


000241

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

CHARLES KAJOLOWEKA

v.

REPUBLIC OF MALAWI

APPLICATION No. 055/2019

055/2019

27/03/2020

(000241 - 000235) / YJ

RULING

(PROVISIONAL MEASURES)

27 MARCH 2020



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

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

In the matter of

Charles KAJOLOWEKA

Represented by:

Pan African Lawyers Union (PALU)

Versus

REPUBLIC OF MALAWI

Represented by:

- i. Honourable Kalekeni KAPHALE, SC, Attorney General, Ministry of Justice and Constitutional Affairs;
- ii. Mr. Nerverson CHISIZA, State Advocate, Ministry of Justice and Constitutional Affairs;
- iii. Ms. Lumbani MWAFULIRWA, State Advocate, Ministry of Justice and Constitutional Affairs;
- iv. Mr. Bonwel MLENGA, State Advocate, Ministry of Justice and Constitutional Affairs; and
- v. Dr. Zolomphi NKOWANI, Zolomphi & Company.

After deliberation,

Delivers the following Ruling: