

IN THE AFRICAN COURT ON HUMAN AND PEOPLE'S RIGHTS AT ARUSHA

APPLICATION NO.....OF.....

IN THE MATTER OF THE COURT OF APPEAL OF TANZANIA AT TABORA
IN CRIMINAL APPEAL NO. 76 OF 2009

AND

IN THE MATTER OF HIGH COURT OF TANZANIA AT TABORA
ORIGINAL CRIMINAL CASE NO.16 OF 2005

BETWEEN

GAWANI S/O NKENDEAPPLICANT

AND

THE REPUBLIC OF TANZANIA

ATTORNEY GENERAL 'S CHAMBERS..... RESPONDENT

EXECUTIVE SUMMARY OF THE APPLICATION.

{ Made under rule 19 of the court's rules from provision No 17 and 19 of the Court's }
{ practice direction. }

I, **GAWANI S/O NKENDE** applicant being requests this Honourable Court of Justice Human and people's rights to allow me to lodge a memorandum of complaints of violation of Human rights and justice for the following grounds inter alia;-

1. That, the judgment of the Court of was procured in great error, because the applicant je was not afforded a legal representation. The Court violated article 10 (2) of the protocol to the African charter and section 310 of the criminal procedure Act Cap.20 R.E 2002.
2. That, the applicant as appellant in the super appeal had submitted memorandum of appeal within both several grounds on the hearing of appeal had argued all the grounds, but the court did not consider it. .
3. That, as the applicant I was not legal representative when my right to be heard was deprived leading to prejudice this position violated the fundamental right of the charter of the Court contrary to articles 7 (1) © the same as article 1 and 107 A (2) (b) of the constitution of the United Republic 1977 the mother law of Tanzania.
4. That, the application humbly pray this Honourable to re-sore justice where it was over looked and quash both conviction and sentence meted on me and set me free from the Prison Custody.
5. That, this Honourable Court be please to grant any other order or legal remedy that the court may fit and just to grant in the circumstance of my complaints. This

executive summary has been prepared and signed by me
this.....03.....day of.....4.....2018.

VERIFICATION;- This Executive summary has been prepared by me, the applicant here
at Tabora and signed by myself.

This03.....day of.....4.....2018



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THE APLICANT:- GAWANI S/O NKENDE

CERTIFICATION.

I, hereby certify that this executive summary of complaints has been prepared by
Applicant (prisoner) himself and there is no alteration thereto.

Certified this03.....day of04.....2018

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**THE OFFICER INCHARGE
UYUI CENTRAL PRISON
TABORA**



To:- HONOURABLE THE JUSTICE OF AFRICAN COURT ON HUMAN AND
PEOPLES RIGHTS OF ARUSHA TANZANIA.

LODGED IN THE REGISTRY OFFICE OF THE AFFRICAN COURT OF HUMAN
AND PEOPLES RIGHTS ARUSHA P O BOX 6274 ARUSHA-----TANZANIA

.....
REGISTRAR OF THE COURT (AFCHPR)

DRAWN AND FILED BY:-
THE APPLICANT:- GAWANI S/O NKENDE
C/O OFFICER INCHARGE
UYUI CENTRAL
TABORA.

COPY TO SERVED UP ON.
THE UNITED REPUBLIC OF TANZANIA
ATTORNEY GENERAL'S CHAMBERS
P O BOX 11492
DAR- ES-SALAAM - TANZANIA.