

**Hassani v Tanzania (re-opening of pleadings) (2019) 3 AfCLR 518**

Application 029/2015, *Yusuph Hassani v United Republic of Tanzania*

Order, 6 September 2019. Done in English and French, the English text being authoritative.

Judges: ORE, KIOKO, BEN ACHOUR, MATUSSE, MENGUE, MUKAMULISA, CHIZUMILA, BENSAOULA, TCHIKAYA and ANUKAM

Recused in terms of Articles 22 : ABOUD

The Court ordered the re-opening of pleadings after having received the Respondent State's pleadings on reparations after pleadings had been closed.

**Procedure** (re-opening of pleadings)

## **I. The Parties**

1. The Applicant, Mr Yusuph Hassani is a national of the United Republic of Tanzania. He was convicted of the offence of armed robbery on 31 August 2006 and sentenced to thirty (30) years imprisonment which he is currently serving.
2. The Respondent State, the United Republic of Tanzania, became a 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' Rights (hereinafter referred to as "the Protocol") on 10 February 2006. On 29 March 2010, the Respondent State deposited the Declaration as prescribed under Article 34(6) of the Protocol.

## **II. Subject matter of the Application**

3. The Application, filed on 23 November 2015, is based on the Respondent State's alleged violations of the Applicant's right to be heard in the course of his trial and appeals on the charge of armed robbery.

## **III. Summary of procedure before the Court**

4. The Parties exchanged pleadings on the merits. The Applicant filed his submissions on reparations. On 8 June 2019 the Parties

were notified of the close of pleadings.

5. On 26 August 2019 the Respondent State filed a request for extension of time to file its response to the Applicant's submissions on reparations on the basis that the delay in responding was due to the reforms in the State Law Offices. The Respondent State filed the response to the submissions together with the request for extension of time.
6. On 29 August 2019 the Respondent State's request was sent to the Applicant for his observations to be submitted within fifteen (15) days.

#### **IV. The Court**

- i. Orders that, in the interests of justice, proceedings in Application 029/2015 *Yusuph Hassani v United Republic of Tanzania* be and are hereby re-opened
- ii. The Respondent State's Response to the Applicant's submissions on reparations is deemed as duly filed and to be served on the Applicant.
- iii. The Applicant's Reply, if any, should be filed within thirty (30) days of receipt of the Respondent State's Response.