

## Ramadhani v Tanzania (reopening of pleadings) (2020) 4 AfCLR 925

Application 010/2015, *Amir Ramadhani v United Republic of Tanzania*

Order (reopening of pleadings) 19 August 2020. Done in English and French, the English text being authoritative.

**Judges:** ORÉ, KIOKO, BEN ACHOUR, MATUSSE, MENGUE, MUKAMULISA, CHIZUMILA, BENSAOULA, TCHIKAYA and ANUKAM.

Recused under Article 22: ABOUD

In 2018, the Court delivered its judgment on the merits in the matter brought by the present Applicant. Based on the Court's finding that certain rights of the Applicant had been violated, the present request for reopening of pleadings was brought. The Court granted the request for reopening of pleadings.

**Procedure** (interest of justice, 4)

### I. The Parties

1. The Applicant, Amir Ramadhani, (hereinafter referred to as “the Applicant”) is a national of Tanzania.
2. The Respondent State is the United Republic of Tanzania, which ratified the African Charter on Human and Peoples’ Rights (hereinafter referred to as “the Charter”) on 21 October 1986; the Protocol on 7 February 2006; and deposited the Declaration under Article 34(6) of the Protocol, by which it accepts the jurisdiction of the Court to receive cases directly from individuals and Non-Governmental Organizations, on 29 March 2010.

### II. Subject matter of the Application

3. An Application for reparations was filed by the Applicant pursuant to the judgment of the Court on the merits delivered on 11 May 2018. In the said judgment, the Court decided that the Respondent State violated Article 7(1)(c) of the Charter, due to its failure to provide the Applicant with free legal assistance during the judicial proceedings and decided that the Respondent State also consequently violated Article 1 of the Charter.
4. Pursuant to Rule 63 of the Rules, the Court ordered the Applicant to file his submission on reparations within thirty (30) days of the judgment of 11 May 2018 and the Respondent State to file submissions in response thereto within thirty (30) days of receipt

of the Applicant's submissions.

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

5. On 14 May 2018, the Registry transmitted a certified true copy of the judgment on the merits to the Parties.
6. The Applicant filed his submission on reparations on 30 July 2018, which was transmitted to the Respondent State on 2 August 2018.
7. After extensions of time granted to the Respondent State on 19 September 2018; 12 December 2018 and 15 February 2019, on 3 May 2019, pleadings were closed and the Parties were duly notified.
8. On 10 July 2019, the Respondent State filed its Response to the Applicant's submission on reparations.

### **IV. The Court**

- i. *Orders* that the proceedings in Application 010/2015 *Amir Ramadhani v United Republic of Tanzania* (Reparations) are hereby reopened; and
- ii. *Rules* that Respondent State's Response to the Applicant's submissions on reparations is deemed as properly filed, in the interest of justice;
- iii. *Orders* the Applicant to submit his Reply to the Respondent State's Response within thirty (30) days of receipt thereof.