

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS
COUR AFRICAINE DES DROITS DE L'HOMME ET DES PEUPLES

IN THE MATTER OF

AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS

v.

THE GREAT SOCIALIST LIBYAN PEOPLE'S ARAB JAMAHIRIYA

APPLICATION No. 004/2011

Application for leave to participate as *amicus curiae*

ORDER

The Court composed of: Gérard NIYUNGEKO, President; Sophia A.B. AKUFFO, Vice-President; Bernard M. NGOEPE, Modibo T. GUINDO, Fatsah OUGUERGOUZ, Augustino S.L. RAMADHANI, Duncan TAMBALA, Elsie N. THOMPSON and Sylvain ORE- Judges; and Robert ENO- Registrar,

In the matter of:

AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS

V.

THE GREAT SOCIALIST LIBYAN PEOPLE'S ARAB JAMAHIRIYA

Application for leave to participate as *amicus curiae*

After deliberations,

makes the following Order:

1. By an application dated 3rd March, 2011, the African Commission on Human and Peoples' Rights (hereinafter referred to as the Applicant) brought before the Court a case against the Great Socialist Libyan People's Arab Jamahiriya (hereinafter referred to as the Respondent).
2. By letter dated 13 June 2011, the Pan African Lawyers Union (PALU) applied for leave to participate as *amicus curiae* in the application.

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3. By letter dated 16th June 2011, the Registry acknowledged receipt of PALU's application.
4. At its 22nd Ordinary Session that took place from 12 to 23 September, 2011, in Arusha, the Court instructed the Registry to request PALU to specify the issues it intends to contribute with respect to the matter, prior to it making a decision on PALU's application.
5. By letter dated 14th November, 2011, the Registry invited PALU to indicate the contribution it intends to submit to the Court, before 30 November, 2011.
6. By letter dated 14th December, 2011, PALU submitted to the Registry of the Court the issues relating to its proposed contribution as *amicus curiae* on the matter.
7. By letter of 6th February, 2012, the Registry acknowledged receipt of PALU's letter of 14th December, 2011.
8. Rule 45 (1) of the Rules of Court provides that "...The Court may, *inter alia*, decide to hear (...) in any other capacity [other than witness or expert], any person whose evidence, assertions or statements it deems likely to assist it in carrying out its task".
9. On the basis of the above provision, the Court rules that:
 - i) The request by PALU to participate as *amicus curiae* is granted.
 - ii) The Registrar is directed to transmit to PALU copies of the pleadings and a copy of this order.

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iii. PALU is directed to file its submissions on or before 30th June, 2012.

Done at Arusha, this thirtieth day of March Two Thousand and Twelve, in English and French, the English text being authoritative.

Signed:

Gérard NIYUNGEKO, President

Robert ENO, Registrar

