

Procedure

Case pending before the African Commission

Referral of a case by the African Commission to the Court means that the Commission has decided not to examine the case itself and consequently, the case is no longer before the Commission. It cannot therefore be said that there are parallel procedures on-going when the Commission refers a case to the Court (*African Commission on Human and Peoples' Rights v Kenya*, application 006/2012, Judgement, 26 May 2017, paras 73 & 74).