



of the Economic Community of West African States (ECOWAS)

English Edition

2021

IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)

HOLDEN IN ABUJA, NIGERIA

NOTICE OF REGISTRATION OF APPLICATIONS

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WHO WERE BRUTALIZED AND ONE AND MORE PERSONS
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**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA.

SUIT N°: ECW/CCJ/APP/01/21

BETWEEN

MR. KODJO ALAIN VICTOR CLAUDE _____ *APPLICANT*

AND

THE REPUBLIC OF CÔTE D'IVOIRE _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **MR. KODJO ALAIN VICTOR CLAUDE** (*APPLICANT*) AND **THE REPUBLIC OF CÔTE D'IVOIRE** (*DEFENDANT*) was filed by the Applicant and registered by the Court on the 21st day of January 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a. **MR. KODJO ALAIN VICTOR CLAUDE**

Financial analyst and company Director, Ivorian citizen, born 14 December 1961 in Abidjan, in pre-trial detention at the Abidjan Prison and Correctional Centre. He is **Assisted by SCPA Oré-Diallo et Associés**, Advocates at the Court of Appeal of Abidjan, with an address at *Commune de Cocody, face petit portail Ecole de police, Cité villas des cadres, Angle Sud-Ouest des rues C 62 et C 37, Villa BT 83, 08 BP 1215 Abidjan 08, telephone: 22 44 26 02, fax: 22 44 06 03.*

} *APPLICANT*

b. **THE REPUBLIC OF CÔTE D'IVOIRE**

Represented by the Judicial Agent of the Treasury located at the former building of the Embassy of the United States of America in Plateau BP V 98 Abidjan.

} *DEFENDANT*

2. SUBJECT-MATTER OF THE PROCEEDINGS

Violation of the right to liberty and security of person and the presumption of innocence

3. SUMMARY OF THE PLEAS-IN-LAW

In support of his claims, the Applicant invokes Article 9(1) of the International Covenant on Civil and Political Rights and Articles 6, 7(1) (b) and 7(1) (h) of the African Charter on Human and Peoples' Rights.

4. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

a. The Applicant states that he was arrested, charged and brought before the Abidjan House of Arrest and Correction on 29 June 2018 by the trial Judge of the 7th Cabinet of *Tribunal de Grande Instance d'Abidjan-Plateaux* for acts of complicity and fraud. He later added that he was detained beyond the legal limit which is 18 months.

- b. That by Judgment dated 29 January 2020, the 2nd trial chamber of the Court of Appeal of Abidjan ordered his release on its own motion with immediate execution by the public prosecutor's office at the said Court. That in addition, the public prosecutor's office refused to grant the order on the grounds that his appeal had suspensive effect of the order on his release.
- c. He also claims that on the initiative of his Counsel, a hearing was scheduled for 19 October 2020 and then adjourned until 04 January 2021.
- d. He asks the Court to order the cessation by the State of the violation of these rights and the payment of damages in the amount of one billion (1,000,000,000) CFA Francs and a 30-day execution period.

DONE IN ABUJA, THIS 17TH DAY OF FEBRUARY 2021.

SIGNED: 

Mr. Tony Anene-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja- Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA.

SUIT N°: ECW/CCJ/APP/02/21

BETWEEN

MAHAMADOU COULIBALY AND 6 ORS _____ *APPLICANTS*

AND

THE REPUBLIC OF MALI _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **MAHAMADOU COULIBALY & 6 ORS. (APPLICANTS)** AND **THE REPUBLIC OF MALI (DEFENDANT)**, was filed by the Applicants and registered by the Court on the 21st day of January 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

- | | | |
|--|---|-------------------|
| <p>a. Mahamadou COULIBALY & 6 ORS whose Counsel is Maître Amadou Tiéoulé DIARRA, Lawyer registered with the Bar in Mali, immeuble Madiou Simpara, route de koulikoro B.P.E. 1131, Bamako, Mali;</p> | } | <i>APPLICANTS</i> |
| <p>b. THE REPUBLIC OF MALI
Represented by the l'Agence judiciaire du trésor.</p> | } | <i>DEFENDANT</i> |

2. SUBJECT-MATTER OF THE PROCEEDINGS

Applicants seek from the Court:

- a. AN ORDER on the Defendant State to take all necessary measures that will put an end to slavery through ancestry, in the Kayes region, and to protect the victims of that practice against the violence that is meted out on them, especially as they seek to be free from being considered as the descendants of slaves ;
- b. AN ORDER on the Defendant State to adopt a law that criminalises slavery and similar practices, especially slavery through ancestry;
- c. AN ORDER on the Defendant State to set within a pre-determined deadline, a concrete and a comprehensive plan detailing all envisaged measures to put an end, without delay, to the practice of slavery on its territory and to allow Messrs. Mahamadou COULIBALY, Oudé COULIBALY and Konaté KANDE, Madams Sadio TOUNKARA, Mariam Sissoko and Fatoumata Sissoko and other displaced victims to return to their village safe and secured;
- d. AN ORDER on the Defendant State to deploy the necessary security forces, to accompany the internally displaced population, who fled their village, due to reprisal actions against them, safe and secured;
- e. AN ORDER on the Defendant State to organise, without delay, a Special Public Hearing, with a view to specifying the modalities of an action plan to be pursued by the Malian Authorities, in order to put an effective end to slavery;

- f. AN ORDER on the Defendant State to engage the services of a monitoring team that would allow to ensure the implementation of necessary security and judicial measures for the eradication of the phenomenon of ancestry slavery;
- g. AS TO DAMAGES
AN ORDER on the Defendant State to pay fifty million (50.000.000 CFA francs) for all moral and pecuniary prejudices suffered.
- h. AS TO COSTS
AN ORDER on the Defendant State to bear all costs, as well as Applicants' appearance fees, for the procedure.

3. ORDERS SOUGHT BY THE APPLICANTS

Applicants seek from the Court, orders bordering on the above-stated subject-matter.

4. SUMMARY OF THE PLEAS-IN-LAW

In support of their claims, Applicants invoke the violation of the following legal instruments:

- a. Articles 1 to 15 and 26 of the African Charter on Human and Peoples' Rights;
- b. Article 4 of the Protocol to the African Charter relating to Women's Rights in Africa (Maputo Protocol);
- c. Articles 1 and 2 of the Convention relating to slavery;
- d. Articles 1, 5, 6(1) and (2) of the Supplementary Convention relating to the abolition of slavery, slavery institutions and slavery practices;
- e. Articles 2, 3, 7, 8, 9(1), 12, 14, 16, 17, 19, 20 (2), 21, 22 and 25 of the International Covenant on Civil and Political Rights;
- f. Articles 2, 6, 7(a) and 11 of the International Covenant on Economic, Social and Cultural Rights;
- g. Articles 1, 4 and 25 of the 1930 Convention (N°29) on Forced Labour;
- h. Articles 1, 2, 3 and 4 of the 2014 Protocol relating to the Convention on Forced Labour;
- i. Articles 1 and 2 of the 1957 Convention (N°105) on the abolition of Forced Labour; and
- j. Articles 1, 2, 3, 4, 5, 8, 10, 12, 13, 17, 19, 20, 21 and 23 of the Universal Declaration of Human Rights.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

Following series of human rights protection sensitisation meetings organised by the Associations for the fight against slavery, including iniquity and injustice meted against them due to their condition of continued slavery in which they have been held, Applicants sought ways of getting out of this imposed condition on their persons. All of them suffered physical violence, they were dispossessed of their possessions and chased out of their village. They lodged a complaint at the Diéma Gendarmerie in the Kayes Region of MALI, but no reprieve came their way. It was in these circumstances that they brought the instant case before the ECOWAS Community Court of Justice seeking that justice be done to their claims.

DONE IN ABUJA, THIS 10TH DAY OF FEBRUARY 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA.

SUIT NO: ECW/CCJ/APP/04/21

BETWEEN

MR. BOUBACAR KEITA _____ *APPLICANT*

AND

REPUBLIC OF MALI _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS, that an application **BETWEEN MR. BOUBACAR KEITA (APPLICANT) AND THE REPUBLIC OF MALI (DEFENDANT)** was filed by the Applicant and registered by the Court on the 4th day of February 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

a. MR. BOUBACAR KEITA

Malian citizen, entrepreneur in communication, son of President Ibrahim Boubacar KEITA, domiciled in Bamako, represented by Mr. Marcel CECCALDI, lawyer at the Paris Bar, 4 Rue Poussin 75016 Paris, cabinet@ceccaldi-avocat.com; Tel: 0033621166774 , and Ms. Djénéba DIOP, lawyer at the Malian Bar, contacte@scpdiopdiallo.com

} *APPLICANT*

b. THE REPUBLIC OF MALI

Represented by the Directorate General of State Litigation, located in Hamdallaye ACI 2000-Rue 385 Porte 315 Bamako-Mali.

