

## Juma v Tanzania (leave to amend) (2019) 3 AfCLR 6

Application 024/2016, *Amini Juma v United Republic of Tanzania*

Order, 13 February 2019. Done in English and French, the English text being authoritative.

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

Recused under Article 22: ABOUD

Request by the Applicant to amend the Application and file further evidence granted by the Court.

**Procedure** (leave to amend, 4; leave to file submissions, 4)

### I. The Parties

1. The Applicant, Mr Amini Juma is a national of the United Republic of Tanzania. He was convicted of the offence of murder on 18 September 2008 by the High Court of Tanzania and sentenced to life imprisonment, subsequently on appeal, his original sentence was substituted with a death sentence by the Court of Appeal of Tanzania at Bukoba on 17 December 2011.
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, it deposited the declaration required under Article 34(6) of the Protocol.

### II. Prayers of the Parties

3. The Applicant prays the Court to Order:
  - "1. That the Applicant be permitted to amend or file a supplement to his Application in accordance with the application filed on 19 October 2018;
  2. That the Applicant be permitted to adduce additional evidence under Rule 50 of the Court's Rules in accordance with the Application filed on 19 October 2018;
  3. That the Applicant be permitted to file such evidence and submissions on 18 January 2019;
  4. That the Applicant be permitted to file the Reparation submissions

on 18 January 2019;

5. That drafting or issuing of the judgment in this matter be deferred until the Applicant has had the opportunity to make the contemplated further submissions.”

**4.** The Respondent State did not reply to the prayers of the Applicant.  
The Court

- i. Grants the Applicant leave to amend his application and submit further evidence in support of the same to be filed within fifteen (15) days of notification of this Order.
- ii. Grants the Applicant leave to file his submissions on reparations within fifteen (15) days of notification of this Order.