**EAST AFRICAN COURT OF JUSTICE**

**APPELLATE DIVISION**

**Ruling: 9th June 2020** *from* ***9:30 am***

*(Via Video Conference)*

**Application No. 5 of 2019 Media Council of Tanzania & Others v The Attorney General of the United Republic of Tanzania**

**Application filed on:** 6th December 2019.

**Rule:** 81 of the East African Court of Justice (EACJ) Rules of Procedure, 2013.

**Subject matter:** Seeking for Court order striking out Respondent notice of appeal.

The Applicants; Media Council of Tanzania, Legal and Human Rights Centre and Tanzania Human Rights Defenders Coalition are civil society organizations registered and operating in the United Republic of Tanzania.

They seek for an order striking out the Respondent notice of appeal on grounds that, the Respondent has failed to take essential and necessary steps including failing to file the appeal within 30 days from the date of filing the notice in accordance with the Court Rules of Procedure.

On 11th January 2017, the Applicants filed *Reference No.2 of 2017 Media Council of Tanzania and 2 Others v the Attorney General of the United Republic of Tanzania* at the EACJ First Instance Division. In the Reference, they were challenging provisions of the Tanzania Media Service Act, 2016 for contravening Articles 6(d), 7(2) and 8(1) (c) of the Treaty for the Establishment of the East African Community (EAC) in that, the Act restrict type of news thus impose arbitrary and unjust restrictions on the news and other information which is an infringement of the right to freedom of expression.

The Applicants therefore sought for an order against the Respondent to cease the application of the Act and repeal or amend to bring it in conformity with the fundamental and operational principles codified in the EAC Treaty.

On 28th March 2019 the First Instance Division delivered a Judgment in favor of the Applicants. Aggrieved by the decision, the Respondent filed on 25th April 2019 the challenged notice of appeal. On 6th December 2019 through a notice of motion, the Applicants filed this Application to strike out the Respondents notice of appeal on the above grounds.

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