} *DEFENDANT*

2. SUBJECT MATTER OF THE PROCEEDINGS

- a. FIND the violation of the Applicant's fundamental rights;
- b. DECLARE arbitrary the conditions of arrest and deprivation of liberty of the Applicant by the Respondent State as well as declare its liability;
- c. ORDER the Respondent State to terminate the arrest and deprivation of liberty;
- d. ORDER the Respondent State to pay the Applicant the sum of fifty million (50,000,000) CFA francs as compensation;
- e. And ORDER the Respondent State to pay the entire costs.

3. SUMMARY OF THE PLEAS-IN-LAW

In support of his claims, the Applicant invokes the violation of various international legal instruments:

- a. Article 9 of the Universal Declaration of Human Rights, which states that “*No one shall be subjected to arbitrary arrest, detention or exile*”; Article 9 of the International Covenant on Civil and Political Rights, which states that “*Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law*”.
- b. Also, Article 6 of the African Charter on Human and Peoples’ Rights which states that: “*Every individual shall have the right to liberty and security of person. No one may be deprived of his freedom except for reasons and conditions previously laid down by law. In particular, no one may be arbitrarily arrested or detained*”;
- c. And finally, Article 5 of the Convention for the Protection of Human Rights and 7.3 of the American Convention on Human Rights.
- d. The purpose of these texts, each of them and the whole of them, is to protect human rights and to ensure their universal recognition and enforcement by a rule of law.

4. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant, a Malian citizen, communications entrepreneur, domiciled in Bamako, Mali, and son of former President Ibrahim Boubacar KEITA, complains that the authorities after the change of regime that overthrew the President and the Government of Mali, in short CNSP, detained him against his will in the family residence, with a prohibition on all visits, and numerous restrictions on movement.
- b. Although he was not subjected to any physical abuse, the prolonged isolation to which he was subjected constitutes degrading treatment intended to inspire feelings of fear, anxiety and inferiority tending to humiliate him, and to break his physical and moral resistance;
- c. The Applicant maintains that being held against his will and by force in his home or in any other place not under the control of a judicial authority is a measure of deprivation of liberty that violates the physical liberty of the person, and that any measure of deprivation of liberty must emanate from and be executed by a qualified authority, and must not be arbitrary, which is not the case in this instance.
- d. To this end, the Applicant requests that the Respondent State be held liable and that it be ordered to pay 50,000,000 CFA francs, as well as the costs.

DONE IN ABUJA, THIS 10TH DAY OF FEBRUARY 2021.

SIGNED:



Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA

SUIT N°: ECW/CCJ/APP/06/21

BETWEEN

RICHARD UGBAH _____ *APPLICANT*

AND

- | | | |
|---|--|--------------------------|
| <ol style="list-style-type: none"> 1. NIGERIANS IN DIASPORA COMMISSION 2. FEDERAL MINISTRY OF JUSTICE 3. MINISTRY OF FOREIGN AFFAIRS 4. NATIONAL ASSEMBLY OF NIGERIA
<i>(Through the President of the Senate
of the House of Representatives)</i> 5. EXECUTIVE SECRETARY ECOWAS COMMISSION 6. THE DEPARTMENT OF JUSTICE (USA)
<i>Through the International Prisoner Transit Unit</i> 7. THE NIGERIAN CORRECTIONIONAL SERVICE (NCS)
<i>(Sued as representing the Military of the Interior and
Civil Defence, Immigration and Correctional Service)</i> 8. THE FEDERAL BUREAU OF INVESTIGATIONS 9. THE ECONOMIC AND FINANCIAL CRIMES COMMISSION |  | <p><i>DEFENDANTS</i></p> |
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NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HERE BY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **RICHARD UGBAH** (*APPLICANT*) AND **1). NIGERIANS IN DIASPORA COMMISSION 2). FEDERAL MINISTRY OF JUSTICE 3). MINISTRY OF FOREIGN AFFAIRS 4). NATIONAL ASSEMBLY OF NIGERIA** (*Through the President of the Senate of the House of Representatives*) **5). EXECUTIVE SECRETARY ECOWAS COMMISSION 6). THE DEPARTMENT OF JUSTICE (USA)** *Through the International Prisoner Transit Unit* **7). THE NIGERIAN CORRECTIONIONAL SERVICE (NCS)** (*Sued as representing the Military of the Interior and Civil Defence, Immigration and Correctional Service*) **8). THE FEDERAL BUREAU OF INVESTIGATIONS 9). THE ECONOMIC AND FINANCIAL CRIMES COMMISSION** (*DEFENDANTS*) was filed by the Applicants and Registered by the Court on 19th February, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

- | | | |
|---|--|--------------------------|
| <p>a. Richard Ugbah, inmate registration number 69835-019 of Northlake Correctional Facility, 1805 W 32nd St, Baldwin, MI 49304 USA</p> |  | <p><i>APPLICANT</i></p> |
| <p>b. The Chairman, Nigerians in Diaspora Commission, Federal Secretariat Complex, Phase 1, Annex 1, Abuja, Nigeria.</p> |  | <p><i>DEFENDANTS</i></p> |
| <p>c. Attorney General of Nigeria, Federal Ministry of Justice, 71, Shehu Shagari Way, Abuja, Nigeria.</p> | | |

- d. **Hon. Minister, Federal Ministry of Foreign Affairs,**
Tafawa Balewa Building, Federal Secretariat Central
Business Area, Abuja – Nigeria
 - e. **The Office of the Senate President,**
National Assembly of Nigeria, Three Arms Zone, Abuja,
Nigeria
 - f. **The Executive Secretary, ECOWAS Commission,**
114, Yakubu Gowon Crescent, Asokoro, Abuja, Nigeria
 - g. **The Department of Justice (USA),**
c/o Paula A Wolf, Associate Director, International
Prisoner Transfer Unit, Department of Justice, 1301,
New York Avenue NW, Washington DC 20530, USA
 - h. **The Controller General, Nigerian Correctional
Service,**
Bill Clinton Drive, Airport Road, Abuja, Nigeria
 - i. **Director, Federal Bureau of Investigation,**
9th – 10th Street, North West Washington DC 20535-0001
 - j. **The Acting Chairman, Economic and Financial
Crime Commission,**
Plot 301/302, Institution and Research Cadastral District,
Jabi, Abuja, Nigeria
- } DEFENDANTS

2. SUBJECT-MATTER OF THE PROCEEDINGS

The Applicant lodged a suit for the protection of his fundamental right to transferred as a sentenced prisoner from the United States of America to Federal Republic of Nigeria.

3. ORDERS SOUGHT BY THE APPLICANT

- a. AN ORDER that the 1st, 2nd and 3rd Defendants visit the Applicant in particular and all Nigerian citizens serving jail terms abroad to collect expressions of interest for their transfer to Nigeria to serve the remainder of their sentences.
- b. A DECLARATION that the Applicant having met all the cumulative requirements for prisoner transfer from the United States of America to Nigeria (save consent of the sentencing country and the proposed administering country), is eligible to be transferred from the United States of America to Nigeria, pursuant to the legally binding United Nations Convention against Transnational Organised Crime 2000, particularly Article 17 which is given effect to under Article 34 of the said Convention.
- c. AN ORDER directing the 1st, 2nd, 3rd, 4th 7th and 9th Defendants to liaise, and initiate the process for the transfer of the Applicant from the US, through the 6th and 8th Defendants or other relevant Departments of the US Government or respective sentencing Authority(s) in the US.
- d. AN ORDER directing the 5th Defendant to in like manner liaise with all relevant authorities in Nigeria and United States of America and initiate the process for the transfer of the Applicant (Prisoner) from USA prison to serve the remainder of his jail term in Nigeria through the 6th and 8th Defendants.
- e. A DECLARATION that the Applicant having been convicted and sentenced for the offence of wire fraud by the District Court for Western Wisconsin USA, and having partially served the

terms, and completed same in Nigeria, cannot be prosecuted, arraigned or convicted on the same set of facts in Nigeria thereafter.

- f. AN ORDER of perpetual injunction restraining the 2nd, 10th and particularly the 7th Defendant from arresting, detaining and or investigating or prosecuting the Applicant on the same set of facts for which he has been convicted, sentenced and or served jail time in the USA.

