|  |  |  |
| --- | --- | --- |
| **AFRICAN UNION** |  | **UNION AFRICAINE****UNIÃO AFRICANA** |
| **AFRICAN COURT ON HUMAN AND PEOPLES’ RIGHTS****COUR AFRICAINE DES DROITS DE L’HOMME ET DES PEUPLES****TRIBUNAL AFRICANO DOS DIREITOS HUMANOS E DOS POVOS****P.O Box 6274 Arusha, Tanzania Tel: +255 73 29 79 506/9 Fax. +255 73 29 79 503**Web site: [www.african-court.org](http://www.african-court.org) Email registrar@african-court.org |

**NOTICE OF APPLICATION[[1]](#footnote-1)**

**Rules 39(1)[[2]](#footnote-2), 40 and 41 of the Rules**

**THE INFORMATION MUST BE TYPED AND NOT HANDWRITTEN**

|  |  |
| --- | --- |
| **APPLICANT(S)** |  |
|  |  |

**Vs**

|  |  |
| --- | --- |
| **RESPONDENT STATE(S)** |  |
|  |  |

1. **Particulars of the Applicant(s) (*Fill the applicable section*)**

**a). Individual:**

|  |  |
| --- | --- |
| **Full Name**: |  |
| Nationality: |  | Date of Birth: |  |

Postal and Physical Address:

|  |
| --- |
|  |
|  |
| Telephone: |  | Email: |  |

**b). Institution:**

|  |  |
| --- | --- |
| **Registered name**: |  |
| Country of registration: |  |

Postal and Physical Address:

|  |
| --- |
|  |
|  |
| Telephone: |  | Email:: |  |
| **C) State:**  |  |  |  |
| **Official Name:** |  |

Postal and Physical Address:

|  |
| --- |
|  |
|  |
| Telephone: |  | Email: |  |

1. **Representative of the Applicant(s).[[3]](#footnote-3) (*Fill the applicable section*)**

**a). Individual:**

|  |  |
| --- | --- |
| **Full Name**: |  |
| Nationality: |  | Date of Birth: |  |

Postal and Physical Address:

|  |
| --- |
|  |
|  |
| Telephone: |  | Email: |  |
|  |  |  |  |

**b). Institution:**

|  |  |
| --- | --- |
| **Registered name**: |  |
| Country of registration: |  |

Postal and Physical Address:

|  |
| --- |
|  |
|  |
| Telephone: |  | Email:: |  |

1. **State(s) against which the application is filed**

 (This must be (a) State(s) which has/have ratified the Protocol to the African Charter on Human and Peoples’ Rights on the Establishment of an African Court on Human and Peoples’ Rights. If the Application is by an individual or Non-Governmental Organization, that State should have made a declaration under Article 34(6) of the Protocol of the Court) accepting the competence of the Court to receive such applications – Check the status list for this on <https://au.int/sites/default/files/treaties/36396-sl-PROTOCOL%20ON%20THE%20STATUTE%20OF%20THE%20AFRICAN%20COURT%20OF%20JUSTICE%20AND%20HUMAN%20RIGHTS.pdf>

1. **A summary of the facts**

 (The Applicant(s)/victim(s) should explain what happened to him/ her/ them that made him/her/them file the application before this Court)

**Note:** **In particular, specify the place, the date (chronologically), and the circumstances in which the alleged violations occurred, including the State Agencies/Institutions alleged to have been involved.**

**Note: If the complaints relate to a number of different matters (e.g. different sets of court proceedings) please deal with each factual matter separately**

**Note: If there are documents or exhibits which provide proof of what happened, these should be included under Number 9 below:**

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

1. **Exhaustion of local remedies**

(Has/have the Applicants(s)/victim(s) taken these complaints to the national courts before bringing them to this Court? If yes, give a summary of all proceedings before the national courts and indicate whether any proceedings are pending. Attach the copies of the records of proceedings and/or Judgments/ Rulings/ Orders delivered by the courts as annexures. If they have not taken these complaints to the national courts, give reasons why)

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

1. **Statement of the alleged violation(s)**

(State the human rights alleged to have been violated in accordance with instruments such as the African Charter on Human and Peoples’ Rights, the African Charter on the Rights and Welfare of the Child, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, etc.)

| **Human rights alleged to be violated.** | **Explanation** |
| --- | --- |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

1. **Prayers to the Court**

(What is/are the Applicant(s)/victim(s) requesting the Court to do for him/her/them?)

