


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		

SUMMARY OF APPLICATION

REUBEN JUMA (APPLICANT)

VS

UNITED REPUBLIC OF TANZANIA (RESPONDENT STATE)

APPLICATION No. 015/2017

I. THE PARTIES

1. Reuben Juma (hereinafter referred to as “the Applicant”) is a national of the United Republic of Tanzania (hereinafter referred to as “the Respondent State”). He brings this Application alleging a violation of his right to fair trial.
2. The Respondent State became party to the African Charter on Human and Peoples' Rights (hereinafter referred to as "the Charter") on 21 October 1986 and to the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' (hereinafter

referred to as “the Protocol”) on 10 February 2006 and deposited the Declaration required under Article 34(6) of the Protocol on 29 March 2010, by which it accepted the jurisdiction of the Court to receive cases from individuals and Non-Governmental Organizations. On 21 November 2019 it deposited with African Union Commission on Human and Peoples' Rights (Hereinafter referred to as the “Commission”), an instrument of withdrawal of the said declaration. The Court has held that this withdrawal has no bearing on pending cases and new cases filed before the day on which the withdrawal took effect which was on 22 November 2020, being a period of one year after its deposit.

II. SUBJECT OF THE APPLICATION

A. Facts of the Matter

1. The Applicant is currently serving a thirty (30) years sentence at Butimba Prison, in Mwanza Region.
2. He was convicted and sentenced to thirty (30) years imprisonment on the 11 September 2011 in Criminal Case No. 05 of 2010 before the Resident Magistrates Court of Mwanza.
3. The Applicant then appealed to the High Court against the conviction and sentence but his appeal was dismissed on 17 May 2013. On further appeal to the Court of Appeal, the appeal was also dismissed on the 11 August 2014.
4. The Applicant then filed this Application before the African Court on Human and People’s Rights on 2 May 2017.

B. Alleged violations:

3. The Applicant alleges that the Respondent State has violated his fundamental rights guaranteed in Articles 2; 3(1) and 7(1) and 2(c) of the Charter.

III. PRAYERS OF THE APPLICANT

4. The Applicant prays the court to grant him the following:

- 1) To be facilitated with free legal representation/ assistance as per Rule 31 of the Rules of the Court and Article 10 (2) of the Protocol to the Court.
- 2) To restore justice where it was overlooked, quash both conviction and sentence and set him at liberty.
- 3) To be granted reparation pursuant to Article 27 (1) of the Protocol to the Court and Rule 34 (5) of the Rules of the Court in order to remedy the violation.