4. SUMMARY OF THE PLEAS-IN-LAW

Articles 17 and 34 of the United Nations Convention against Transnational Organised Crime 2000.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant, who is a Nigerian citizen alleges that he was a resident of USA; where he was convicted and sentenced to twelve years imprisonment in a Northlake Correctional Facility in USA; and that he has eight years of his sentence remaining with a release date of 8th May, 2026.
- b. The Applicant also alleges that the United Nations Office on Drugs and Crime Handbook on the International Transfer of Sentenced Persons has provided for the transfer of the balance of his sentence in a Nigerian Prison or Correctional Facility. The Applicant further alleges that he has and by these proceedings expressed his interest in being transferred to a Nigerian Correctional Facility and has met all save one of the requirements to qualify for the transfer.
- c. However, he claims that the outstanding requirement to be met will depend on the mutual consent of a bilateral treaty between USA and Nigeria or a multilateral treaty between ECOWAS Commission and USA for prisoner transfer. He claims that he is eligible to be transferred USA to Nigeria and that there is justification for his transfer to Nigeria to serve the balance of his term are multifarious.

DONE IN ABUJA, THIS 1ST DAY OF MARCH 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA

SUIT N°: ECW/CCJ/APP/08/21

BETWEEN

ABDOU KOUAME & 14 ORS _____ *APPLICANTS*

AND

THE REPUBLIC OF CÔTE D'IVOIRE _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **MR. ADOU KOUAME & 14 AUTRES (APPLICANTS)** AND **THE REPUBLIC OF CÔTE D'IVOIRE (DEFENDANT)**, was filed by the Applicants and registered by the Court on the 4th March 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

- a. **Mr. ADOU KOUAME & 14 AUTRES** represented by:
Daniel FOFANAH, Esq. Of the Network Movement for Justice and Development, Sierra LEONE; Prince Chima WILLIAMS, Esq. of Chima WILLIAMS & Associates, Nigeria; Gloria EGUONO AIGBADON, Esq. NIGERIA; Ifeyinwa NWABUEZE, Esq. NIGERIA; Maître Idrissa TCHERNAKA of the Réseau pour la promotion des Droits de Humains et la bonne gouvernance, Niger; Maître Pépé Antoine LAMA of Mêmes Droits pour Tous; GUINEA, CLLr, Alfred Lahai GBABAI BROWNELL Sr; and Atty, Margaret M. Nigba of Green Advocates International, Liberia; Me Amadou Tiéoulé DIARA of the Ligue pour la Justice, le Développement et les Droits de l'Homme, Mali; and Maître Djibril WELLE of WELLE & THIAKANE, SENEGAL. } *APPLICANTS*
- b. **STATE OF CÔTE D'IVOIRE** represented by the State Judiciary. } *DEFENDANT*

2. SUBJECT-MATTER OF THE PROCEEDINGS

Applicants seek from the Honourable Court as follows:

- a. A DECLARATION that the State of Côte d'Ivoire violated the right to property, the right to a conducive environment, the right to health, the right to privacy and the right to family life, the right required food sufficiency, the right to freedom of religion, and culture of Applicants' and those of the Members of SIMILIMI community;
- b. A DECLARATION that the State of Côte d'Ivoire is to be held responsible for all the afore-stated violations;
- c. AN ORDER on the Defendant State to indemnify the inhabitants of SIMILIMI in reparation of the prejudices suffered owing to the degradation caused to their environment;

- d. AN ORDER on the Defendant State to indemnify collectively, the Applicants and the population of SIMILIMI, to the tune of 12 billion FCFA for the combined prejudices caused to the said population estimated at 600 people;
- e. AN ORDER on the Defendant State to indemnify, individually, all Applicants to the tune of three billion CFA francs for all emotional and psychological sufferings that they have been subjected to, as a result of the deterioration the quality of their life, and health, as well as the instability and uncertainty of their re-settlement;
- f. AN ORDER on the Defendant State to ensure that the company known and called BONDOKOU Manganèse re-settles Members of SIMILIMI Community, by complying with all legal provisions in relation to the right to property, and the right to acceptable and sufficient living conditions;
- g. TO ISSUE any order that the Honourable Court deems appropriate in the circumstances of the instant case;
- h. AN ORDER on the Republic of Côte d'Ivoire to bear all costs.

3. ORDERS SOUGHT BY THE APPLICANTS

The orders sought by Applicants are in conformity with the above-stated subject-matter of the present litigation.

4. SUMMARY OF THE PLEAS-IN-LAW

In support of their claims, Applicants rely on the following legal instruments:

- a. Articles 1, 8, 14, 16 and 24 of the African Charter on Human and Peoples' Rights;
- b. Articles 11 and 12 of the International Covenant on Social, Economic and Cultural Right;
- c. Articles 17, 18 and 27 of the International Covenant on Civil and Political Rights; and
- d. Article 25 of The Universal Declaration of Human Rights, as well as on national legislations.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

Applicants allege that the Defendant State, the Republic of Côte d'Ivoire is responsible for the human rights violations committed against them, and that the State failed in its obligation to protect the rights that are violated within the framework of economic activities embarked upon by the mining company known and called Boundoukou Manganèse SA (formerly known and called TAURIAN), at the manganese site located at SIMILIMI, in the North-Eastern part of Côte d'Ivoire. For this reason, Applicants seek reparations.

DONE IN ABUJA, THIS 19TH DAY OF MAY 2021.

SIGNED 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA.

SUIT N°: ECW/CCJ/APP/10/21

BETWEEN

M. IBRAHIMA CHÉRIF BAH & 4 ORS. _____ *APPLICANTS*

AND

THE REPUBLIC GUINEA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **MR. IBRAHIMA CHÉRIF BAH & 4 ORS (APPLICANTS)** AND **THE REPUBLIC OF GUINEA (DEFENDANT)** was filed by the Applicants and registered by the Court on the 5th March 2021.

1. NAMES AND ADDRESSES OF PARTIES

a. MR. IBRAHIMA CHÉRIF BAH & 4 ORS

All Citizens and national of Guinea, whose Counsels are:
Me Patrick KLUGMAN and Ivan TEREL, Lawyers
registered with the Bar in Paris, AARPI GKA & associés,
1 avenue Montaigne-75008 Paris, Tel :+33 (0)
183807030-Fax :+33 (0) 1 83807031,
email :p.klugman@gkavocats.net-i.terel@gkavocats.net,
as well as Mes Mohamed TRAORE, Pépé Antoine LAMA,
Salifou BEAVOGUI, Modibo CAMARA, Thierno
Souleymane BARRY, Souaré DIOP, Amadou Timbi
DIALLO, Alpha Yaya DRAME and Alseny Aissata DIALLO,
all lawyers with the Bar in Guinea, who choose the
address of former President of the Guinea Bar
Association, Me Mohamed TRAORE, Immeuble DEM,
Commune de Dixinn, BP : 6513, Conakry,
cabinetmaitrereotra@gmail.com as address for service,
in the present procedure and following.

} *APPLICANTS*

b. STATE OF GUINEA

Represented by the State Judicial Agent, located in his
office on Avenue de la République in Conakry (GUINEA).

} *DEFENDANT*

2. SUBJECT-MATTER OF THE PROCEEDINGS

Applicants kindly request that may it please the Honourable Court:

- a. TO DECLARE AND ADJUDGE that the State of Guinea is liable for the violations of Applicants' rights to the presumption of innocence, their right to be tried within reasonable period or be freed, their right not to be subjected to any form of arbitrary detention, torture, inhuman and degrading treatments, their right to a free and fair trial, and their right to defence;

- b. TO ORDER the State of Guinea, to effect Applicants' release without delay as well as awarding damages in their favour;
- c. TO ENJOIN the Defendant State to proceed with the ongoing investigation, immediately, as well as the judicial trial of the presumed authors of the violations of the Applicants' rights, as guaranteed under international legal instruments;
- d. TO ORDER the Defendant State to pay each of Applicants, the sum of 40 million CFA Francs, in reparation of the prejudices suffered;
- e. Finally, TO ORDER the Defendant State to bear all costs.

3. SUMMARY OF THE PLEAS-IN-LAW

In support of their claims, Applicants cite the violation of various international legal instruments:

- a. The serious human rights violations concern, specifically, the right to access the tribunal, the right to effective remedy, and the right to fair hearing, as guaranteed under Articles 5, 6, 7.1 and 18.4) of the African Charter on Human and Peoples' Rights;
- b. Articles 5, 7, 8, 9, 10, 11, 14, 18, 19, 20 and 21 of the Universal Declaration of Human Rights (UDHR); and
- c. Articles 7, 9, and 14 of the International Covenant on Civil and Political Rights (ICCPR).

4. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. Applicants being Guinean citizens, live in the State of Guinea. They claim that they were tried and were put in preventive detention on grounds that they contest vigorously.
- b. Applicants also claim that through a rogatory commission dated 14 October 2020, the Dean of the Investigating Judges requested the Central Directorate of the Criminal Investigative Department to search for and summon persons suspected to have taken part in committing some offences in violation of the provisions of Articles 846 and following, 282 and following, 784 and following of the Guinean Penal Code, and to carry out searches in all homes, as well as effect seizures.
- c. Applicants further aver that a committal order was issued respectively against them, effective from Wednesday 11th and Monday 16th November 2020, for trying "to topple the Government in power".
- d. Furthermore, Applicants claim that many factors such as Applicants have never been taken before the Dean of investigating judges, for almost one (01) month of detention, as well as the total silence from the Ministry of Foreign Affairs in regard to the request for autorisation by their Counsels to enter the Guinean territory, only aggravated the already serious violations, for which they are victims.
- e. In regard to the above observations, Applicants solicit that may it please the Honourable Court to declare that the State of Guinea is liable for the above-stated violations and that The State of Guinea be ordered to pay to each of them the sum of 40 000 000 CFA Francs, as well as ordering the Defendant State to bear all costs.

DONE IN ABUJA, THIS 18TH DAY OF MAY 2021.

SIGNED: 
Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS,
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA.

SUIT N°: ECW/CCJ/APP/11/21

BETWEEN

KESSEI MENVEINOYOU _____ *APPLICANT*

AND

REPUBLIC OF TOGO _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS, that an application **BETWEEN KESSEI MENVEINOYOU (APPLICANT) AND THE REPUBLIC OF TOGO (DEFENDANT)** was filed by the Applicant and registered by the Court on the 16th day of March 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

- a. **KESSEI MENVEINOYOU**, born on 31 December 1956 in Lassa-Tchola (P/KOZAH), national of Togo, driver, residing and domiciled in Lomé; represented by Mr. Darius Kokou ATSOO, Attorney-at-Law at the Bar of Togo, principal counsel, residing and domiciled at the head office of his firm in Lomé, Kégué district, where domicile has been elected for the purposes of the present proceedings, BP 7722 Lomé Togo +228 90136466; Email: darius.atsoo@atsoolawyerfirm.com } *APPLICANT*
- b. **THE REPUBLIC OF TOGO**, having its seat in Lomé, at the Palais de la Présidence, 2, avenue du Général de GAULLE, Lomé-Togo, represented by its legal representative, the Minister of Justice. } *DEFENDANT*

2. SUBJECT-MATTER OF THE PROCEEDINGS

- a. DECLARE the application of Mr. KESSEI Menveinoyou admissible;
- b. DECLARE itself to have jurisdiction to examine the allegations of violation of the Applicant's human rights by the Republic of Togo;
- c. DECLARE that there was a violation by the Republic of Togo of the fact of its competent courts
- d. ORDER the Republic of Togo to put an immediate end to this violation by taking all relevant positive measures and any other injunctions that the Court deems necessary;
- e. ORDER the Republic of Togo to pay to the Applicant the sum of ten million (10,000,000) CFA francs for **“all the damages suffered as a result of the non-processing of the act of appeal for more than four (04) years”**;
- f. ORDER the respondent State to pay any pecuniary compensation that the court may award to the Applicant for damages, subject to a fine of one million (1,000,000) CFA francs per day of delay;

- g. ORDER the Republic of Togo to pay the entire cost.

3. SUMMARY OF THE PLEAS-IN-LAW

The Applicant alleges violation of the following instruments:

- a. **Article 19 of the Constitution of Togo** states that *“Everyone shall have the right in all matters to have his case heard and determined fairly within a reasonable time by an independent and impartial court”*;
- b. **Article 7 paragraph 1 d** of the African Charter on Human and Peoples’ Rights *“Everyone has the right to have his cause heard. This right includes (...) the right to be tried within a reasonable time by an impartial court or tribunal”*.
- c. **Article 4** of Law n 2019-015 of 30 October 2019 on the code of judicial organisation in Togo recalls the same rule of law in these terms *“Any person has the right to have his or her case examined and a decision rendered within a reasonable time by a competent court legally established”*
- d. The Applicant recalls Communication **74/92 (1995) - Commission Nationale des Droits de l’Homme et des Libertés v. Chad**, of the African Commission on Human and Peoples’ Rights, which stated that *“if a State fails to ensure respect for the rights contained in the African Charter, this constitutes a violation of the said Charter, even if that State or its agents are not the direct perpetrators of that violation”*.

4. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant was hired as a driver by the Ministry of Health on 1 February 1989 and assigned to Project No. P448-TO SANTE ET POPULATION, of which the contract was renewed before being terminated by letter dated 31 December 1999;
- b. That, following this termination, the Applicant filed an application with the Labour Court dated 04 February 2015 for compensation for damages suffered as a result of this termination.
- c. That, the Court by Judgment N°. 203/2016 of 02 August 2016 rendered its decision in favour of the Republic of Togo.
- d. That, within the same week, the Applicant formally appealed the above decision.
- e. That since that day, until now, that is to say more than four (04) years, the appeal of the Applicant was not treated nor scheduled for hearing.
- f. For this reason, the Applicant brought an action before the Community Court of Justice in order to establish these violations, to sanction the Respondent State and to order the appropriate reparation measures.

DONE IN ABUJA, THIS 25TH DAY OF MAY, 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA.

SUIT N°: ECW/CCJ/APP/13/21

BETWEEN

- | | | |
|--|----------------------------------|--------------------------|
| <p>1. THE INCORPORATED TRUSTEES OF
CENTER FOR PEACE AND CONFLICT
MANAGEMENT IN AFRICA AND RETHINK AFRICA
FOUNDATION (ON BEHALF OF VINCENT OGUERI).</p> <p>2. VINCENT OGUERI.</p> | <p style="font-size: 3em;">}</p> | <p><i>APPLICANTS</i></p> |
|--|----------------------------------|--------------------------|

AND

FEDERAL REPUBLIC OF NIGERIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice (ECOWAS) that an Application between **1. THE INCORPORATED TRUSTEES OF CENTER FOR PEACE AND CONFLICT MANAGEMENT IN AFRICA AND RETHINK AFRICA FOUNDATION (ON BEHALF OF VINCENT OGUERI). 2. VINCENT OGUERI. (APPLICANTS)** AND **FEDERAL REPUBLIC OF NIGERIA (DEFENDANT)** was filed by the Applicants and registered by the Court on the 30th day of March, 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

- | | | |
|---|----------------------------------|--------------------------|
| <p>a. THE INCORPORATED TRUSTEES OF CENTER FOR
PEACE AND CONFLICT MANAGEMENT IN AFRICA
AND RETHINK AFRICA FOUNDATION (ON BEHALF
OF VINCENT OGUERI).</p> <p>VINCENT OGUERI.</p> <p>NOAH AJARE ESQ.
Victory Chambers
Suite S9, Vatan Plaza
Lokogoma, Abuja.
Nigeria.</p> | <p style="font-size: 3em;">}</p> | <p><i>APPLICANTS</i></p> |
| <p>b. FEDERAL REPUBLIC OF NIGERIA
C/o Attorney General of the Federation
Federal Ministry of Justice,
Maitama Abuja,
Nigeria.</p> | <p style="font-size: 3em;">}</p> | <p><i>DEFENDANT</i></p> |

2. SUBJECT MATTER OF THE PROCEEDINGS

Violation of the Applicants' human Rights to due process of law, access to justice and judicial independence, to fair hearing, to right of Appeal and to effective remedy in the threat of secret execution.

3. ORDERS SOUGHT BY THE APPLICANTS

- a. A DECLARATION that the 2nd Applicant has suffered extreme mental torture, inhuman and degrading condition haven't been kept on death row for more than 30 years and without access to adequate medical treatment.
- b. A DECLARATION that the 2nd Applicant by virtue of his Age presently suffering from chronic medical condition is entitled to be released from detention.
- c. AN ORDER for immediate release of the 2nd Applicant from detention forthwith.
- d. AN ORDER directing the Defendant to pay monetary compensation of Fifty Five Million Naira (55, 000,000.00), to the 2nd Applicant for damages suffered as a result of long years he has been in prison under cruel degrading and inhuman condition.