(If the Applicant(s)/victim(s) is/are requesting Provisional Measures in accordance with Article 27 of the Protocol of the Court and Rule 59 of the Rules they should provide justification(s) for the request.)

(If Applicant is seeking reparations- refer to the Reparations Fact Sheet at <https://en.african-court.org/images/Basic%20Documents/FACT_SHEET_ON_FILING_REPARATION_CLAIMS_-_Revised_October_2020.pdf> )

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

1. **Settlement by another International Procedure**

(The Applicant(s)/victim(s) should state if he/she/they have raised these complaints in another international procedure which has settled them in line with the principles of the United Nations Charter, the Constitutive Act of the African Union, the provisions of the African Charter on Human and Peoples’ Rights or any legal instrument of the African Union. If yes, a summary of the proceedings should be made here and copies of the record of proceedings and/or Judgment/Ruling/Orders delivered should be included under Number 9. The Applicant(s)/victim(s) should indicate why, despite this settlement, he/she/they are making an application to this Court.)

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

1. **Evidence intended to be adduced/Attachments**

A list of documents intended to be adduced as evidence.

**Note**: Enclose a numbered and chronological list of all copies of records of proceedings and judgments and decisions of national courts

**Note**: Any other documents you wish the Court to take into consideration as evidence supporting the claims (e.g. transcripts, witness statements, charge sheets, medical reports etc.)

**Note**: Enclose full and legible copies of all documents included in the list – Do not submit originals of documents as these will not be returned.

**Note:** If one is unable to provide all documents listed, provide an explanation as to why the documents cannot be provided

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

1. **Preferred language of correspondence (*tick the applicable one*)**

|  |
| --- |
| 1. Arabic
 |[ ]
| 1. English
 |[ ]
| 1. French
 |[ ]
| 1. Portuguese
 |[ ]
| 1. Other (Please specify)
 |[ ]

1. **Summary of the Application**

 (Provide a summary of the Application covering the main points under Number 1 to 7 above. (Note more than three (3) pages)

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

Dated at. ............................................this ................................. (day) of ................................. (month) ............................................ (year).

|  |  |  |
| --- | --- | --- |
|  |  |  |
|  | **Signed by****APPLICANT(S)/REPRESENTATIVE(S)** |  |

**TO: The Registrar**

**African Court on Human and Peoples’ Rights**

**Mwalimu Julius Nyerere Conservation Centre**

**Dodoma Road**

**P. O. Box 6274,**

**Arusha, United Republic of Tanzania**

**Email:** **registry@african-court.org**

1. There are no filing fees for Applications. [↑](#footnote-ref-1)
2. **Rule 39 of the Rules -Access to the Court**

	1. Pursuant to the Provisions of Article 5 (1) and 3 of the Protocol, the following are entitled to submit cases to the Court:
	2. The Commission;
	3. The State Party which has lodged an Application to the Commission
	4. The State party against which an Application has been lodged at the Commission
	5. The State party whose citizen is a victim of Human Rights violation
	6. An African inter- governmental Organisation
	7. Individual or Non- Governmental Organisation which has observer status before the Commission provided the state party has made a declaration to this effect. [↑](#footnote-ref-2)
3. An Applicant can be self-represented but where they wish to be represented, the representative can be anyone of their choice and does not have to be a legal practitioner-See Rule 31 of the Rules:

**Rule 31 -Representation and Legal Assistance**

1. Every party to a case shall be entitled to be represented or to be assisted by counsel and/or by any other person of the party’s choice.

2. Pursuant to Article 10 (2) of the Protocol, the Court may, upon request or *suo motu*, decide to provide, in the interest of justice and within the limits of the financial resources available, free legal assistance to any party at any stage of the proceedings.

3. The Court shall maintain a Legal Aid scheme for the purpose of implementing this Rule.

 4. The Court shall collaborate with the AU Commission in the management of the African Union Legal Aid Fund for African Union Human Rights Organs. [↑](#footnote-ref-3)