduced.

Enclose full and legible copies of all documents. Be advised to submit *only copies*, not originals as no documents will be returned to you. You must

- arrange the documents in order by date and procedure
- number the pages and consecutively

63. In the table below, please list the documents in chronological order with a concise description. Indicate the page at which each document maybe found.

1	P.
2	P.
3	P.
4	P.
5	P.
6	P.
7	P.
8	P.
9	P.
10	P.
11	P.
12	P.
13	P.
14	P.
15	P.
16	P.
17	P.
18	P.
19	P.
20	P.

64. Preferred language of correspondence

- Arabic
- English
- French
- Portuguese
- Other (please specify)

Any other Comments

The applicant(s) can kindly add any comment related to his application, e.g explanation why he can't provide certain documents etc

65.

Declaration and signature.

I hereby declare that, the information I have given in this application form is correct to the best of my knowledge and belief.

66. Date

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 e.g 29/07/2016

The applicant(s) or the applicant's representative must sign in the box below.

67. Signature Applicant(s) Representative. -tick as appropriate

Confirmation of Correspondent

If there is more than one applicant or more than one representative, please give the name and address of on person with whom the Court will correspond. Where the applicant is represented, the Court will correspond only with the representative (Lawyer or non-lawyer)

68. Name and address of Applicant Representative -tick as appropriate

The Completed application form should be signed, addressed and sent by post to:

**The Registrar
African Court on Human and Peoples' Rights
Julius Nyerere Conservation Centre
Dodoma Road
P. O. Box 6274, Arusha,
United Republic of Tanzania
Email: registry@african-court.org**