

AFRICAN UNION

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UNION AFRICAINE

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**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

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

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. On 8th June 2011, the Registry received a letter from the Respondent dated 7 June, 2011, transmitting its response to the Applicant's application

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3. On 28th June, 2011, the Registry received a letter from the Applicant dated 27 June, 2011, requesting for extension of time for its reply to the Respondent's response, up to 30th September, 2011.
4. By an Order made on 2nd September 2011, the Court decided to extend the time for the Applicant to file its reply to 30 September, 2011.
5. On 7th October 2011, the Registry received a letter from the Applicant dated 28th September, 2011, requesting a second extension of time for its reply, for a further period of one year, 'to allow the situation in Libya to evolve sufficiently to permit the gathering of the required evidence'.
6. By letter of 22 December, 2011, the Registry forwarded the Applicant's request for a second extension of time to the Respondent, and requested the latter to acknowledge receipt and send its comments within thirty (30) days of the date of this letter.
7. As at the time of this Order, the Respondent had not responded to the Registry's letter of 22 December, 2011.
8. The Rules of Court do not provide for a time limit for an Applicant to reply to the Respondent's response or an extension of such time limit, when given.

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9. Despite this lacuna, the Court is of the opinion that it has inherent powers, in the interest of justice, to set and extend time limits for the submission of pleadings.

10. On this basis, the Court accedes to the Applicant's request and, accordingly, decides to extend the time for the Applicant to file its reply to 31 August, 2012.

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

Signed:

Gérard NIYUNGEKO, President



Robert ENO, Registrar