4. SUMMARY OF THE PLEAS-IN-LAW

- a. Applicants invokes Article 4 of the Revised Treaty of the Economic Community of West African States (ECOWAS) provide for the applicability of the provisions of the African Charter on Human and People's Right to Member States of the ECOWAS.
- b. Article 7 of the African Charter on Human and People's Right Ratification and Enforcement Act Chapter A9 Laws of the Federation of Nigeria 2004.
- c. Applicants equally invokes **section 36 (6)** of the Constitution of the Federal Republic of Nigeria.
- d. The 2nd Applicant having spent several years on death row and detention under tense and psychological trauma is being subject to torturous, cruel, inhuman and degrading; an infringement of her fundamental rights as guaranteed under the African Charter on Human and people Rights and International Covenant on Civil and Political Rights.

5. SUMMARY OF MAIN SUPPORTING ARGUMENTS

- a. The Applicants aver that the 2nd Applicant who is a Nigerian citizen was convicted by the Imo State High Court on a charge of murder and sentenced to death by hanging.
- b. That the 2nd Applicant now 72 years old, is presently on death row in Enugu Maximum Prison, for about 30 years now.
- c. The 2nd Applicant contends forcefully that his condition is very critical that he may die at any moment. This is due to his medical condition, age and ill-health.
- d. That the 2nd Applicant has since been recommended for complete pardon by Nigeria Correctional Services.
- e. That the 2nd Applicant was taken for execution sometime in 2003, where 3 others were killed, it was just by stroke of luck through the intervention of Mr. Moses Adekunle that he was not killed along with others.

DONE IN ABUJA, THIS 17TH DAY OF JUNE, 2021.

SIGNED: 
Mr. Tony ANENE-MAIDOH, (Esq.)

Chief Registrar
Community Court of Justice, ECOWAS,
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA.

SUIT N°: ECW/CCJ/APP/14/21

BETWEEN

- | | | |
|--|---|-------------------|
| <ol style="list-style-type: none"> 1. ASSOCIATION MALIENNE POUR LE SUIVI ET
L'ORIENTATION DES PRATIQUES
TRADITIONNELLES (AMSOPT) 2. ASSOCIATION POUR LE PROGRES ET LA DEFENSE
DES DROITS DES FEMMES (APDF) | } | <i>APPLICANTS</i> |
|--|---|-------------------|

AND

THE REPUBLIC OF MALI	<i>DEFENDANT</i>
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NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS, that an application BETWEEN (1). **ASSOCIATION MALIENNE POUR LE SUIVI ET L'ORIENTATION DES PRATIQUES TRADITIONNELLES (AMSOPT)** (2). **ASSOCIATION POUR LE PROGRES ET LA DEFENSE DES DROITS DES FEMMES (APDF)** (*APPLICANTS*) AND **THE REPUBLIC OF MALI** (*DEFENDANT*) was filed by the Applicants and registered by the Court on the 6th day of October 2023.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

- | | | |
|---|---|-------------------|
| <ol style="list-style-type: none"> a. ASSOCIATION MALIENNE POUR LE SUIVI ET
L'ORIENTATION DES PRATIQUES
TRADITIONNELLES (AMSOPT) ASSOCIATION POUR LE PROGRES ET LA DEFENSE
DES DROITS DES FEMMES (APDF) Represented by Human Rights and Development in
Africa and Equality Now. | } | <i>APPLICANTS</i> |
| <ol style="list-style-type: none"> b. THE REPUBLIC OF MALI,
represented by the Embassy of Mali in Nigeria. | } | <i>DEFENDANT</i> |

2. SUBJECT-MATTER OF THE PROCEEDINGS

Order the Respondent:

- a. TO ADOPT a specific law on the prevention, repression, compensation and care of victims of female genital mutilation within six (6) months;
- b. INTEGRATE the repression of female genital mutilation into the criminal code in an explicit manner;
- c. COMPENSATE the moral damages caused to the victims identified in the current application, up to 40,000,000 FCFA each. They are Awa Sossoko, Fanta Guindo, Ami Yelcouyé, Aissata Traoré, FS (minor), FD (minor), HC (minor), Salimata Tounkara, MD (minor), OC (minor),

Hawa DIALLO and Bintili Diallo whose medical certificates and declarations are herewith annexed (1 and 2) ;

- d. IDENTIFY all victims of female genital mutilation, set up medical and psychosocial care centers for victims of female genital mutilation, such centers must offer specialized and adapted care to the victims of these mutilations;
- e. ENSURE financial, geographic and physical accessibility to care for victims and fund specialized care that can be provided by private facilities;
- f. GUARANTEE victims, witnesses, relatives and any person assisting them protection against intimidation and reprisals;
- g. INTENSIFY efforts to educate and sensitize the population in general and religious and community leaders in particular;
- h. INCREASE awareness among female circumcisers and fetish practitioners who see the practice of female genital mutilation as a means of economic survival, with a view to getting them to abandon the practice of female genital mutilation
- i. MAINSTREAM the issue of female genital mutilation into formal and informal education so that it can be discussed openly without stigma or taboo, enabling girls and women to receive accurate information about the harmful and damaging effects of the practice and how to deal with them;
- j. ADOPT any measure that the Court deems appropriate to provide justice to the victims of genital mutilation.

3. ORDER SOUGHT BY THE APPLICANTS

This order will be consistent with the subject-matter of the above litigation.

4. SUMMARY OF THE PLEAS-IN-LAW

In support of their claims, the Applicants rely on the following texts Articles 2 (b), 3 (4), 4 (1) 5 (b) and 14 (2) (a) of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women (MAPUTO Protocol), Articles 1 (1) and (3), 14 (1) and 21 (1) of the African Charter on the Rights and Welfare of the Child (ACWC), Articles 1 and 16 (1) of the African Charter on Human and Peoples' Rights (ACHPR), Article 5 (a) of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and Articles 2 (2) and 12 (1) of the International Covenant on Civil and Political Rights (ICCPR), Article 4 (1) and various domestic laws.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENT

The Applicants claim that they have been subjected to female genital mutilation and that the Republic of Mali failed to take any steps to stop these traditional practices despite being a party to various international treaties and did not take any action to compensate them. Therefore, they are asking the Court to order Mali to stop these practices and to compensate the victims.

DONE IN ABUJA, THIS 19TH DAY OF MAY, 2021.

SIGNED: 

Mr. Tony Anene-MAIDOH, (Esq.)
Chief Registrar
 Community Court of Justice, ECOWAS,
 Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA.

SUIT N^o: ECW/CCJ/APP/16/21

BETWEEN

1. **THE INCORPORATED TRUSTEES OF CENTRE FOR PEACE AND CONFLICT MANAGEMENT IN AFRICA AND RETHINK AFRICA FOUNDATION (ON BEHALF OF ELVIS CHUKWUMA ILOMUANYA, RAPHAEL UDE, DAVID AMAEFULE)**
2. **ELVIS CHUKWUMA ILOMUANYA**
3. **RAPHAEL UDE**
4. **DAVID AMAFULE**

} **APPLICANTS**

AND

THE FEDERAL REPUBLIC OF NIGERIA _____ **DEFENDANT**

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice, ECOWAS that an Application *BETWEEN* 1.) **THE INCORPORATED TRUSTEES OF CENTRE FOR PEACE AND CONFLICT MANAGEMENT IN AFRICA AND RETHINK AFRICA FOUNDATION (ON BEHALF OF ELVIS CHUKWUMA ILOMUANYA, RAPHAEL UDE, DAVID AMAEFULE)** 2.) **ELVIS CHUKWUMA ILOMUANYA** 3. **RAPHAEL UDE** 4. **DAVID AMAFULE (APPLICANTS)** AND **THE FEDERAL REPUBLIC OF NIGERIA (DEFENDANT)**, was filed by the Applicants and registered by the Court on the 7th day of April, 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

a. Names and addresses of the Applicants:

THE INCORPORATED TRUSTEES OF CENTRE FOR PEACE AND CONFLICT MANAGEMENT IN AFRICA AND RETHINK AFRICA FOUNDATION

‰o Counsel for the Applicants
Victory Chambers
Suit S9 Vatan Plaza, Lokogoma
Abuja, Nigeria.

ELVIS CHUKWUMA ILOMUANYA

Enugu Maximum Prison
Enugu State, Nigeria.

RAPHAEL UDE

Enugu Maximum Prison
Enugu State, Nigeria.

DAVID AMAFULE

Enugu Maximum Prison
Enugu State, Nigeria.

