|  |  |  |
| --- | --- | --- |
| **AFRICAN UNION** |  | **UNION AFRICAINE**  **UNIÃO AFRICANA** |
| **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 Tel: +255 73 29 79 506/9 Fax. +255 73 29 79 503**  Web site: [www.african-court.org](http://www.african-court.org) Email [registrar@african-court.org](mailto:registrar@african-court.org) | | |

Ref:.........................

|  |  |  |
| --- | --- | --- |
| **APPLICANT(S)** |  | |
|  |  | |
|  | |

**Vs**

|  |  |
| --- | --- |
| **RESPONDENT STATE (S)** |  |
|  |  |

**NOTICE OF APPLICATION[[1]](#footnote-1)**

**Rules 33(1)[[2]](#footnote-2), 34 and 40[[3]](#footnote-3)**

1. **Particulars of the Applicant(s) (*Fill the applicable section*)**

**a). Individual:**

|  |  |  |  |
| --- | --- | --- | --- |
| **Full Name**: |  | | |
| Nationality: |  | Date of Birth: |  |

Postal and Physical Address:

|  |  |  |  |
| --- | --- | --- | --- |
|  | | | |
|  | | | |
|  | | | |
|  | | | |
| Telephone: |  | Email: |  |
| Fax: |  |  |  |

**b). Institution:**

|  |  |  |
| --- | --- | --- |
| **Registered name**: |  | |
| Country of Registration: | |  |

Postal and Physical Address:

|  |  |  |  |
| --- | --- | --- | --- |
|  | | | |
|  | | | |
|  | | | |
|  | | | |
| Telephone: |  | Email:: |  |
| Fax: |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **C) State:** |  | |  |  |
| **Official Name:** | |  | | |

Postal and Physical Address:

|  |  |  |  |
| --- | --- | --- | --- |
|  | | | |
|  | | | |
|  | | | |
|  | | | |
| Telephone: |  | Email: |  |
| Fax: |  |  |  |

1. **Legal Representative and/or person acting on behalf of (an) Applicant(s). (*Fill the applicable section*)**

**a). Individual:**

|  |  |  |  |
| --- | --- | --- | --- |
| **Full Name**: |  | | |
| Nationality: |  | Date of Birth: |  |

Postal and Physical Address:

|  |  |  |  |
| --- | --- | --- | --- |
|  | | | |
|  | | | |
|  | | | |
| Telephone: |  | Email: |  |
| Fax: |  |  |  |

**b). Institution:**

|  |  |
| --- | --- |
| **Registered name**: |  |
| Country of Registration: |  |

Postal and Physical Address:

|  |  |  |  |
| --- | --- | --- | --- |
|  | | | |
|  | | | |
|  | | | |
| Telephone: |  | Email:: |  |
| Fax: |  |  |  |

1. **State(s) against which the application is filed**

(This must be (a) State(s) which has/have ratified the Protocol to the African Charter on Human and Peoples’ Rights on the Establishment of an African Court on Human and Peoples’ Rights. If the Application is by an individual or Non-Governmental Organization, that State should have made a declaration under Article 34(6) of the Protocol of the Court) accepting the competence of the Court to receive such applications – Check the status list for this on <http://www.au.int/en/sites/default/files/treaties/7778-sl-protocol_to_the_african_charter_on_human_and_peoplesrights_on_the_establishment_of_an_african_court_on_human_and_peoples_rights_17.pdf> )

|  |
| --- |
|  |
|  |

1. **A 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 Number 9 below:**

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
|  |

1. **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. If they have not taken these complaints to the national courts, give reasons why)

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

1. **Statement of the alleged violation(s)**[[4]](#footnote-4)

(State the human rights alleged to have been violated in accordance with instruments such as the national constitution, the African Charter on Human and Peoples’ Rights, the African Charter on the Rights and Welfare of the Child, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and other relevant human rights instruments)

| **Human rights alleged to be violated.** | **Explanation** |
| --- | --- |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

