



**PRESS RELEASE**  
**JUDGMENT SUMMARY**

**APPLICATION FOR REVIEW NUMBER 001/2018**  
**FOR JUDGMENT OF 11 MAY 2018 IN**  
**RUTABINGWA CHRYSANTHE v. REPUBLIC OF RWANDA**  
**JUDGMENT ON REVIEW [4 JULY 2019]**

**A DECISION OF THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS**

Date of Press Release: 4 July 2019

**Arusha, 4 July 2019.** Today, the African Court on Human and Peoples' Rights (the African Court or the Court) delivered its judgment in an Application for Review of Judgment in the case of *Rutabingwa Chrysanthe v. Republic of Rwanda*.

Mr *Rutabingwa Chrysanthe*, (the Applicant), filed an Application for Review of the judgment of the Court of 11 May 2018 on the merits of an application he had filed against the Republic of Rwanda (the Respondent State), which the Court found inadmissible for failure to exhaust local remedies.

The Applicant challenged this Court's decision asserting that the subject of the first judgment of the Court of First Instance was changed by the Respondent State, as he never sought compensation but rather rehabilitation before the Court of First Instance and before the High Court of Justice in Kigali. He also alleged that the Court, in paragraph 43 of its judgment, made reference to the High Court judgment, which relied on Law 18/2004 passed on 20 June 2004, without indicating that this law was enacted subsequent to his dismissal, and hence could not apply to his case by virtue of the principle of non-retroactivity of a law.

He further argued that this Court also infringed the principle of non-retroactivity, not only by referring in paragraph 44 of the judgment, to Organic Law No. 03/2012 of 13 June 2012 which confers on the Supreme Court of Rwanda jurisdiction to adjudicate "appeals against judgments rendered at first instance by the High Court ..."; but also by declaring at paragraph 46 that the Application is inadmissible for failure to exhaust local remedies. According to him, this law was enacted subsequent to his case, having been adopted six (6) years after his seizure of the High Court.

The Respondent State did not participate in the proceedings.



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The Court observed that Article 28(3) of the Protocol empowers it to review its own decisions under conditions set out in its Rules. According to Rule 67 (1) and (2) of the Rules of Court, the Court may review its judgment in the event of the discovery of evidence, which was not within the knowledge of the party at the time the judgment was delivered, such application having been filed within six (6) months from the time the Applicant obtained such evidence..

The Court considered the Applicant's grounds of Application for Review and determined that pursuant to Article 67(1) "the Applicant failed to provide new evidence that he exhausted local remedies." In this regard, it emphasized that "No information contained in the pleadings tendered by the Applicant constitute "evidence" of which the Court was not aware at the time of its decision on 11 may 2018." Accordingly, the Court declared that the Applicant's request for Review lacked merit and dismissed it.

On the issue of costs, the Court noted that the Applicant having not made any submissions on costs, in accordance with Rule 30 of the Rules of Court, the Court decided that each party should bear its own cost.

**Further Information**

Further information about this case, including the full text of the decision of the African Court, may be found on the website at <http://en.african-court.org/index.php/56-pending-cases-details/885-app-no-022-2015-rutabingwa-chrysanthe-v-republic-of-rwanda-details> . For any other queries, please contact the Registrar by email to [registrar@african-court.org](mailto:registrar@african-court.org) .

*The African Court on Human and Peoples' Rights is a continental court established by African countries to ensure the protection of human and peoples' rights in Africa. The Court has jurisdiction over all cases and disputes submitted to it concerning the interpretation and application of the African Charter on Human and Peoples' Rights and any other relevant human rights instrument ratified by the States concerned. For further information, please consult our website at [www.african-court.org](http://www.african-court.org).*