Names and address of the Defendant:

- e. **THE FEDERAL REPUBLIC OF NIGERIA**
Attorney-General's Chambers,
Federal Ministry of Justice,
Federal Secretariat Complex,
Shehu Shagari Way, Abuja.

2. SUBJECT-MATTER OF THE PROCEEDINGS

The Applicants aver the violation of the human rights to due process of law, to access to justice and judicial independence, to fair hearing, to right of appeal, and to effective remedy in the threat of secret execution of the Applicants.

3. ORDERS SOUGHT BY THE APPLICANTS

- a. A DECLARATION that the 2nd to 4th Applicants have suffered extreme mental torture, inhuman and degrading condition having been kept on death row for more than 15 years and without access to adequate medical treatment.
- b. A DECLARATION that the 2nd to 4th Applicants by virtue of their age, long stay on death row and chronic medical conditions are entitled to be released forthwith from detention.
- c. AN ORDER for the immediate release of the 2nd to 4th Applicants from detention forthwith.
- d. A DECLARATION that the consistent and continued denial of the right to adequate medical attention and rights to the 2nd to 4th Applicants in prison under dehumanizing and harsh conditions is in violation of the provisions of the Constitution of the Federal Republic of Nigeria and Articles 1, 2, 3, 4, 5, 7 and 26 of the African Charter on Human and Peoples' Rights.
- e. AN ORDER directing the Defendant to pay a monetary compensation of 20,000,000 (Twenty Million Naira) to the Applicants each for damages suffered as a result of long years they have kept in prison under cruel degrading and inhuman conditions.
- f. AN ORDER for reparations including physical, psychological, social and economic rehabilitation in respect of the violation of the Applicants human rights. And the cost of this suit which is accessed at ₦5,000,000 (Five Million Naira).
- g. AN ORDER directing the Defendant to faithfully and fully implement its obligations under its own Constitution and African Charter on Human and Peoples' Rights as well as resolutions on Moratorium on execution adopted recently by both the African Commission on Human and Peoples Rights and the Third Committee of the UN General Assembly.

4. SUMMARY OF THE PLEAS-IN-LAW

- a. The Applicants rely on Articles 2, 5 and 7 of the African Charter on Human and Peoples Rights. They also rely on Article 36(6) of the Constitution of the Federal Republic of Nigeria.
- b. The Applicants rely on the cases of **Akayeu 1998 International Criminal Tribunal for Rwanda (ICTR)**. **Uzoukwu & Ors v. Igwe Ezeonu 11 (1991)** 6 NWLR Pt 200, 708-763. **Ezechukwu v. Maduka (1997)** 8 NWLR, **Mogaji & Ors v. Board of Customs and Excise (1982)** 3 NCLR

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicants aver that the 2nd, 3rd and 4th Applicants are male of 56 years, 54 years and 50 years respectively from Lokpanta Umuchieze in Umunnneochi LGA of Abia State, Nigeria. That they are brothers who were convicted by a High court in Abia State on a charge of murder and sentenced to death by hanging in 2010. That they have been on death row in Maximum Prison Enugu State for about 15 years, where they have undergone torture as well as extremely inhuman conditions and that they have developed serious medical conditions.
- b. That the 3rd Applicant has been recommended for amnesty due to his medical condition, age and ill health. That the 2nd to 4th Applicants are traumatized having endured psychological torture due to the fear of the execution of the death sentence.
- c. The Applicants further aver that the Defendant did not honour its obligation of providing them with adequate time and facility for their defence before they were hastily convicted of murder.

DONE IN ABUJA, THIS 16TH DAY OF JUNE 2021.

SIGNED: 

Mr. Tony Anene-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN AT ABUJA, NIGERIA.

SUIT N°: ECW/CCJ/APP/18/21

BETWEEN

RICHARD UGBAH _____ *APPLICANT*

AND

1. **FEDERAL REPUBLIC OF NIGERIA**
 2. **FEDERAL MINISTRY OF JUSTICE**
- } *DEFENDANTS*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application *BETWEEN RICHARD UGBAH (APPLICANT) AND (1) THE FEDERAL REPUBLIC OF NIGERIA (2) THE FEDERAL MINISTRY OF JUSTICE (DEFENDANTS)* was filed by the Applicant and registered by the Court on 28th day of April, 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties as follows:

- a. **RICHARD UGBAH**
Inmate registration number 69835-019
of Northlake Correctional facility, 1805W
32nd ST, Baldwin, MI 49304 USA. } *APPLICANT*
- b. **FEDERAL REPUBLIC OF NIGERIA**
C/o Honourable Attorney General
of the Federation,
Ministry of Justice,
71, Shehu Shagari Way,
Abuja. } *DEFENDANTS*
- THE FEDERAL MINISTRY OF JUSTICE**
C/o Honourable Attorney General of the
Federation,
Federal Ministry of Justice,
71, Shehu Shagari Way,
Abuja. }

2. SUBJECT-MATTER OF THE PROCEEDINGS

The suit bothers on the protection of fundamental right of the Applicant and international transfer of the Applicant who is a sentenced prisoner in USA back to Nigeria.

3. ORDER SOUGHT BY THE APPLICANT

- a. AN ORDER that the 1st and 2nd Defendants visit the Applicant in particular, and all Nigerian citizens serving jail terms abroad to collect expressions of interest for their transfer to Nigeria to serve the remainder of their sentences.

- b. A DECLARATION that the Applicant having met all the cumulative requirements for prisoner transfer from the United States of America to Nigeria (save consent of the sentencing country and the proposed administering country), is eligible to be transferred from the United States of America to Nigeria, pursuant to the legally binding United Nations Convention against transnational Organized Crime, 2000, particularly Article 17 which is given effect to under Article 34 of the said convention.
- c. AN ORDER directing the 1st and 2nd Defendants to liaise, and initiate the process for the transfer of the Applicant from the US, through relevant Departments of the US Government or respective sentencing Authority(s) in the US.
- d. AN ORDER directing the 2nd Defendant to in like manner liaise with all relevant authorities in Nigeria and United States of America and initiate the process for the transfer of the Applicant (Prisoner) from USA prison to serve the remainder of his jail term in Nigeria.
- e. A DECLARATION that the Applicant having been convicted and sentenced for the offence of wire fraud by the District Court for Western Wisconsin USA, and having partially served the terms, and completed same in Nigeria cannot be prosecuted, arraigned or convicted on the same set of facts in Nigeria thereafter.
- f. AN ORDER of perpetual injunction restraining the 1st and 2nd Defendant from arresting, detaining and or investigating or prosecuting the Applicant on the same set of facts for which he has been convicted, sentenced and or served jail time in the USA.

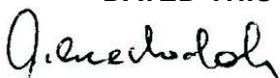
4. SUMMARY OF THE PLEAS-IN-LAW

The Applicant contends that the protocol and agreement for international treaty on the transfer of prisoners should be activated by the Nigerian Government for the Applicant to be transferred to Nigeria to complete his sentence and that his fundamental right against double jeopardy shall be respected by the Defendant.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant avers that the transfer of sentenced persons is seen to be an important means of co-operation to prevent and combat crimes, which is the purpose of the United Nations convention against illicit traffic in Narcotic drugs and psychotic substances of 1998, the United Nations Convention against corruption and the United Nations Convention against Transnational organized crime.
- b. The Applicant avers that by the decision of the United Nations Congress on the prevention of crime and the Treatment of offenders 1975, states and multilateral organizations like Nigeria and ECOWAS are enjoined to develop policies and practices to facilitate the return to their domicile of person serving sentence in foreign countries by utilizing regional cooperation and bi-lateral agreements
- c. The Applicant avers that he is currently serving his sentence at C. I. Northlake Private Prison. That C. I. Northlake is a private prison contractor to the Federal Bureau of Prison (F.O.P) i. e in the 8th Defendant and is very opaque and uncooperative in releasing information on the rate and incidence of Covid 19 infection in the prison, but it has allowed an intake of over 400 inmates from high risk and endemic areas of Covid infection such as California, leading to a spike in infection of the facility and putting the Applicant at serious risk, given his health challenges as he is struggling with obesity, high blood pressure and diabetes.

DATED THIS 10th DAY OF MAY 2019,

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)

Chief Registrar

Community Court of Justice, ECOWAS, Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA.