1. **Prayers to the Court**

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

**Note:** (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 of the Rules they should state so and provide a detailed explanation why)

**Note:** Should the Applicant (s)/victim(s) wish to make a claim for reparations, they should provide a detailed explanation

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

1. **Settlement by another International Procedure**

(The Applicant(s)/victim(s) should state if he/she/they have raised these complaints in another international procedure which has settled them in line with the principles of the United Nations Charter, the Constitutive Act of the African Union, the provisions of the African Charter on Human and Peoples’ Rights or any legal instrument of the African Union. If yes, a summary of the proceedings should be made here and copies of the record of proceedings and/or Judgment/Ruling/Orders delivered should be included under Number 9. The Applicant(s)/victim(s) should indicate why, despite this settlement, he/she/they are making an application to this Court.)

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

1. **Evidence intended to be adduced/Attachments**

A list of documents intended to be adduced as evidence. Applicants can file additional evidence at any time before the close of pleadings. After close of pleadings, they have to apply for leave to file such evidence in line with Rule 50 of the Rules.

**Note**: Enclose a numbered and chronological list of all copies of records of proceedings and judgments and decisions of national courts

**Note**: Any other documents you wish the Court to take into consideration as evidence supporting the claims (e.g. transcripts, witness statements, charge sheets, medical reports etc.)

**Note**: Enclose full and legible copies of all documents included in the list – Do not submit originals of documents as these will not be returned.

**Note:** If one is unable to provide all documents listed, provide an explanation as to why the documents cannot be provided

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

1. **Preferred language of correspondence (*tick the applicable one*)**

|  |  |
| --- | --- |
| 1. Arabic |  |
| 1. English |  |
| 1. French |  |
| 1. Portuguese |  |
| 1. Other (Please specify) |  |

1. **Summary of the Application**

(Provide a summary of the Application covering the main points under Number 1 to 7 above. (Note more than three (3) pages)

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

Dated at. ............................................this ................................. (day) of ................................. (month) ............................................ (year).

|  |  |  |
| --- | --- | --- |
|  |  |  |
|  | **APPLICANT(S)/REPRESENTATIVE(S)** |  |

**TO:**

**The Registrar**

**African Court on Human and Peoples’ Rights**

**Mwalimu Julius Nyerere Conservation Centre**

**Dodoma Road**

**P. O. Box 6274,**

**Arusha, United Republic of Tanzania**

**Email:** [**registry@african-court.org**](mailto:registry@african-court.org)

1. There are no filing fees for Applications. [↑](#footnote-ref-1)
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:

   1. The African Commission on Human and Peoples’ Rights
   2. The State party which has lodged an Application to the Commission
   3. The State party against which an Application has been lodged at the Commission
   4. The State party whose citizen is a victim of Human Rights violation
   5. An African inter- governmental Organisation
   6. Individual or Non- Governmental Organisation which has observer status before the Commission provided the state party has made a declaration to this effect.

   [↑](#footnote-ref-2)
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 parties in accordance with 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.

   [↑](#footnote-ref-3)
4. The Basic Legal Texts of the Court, including the Rules and Practice Directions can be found on the Court’s website at:

   [**http://www.african-court.org/ar/index.php/documents-legal-instruments/basic-documents**](http://www.african-court.org/ar/index.php/documents-legal-instruments/basic-documents) **(For Arabic Documents)**

   [**http://en.african-court.org/index.php/basic-documents/basic-documents-featured-articles**](http://en.african-court.org/index.php/basic-documents/basic-documents-featured-articles) **(For English documents)**

   [**http://fr.african-court.org/index.php/basic-documents/basic-documents-featured-articles**](http://fr.african-court.org/index.php/basic-documents/basic-documents-featured-articles) **(For French Documents)**

   [**http://www.african-court.org/pt/index.php/documents-legal-instruments**](http://www.african-court.org/pt/index.php/documents-legal-instruments) **(For Portuguese documents)** [↑](#footnote-ref-4)