

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**

**ALIYU SULEIMAN**

**V.**

**THE AFRICAN UNION (AU) AND THE AFRICAN UNION COMMISSION (AUC)**

**APPLICATION NO. 014/2024**

**CASE SUMMARY**

## **I. THE PARTIES**

1. Mr. Aliyu Suleiman (hereinafter referred to as the “Applicant”) is a national of the Republic of Nigeria, a graduate of Kaduna State University and an advocate for social justice. He alleges the violation of rights in relation to the nomination process of the candidates for the position of Chairperson of the African Union Commission.
2. The Application is filed against the African Union and the African Union Commission (hereinafter referred to as “Respondents”). The 1<sup>st</sup> Respondent is a continental organisation of African States established under the Constitutive Act of the African Union, 2001. The 2<sup>nd</sup> Respondent is the Secretariat of the 1<sup>st</sup> Respondent established in accordance with the provisions of the Constitutive Act of the African Union, 2001.

## **II. SUBJECT OF THE APPLICATION**

### **A. Facts of the matter**

3. The Applicant filed his case before this Court following the nomination of the candidates for the position of the Chairperson of the African Union on 6 August 2024. He alleges that the process of nominating the candidates was flawed as some of the candidates who were nominated to contest for the position of Chairperson of the African Union had not met the requirements as published in the African Union website, a result of which, the rights of the peoples of Africa to participate in the governments of their countries was violated.

### **B. ALLEGED VIOLATIONS**

4. The Applicant alleges the following violations:

- a) The right of every African adult person to participate freely in their governance, either directly or through freely chosen representatives under Articles 13 of the Charter.
- b) The right of peoples to participate in public affairs, to vote and be elected in genuine periodic election under Article 15 of the International Covenant on Civil and Political Rights (ICCPR) and the preamble to the African Charter on Democracy and Governance;
- c) Failure to abide by the principle of legality; and
- d) Failure to abide by the objectives of the AU and especially the principles of democracy, popular participation, rule of law, accountability, transparency as well as recognition, promotion and protection of human and people's rights.

### **III. PRAYERS OF THE APPLICANT**

5. The Applicant prays the Court for:

- a) A declaration that the pre-selection process conducted by the Panel of Eminent Africans, under the authority of the Respondents violated the established criteria and procedures published by the AU;
- b) A declaration that the Respondents, acting through their agents violated the objectives of the establishment of the AU and especially principles of democracy, popular participation, rule of law, accountability, transparency as well as recognition, promotion and protection of human and people's rights.
- c) A declaration that the approval of nominees who do not meet the preselection criteria is unlawful, null and void.
- d) An order directing the respondent to allow all eligible Africans to seek the office of the Chairperson of the AU Commission.
- e) May this Honourable Court be pleased to make such other and further orders as this Honourable Court may deem just and fit.