SUIT N°: ECW/CCJ/APP/19/21

BETWEEN

**REGISTERED TRUSTEES OF THE SOCIO-ECONOMIC
RIGHTS AND ACCOUNTABILITY PROJECT (SERAP)** _____ *APPLICANTS*
Suing for itself and on behalf of concerned Nigerians

AND

THE FEDERAL REPUBLIC OF NIGERIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **REGISTERED TRUSTEES OF SOCIO ECONOMIC AND ACCOUNTABILITY PROJECT (SERAP) (APPLICANTS)** AND **THE FEDERAL REPUBLIC OF NIGERIA (DEFENDANT)** was filed by the Applicants and registered by the Court on 29th day of April, 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

a. Name and address of Applicants:

**REGISTERED TRUSTEES OF SOCIO- ECONOMIC AND
ACCOUNTABILITY PROJECT (SERAP)**

b. Names and addresses of the Defendants:

THE FEDERAL REPUBLIC OF NIGERIA
C/o Honourable Attorney General of the Federation
and Minister of Justice,
Federal Ministry of Justice,
Abuja.

2. SUBJECT-MATTER OF THE PROCEEDINGS

The legality and compatibility of the suspension of *Channels Television* in Lagos and imposition of fine of N5 million on the station by the Nigerian Broadcasting Commission (NBC) with the guarantees of the rights to freedom of expression, access to information and media freedom in Articles 8 and 9 of the African Charter on Human and Peoples' Rights; Articles 7, 9 & 19 of the International Covenant on Civil and Political Rights 1976; Articles II, XII, and XIII of the Declaration of Principles on Freedom of Expression in Africa 2002; Articles 1, 6, 7, 10, and 11 of the Supplementary Act (A/SA.1/6/10) on Freedom of Expression and Right to Information in West Africa 2010; and Article 32 Supplementary Act (A/SA.1/01/10) on Personal Data Protection within Economic Community of West African States.

3. ORDER SOUGHT BY THE APPLICANTS

- a. A DECLARATION that the application of the provisions of the National Broadcasting Commission Act 1992 and the Nigeria Broadcasting Code by relied and acted upon by the

- Defendant and its agent to impose sanctions and penalties on *Channels Television* is draconian, inconsistent, incompatible with Nigerian human rights obligations and amount to breach of the right to freedom of expression, access to information, and media freedom guaranteed under Article 9 of the African Charter on Human and Peoples' Rights and Article 19 of International Covenant on Civil and Political Rights.
- b. A DECLARATION that the acts of the Defendant and its agent in relying on the provisions of the Nigerian Broadcasting Act, 1992 and the Nigeria Broadcasting Code to unilaterally impose punishments such as suspension and fine, and/or threat of suspension and fine on *Channels Television* without recourse to the court violate international human rights and Nigeria's obligations under the African Charter on Human and Peoples' Rights and Article 19 of International Covenant on Civil and Political Rights.
 - c. DECLARATION that provisions of the National Broadcasting Commission Act and the Nigerian Broadcasting Code used to sanction and fine *Channels Television* and/or to threaten the station with suspension and fine, being inconsistent and incompatible with Article 9 of the African Charter on Human and Peoples' Rights and Article 19 of International Covenant on Civil and Political Rights are null and void to the extent of their inconsistency and incompatibility.
 - d. A DECLARATION that the fine of Five Million Naira imposed on *Channels Television* for interviewing a leader of IPOB is a breach of the citizens' right to freedom of expression, access to information as well as media freedom guaranteed under Article 9 of the African Charter on Human and Peoples' Rights and Article 19 of International Covenant on Civil and Political Rights and therefore, null and void.
 - e. A DECLARATION that the fine of Five Million Naira imposed on *Channels Television* for carrying out their professional and constitutional duties without giving the station the opportunity to respond to the allegations leveled against it and recourse to the court is in breach of the African Charter on Human and Peoples' Rights and International Covenant on Civil and Political Rights and therefore, null and void.
 - f) A DECLARATION that the act of the Defendant to frequently threaten *Channels Television* with sanction and fine and to unilaterally impose sanctions and fine without giving *Channels Television* and other independent stations the opportunity to respond to the allegations leveled against it, violates the right to fair hearing, guaranteed under the African Charter on Human and Peoples' Rights and International Covenant on Civil and Political Rights and therefore, null and void.
 - g. AN ORDER setting aside the sum of Five Million Naira or any other form of penal sanction unilaterally imposed by the Defendant and its agents on *Channels Television* or such other radio and/or television station.
 - h. AN ORDER setting aside the sum of Five Million Naira fine or any other form of penal sanction unilaterally imposed by the Defendant on *Channels Television*.
 - i. AN ORDER directing the Defendant and its agents to immediately repeal and/or amend the National Broadcasting Commission Act and the Nigerian Broadcasting Code in line with Nigerian obligations under international human rights law especially Article 1 of the African Charter on Human and Peoples' Rights, the International Covenant on Civil and Political Rights and the Revised ECOWAS Treaty 1993.
 - j. AN ORDER OF PERPETUAL INJUNCTION restraining the Defendant and its agents from unlawfully imposing sanctions fines or doing anything whatsoever to harass *Channels Television* and any other radio and television broadcast stations in violation of the African Charter of the on Human and Peoples' Rights and International Covenant on Civil and Political Rights.

4. SUMMARY OF THE PLEAS-IN-LAW

- a. That Article 4 of the Revised Treaty of the Economic Community of West African States (ECOWAS) 1993 provides for the applicability of the provisions of the African Charter on Human and Peoples' Rights to member states of the ECOWAS.
- b. That the Defendant has ratified and adopted the protocols of Articles 1, 2, & 9 of the African Charter on Human and Peoples' Rights.
- c. That Articles II & XII of the Declaration of Principles on Freedom of Expression in Africa 2002 and Article 19(1) & (2) of the International Covenant on Civil and Political Right provides that everyone shall have the right to hold opinions without interference.

That Article 19 of the Universal Declaration of Human Right which provides that everyone has the right to freedom of opinion and expression, this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

- d. That Article 66 of the Revised Treaty of Economic Community of West African States (ECOWAS) 1993 guaranteed the right to freedom of expression and information. While granting lawful access to personal data, Article 32 of the Supplementary Act (A/SA.1/01/10) on Personal Data Protection within Economic Community of West African States recognize the right to freedom of expression of Journalists, artists and others to use personal data in compliance with the ethical rules of their profession.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant contends that the rights to freedom of expression, access to information and media freedom allow Nigerians to seek and attain truth, which is an inherently good activity. These rights also allow Nigerians to participate in representative governance, social and political decision-making, which the Defendant and its agent are obligated to foster and encourage.
- b. The Applicant further contends that the rights to freedom of expression, access to information and media freedom promote diversity in forms of individual self-fulfillment and human flourishing, which the Defendant and its agents ought to cultivate to achieve a tolerant and welcoming environment for the sake of good governance, the rule of law and respect for human rights.
- c. The Applicant avers that, censorship restricts the flow of information from the Defendant and its agents about issues of public interest, preventing people from accessing critical information, expressing themselves, and denying them opportunities to assert other fundamental rights.
- d. The Applicant also avers that the Defendant violates the rights of people to openly discuss issues relating to transparency and accountability in government, and prevents them accessing information on a wide range of related concerns. Attempts to justify this on the grounds of incitement, morality and subversion of the constituted authority contradict the principles of the universality of human rights.
- e. The Applicant avers that Freedom of Expression is a fundamental human right and cannot be denied without lawful justification. Article 20 (2) of the International Covenant on Civil and Political Rights, which Nigeria has ratified requires states to prohibit only advocacy that constitutes incitement to discrimination, hostility or violence. Restrictions must be clearly defined, specific, necessary, and proportionate to the threat to interest protected.
- f. The Applicant contends that it is only when the Defendant's Broadcasting Act 1992 and Broadcasting Code are rendered incompatible with treaties on freedom of expression,

right to information and press freedom and therefore unlawful that independent media houses like *Channels Television* will be truly independent, and these rights will be fully and effectively respected, protected, promoted and fulfilled in Nigeria.

DONE IN ABUJA, THIS 11TH DAY OF MAY 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA.

SUIT N^o: ECW/CCJ/APP/20/21

BETWEEN

COL. MOHAMMED SAMBO DASUKI (RTD.) _____ *APPLICANT*

AND

THE FEDERAL REPUBLIC OF NIGERIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **COL. MOHAMMED SAMBO DASUKI (RTD.) (APPLICANT)**, AND **THE FEDERAL REPUBLIC OF NIGERIA (DEFENDANT)**, was filed by the Applicant and registered by the Court on the 17th day of May, 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

Name and address of the Applicant:

- a. **COL. MOHAMMED SAMBO DASUKI (RTD.)**
No. 13 John Khadiya Street, Asokoro
Abuja, Nigeria

Name and address of the Defendant:

- b. **FEDERAL REPUBLIC OF NIGERIA**
c/o The Hon. Attorney-General of the Federation
and Minister for Justice,
Attorney General's Chambers,
Federal Ministry of Justice,
Maitama, Abuja, Nigeria.

