

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

APPLICATION NO. 033 OF 2017

C/F COURT OF APPEAL OF TANZANIA AT TABORA
CRIMINAL APPEAL NO.55 OF 2002

IN THE HIGH COURT OF TANZANIA AT TABORA
CRIMINAL APPEAL NO.79 OF 2001

IN THE DISTRICT COURT OF NZEGA AT NZEGA
ORIGINAL CRIMINAL CASE NO.4 OF 2001

BETWEEN

LEONARD S/O MOSESAPPLICANT

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 18 and 19 of the Court's }
{ practice direction. }

I, the above mentioned applicant beg to this Honourable Court of Justice Human and people's rights to grant and allow me to lodge memorandum of complaints of violation of Human rights and justice on the for the following reason inter-alia;-

1. That, the applicant was convicted and sentenced to serve thirty (30) years in jail with corporal punishment the sentence which violating articles 13 (6),(d) (e) of the Constitution of the United Republic of Tanzania 1977 special right.
2. That, according to the copy of judgment the court of appeal had not considered the omission appeal in the charged sheet as the court considered the other cases like this, this circumstance shows that the Court violated articles 13 (1) (2) of the constitution of the United Republic of Tanzania of 1977 it was violating the fundamental right of being equal before the law and being heard before the court of law as required by article 3 (2) of the charter of the court.
3. That, the prosecution side have representation while the applicant he was no legal representative his right to be heard were deprived. This position has violated the fundamental rights of the Court contrary to article 10 (2) of the protocol to the charter.
4. That, the applicant humbly prays that this Honourable Court to restore the justice where it was overlooked and quash the conviction and the meted sentence and set him free from custody.

5. That, the Court may grant any other legal remedy that the court may think fit and just to grant in the circumstance of the complaint.
6. That, the applicant intended to be supported by a submission of the complaints of violation of Human rights and justice accompanied with the copy of judgment of the court of appeal.

This Executive Summary has been prepared by me the applicant at Uyui central Prison Tabora, this 11 day of SEPT 2017

.....
THE APLICANT:- LEONARD S/O MOSES

CERTIFICATION.

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

Certified this 12 day of SEPT 2017

.....
J.S. DSP
**THE OFFICER INCHARGE
UYUI CENTRAL PRISON
TABORA**

UYUI WA GIBELZA
UYUI TABORA

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:- LEONARD S/O MOSES
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.