2. SUBJECT-MATTER OF THE PROCEEDINGS

- a. The Applicant avers that the continued failure, refusal and negligence by the Defendant to fully comply with the Judgment of the Court which includes orders to the Defendant to release the Applicant's seized properties and the payment of the awarded damages is a violation of his rights.
- b. The Applicant avers that the Judgment of this Court dated 4th October, 2016 between the Applicant and the Defendant is binding on the Defendant and immediately enforceable against the Defendant as part of the Defendant's mandatory Treaty obligations.

3. ORDERS SOUGHT BY THE APPLICANT

- a. A DECLARATION that the continued detention of the Applicant by the officers, servants, agents, privies of the Defendant in defiance of orders for his bail granted by courts of competent jurisdiction in Nigeria, namely the Federal High of Nigeria in Charge No. FHC/ABJ/CR/319/2015, **FEDERAL REPUBLIC OF NIGERIA V. COL. MOHAMMED SAMBO DASUKI** and the High Court of the Federal Capital Territory, Abuja, Nigeria in Charge No. FCT/HC/CR/42/2015

between **FEDERAL REPUBLIC OF NIGERIA V. BASHIR YUGUDA & 5 ORS** and Charge No. FCT/HC/CR/43/2015 between **FEDERAL REPUBLIC OF NIGERIA V. COL MOHAMMED SAMBO DASUKI (RTD.) & 5 ORS** is unlawful, arbitrary and an egregious violation of the Applicant's Fundamental human rights as guaranteed by Sections 34, 35 and 41 of the Constitution of the Federal Republic of Nigeria 1999 (As Amended); Articles 5, 6 and 12 of the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act Cap D9 Laws of the Federation of Nigeria 2004; Articles 9 and 12 of the International Covenant on Civil and Political Rights and Articles 3, 5, 9 and 13 of the Universal Declaration of Human Rights and a most egregious violation of the treaty obligations of the Defendant under and by virtue of its being a signatory to the above legal instruments.

- b. A DECLARATION that the detention and continued detention of the Applicant by the officers, servants, agents, privies of the Defendant, after the Applicant met and fulfilled all the bail conditions for his release and after service on the appropriate authorities of the Defendant of release warrants issued by both the Federal High of Nigeria and the High Court of the Federal Capital Territory, Abuja, Nigeria, is unlawful, arbitrary and constitutes an egregious violation of the Applicant's human rights as guaranteed by Sections 34, 35 and 41 of the Constitution of the Federal Republic of Nigeria 1999 (As Amended), Articles 5, 6 and 12 of the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act Cap 10 Laws of the Federation of Nigeria 1990; Articles 9 and 12 of the International Covenant on Civil and Political Rights and Articles 3, 5, 9 and 13 of the Universal Declaration of Human Rights and a most egregious violation of the treaty obligations of the Defendant under and by virtue of its being a signatory to the above listed legal instruments.
- c. A DECLARATION that it is an unlawful violation of the Applicant's human rights to personal liberty and freedom of movement as guaranteed and protected by Sections 35 and 41 of the Constitution of the Federal Republic of Nigeria 1999 (As Amended); Article 6 of the African Charter on Human and Peoples Rights; Article 9 of the International Covenant on Civil and Political Rights and Articles 3 and 13 of the Universal Declaration of Human Rights a most egregious violation of the treaty obligations of the Defendant under and by virtue of its being a signatory to the above listed legal instruments, for the Defendant to unlawfully detain the Applicant after he was granted bail by courts of competent jurisdiction and fulfilled all the bail conditions for his release.
- d. A DECLARATION that it is an unlawful violation of the Applicant's human rights to dignity of human person, privacy and family life guaranteed and protected rights under Sections 34 and 37 of the Constitution of the Federal Republic of Nigeria 1999 (As Amended); Article 17 of the International Covenant on Civil and Political Rights and Article 12 of the Universal Declaration of Human Rights a most egregious violation of the treaty obligations of the Defendant under and by virtue of its being a signatory to the above listed legal instruments, for the Defendant's agents, privies, servants to have unlawfully detained the Applicant under a de-humanizing condition after his has been granted bail by courts of competent jurisdiction and he has fulfilled all the bail conditions for his release.
- e. A DECLARATION that the invasion of the Applicant's Privacy, Home and or Correspondence at the No.13 John Kadiya Street, Asokoro, Abuja, Nigeria and at both Sultan Abubakar Road, Sokoto and Sabo Bini Road Sokoto, Sokoto State, Nigeria sometimes on the 16th and 17th July, 2015 and the forceful and unlawful seizure of the Applicant's properties listed in schedule of seized properties by the Defendant, without any lawful order or warrant of a Court of Competent Jurisdiction constitutes a gross violation of the Applicant's fundamental rights guaranteed under Section 44 of the Constitution of the Federal Republic of Nigeria 1999 (As Amended), Articles 14 of the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act Cap A9 Laws of the Federation of Nigeria 2004 and Article 17 of the International Covenant on Civil and Political Rights and a most egregious violation of the treaty obligations by the Defendant under and by virtue of its being a signatory to the above listed legal instruments is therefore illegal and unlawful.

- f. AN ORDER directing the Defendant and or its agents to forthwith release the Applicant.
- g. AN ORDER directing the Defendant and or its agents to forthwith release to the Applicant and or his agents/Solicitors all his unlawfully seized properties listed in Annexure A, during the invasion of the house/home of the Applicant on the 16th and 17th July,2015 without any lawful order or warrant of any court of competent jurisdiction.
- h. AN ORDER of injunction restraining the Defendant, its officers, servants, agents, privies and or anyone taking instruction from them from further harassing, threatening, intimidating or in any other manner infringing on or interfering with the fundamental rights of the Applicant as guaranteed by the Constitution of the Federal Republic of Nigeria 1999 (As Amended) ; Articles 4, 5 and 14 of the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act Cap A9 Laws of the Federation of Nigeria 2004; Article 17 of the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights;
- i. ₦ 500, 000,000.00 [Five Hundred Million Naira] only as compensatory damages against the Defendant for its egregious violation of the Applicant's Human Rights as guaranteed and protected by the Constitution of the Federal Republic of Nigeria 1999 (As Amended); Articles 4, 5 and 14 of the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act Cap A9 Laws of the Federation of Nigeria 2004; Article 17 of the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights.

4. SUMMARY OF THE PLEAS-IN-LAW

The Applicant avers that his right to immediate enforcement of the judgment in his favour on 4th October 2016 is provided under Section 6 (6) and 33 of the 1999 Constitution of the Federal Republic of Nigeria; Article 15(4) of the ECOWAS Treaty; Articles 2(1) & 19 (2) Protocol A/P.1/7/91 of the Community Court of Justice; and Articles 10 and 24 of the Supplementary Protocol A/SP.1/01/05 amending the Protocol A/P.1/7/91 of the Community Court of Justice.

5. SUMMARY OF MAIN SUPPORTING ARGUMENTS

- a. The Applicant avers that he is a retired Colonel from the Nigerian Army, Federal Republic of Nigeria and was the Former National Security Adviser between June 2012 and July 2015. That he was removed as the National Adviser to the Federal Republic of Nigeria sometime in July 2015. That upon his removal as the National Security Adviser (NSA), his homes in Abuja and Sokoto, Nigeria were unlawfully invaded. That during the invasion, items and properties were confiscated by the agents of the Defendant without any lawful order or warrant.
- b. The Applicant also avers that he was arraigned for various offences before three (3) Nigerian Courts on 1st September, 13 October and 15th October 2015 respectively and that the Defendant refused to obey the Orders of Court granting him bail. That thereafter, he approached the ECOWAS Court of Justice, having being detained for more than a year after the three courts granted him bail. The Court after hearing the matter, delivered a Judgment on 4th October, 2016 and ordered the Defendant to release the Applicant immediately; ordered the Defendant to release the Applicant's seized properties to him immediately and pay the sum of N15, 000,000:00 (Fifteen Million Naira) as damages. The Applicant was only released from detention in October 2019 after being unlawfully detained for 4 years in defiance of the Orders of Court.
- c. The Applicant further avers that the Defendant refused to comply with the Court's Judgment of 4th October, 2016 which includes the order directing the Defendant to release the properties of the Applicant and pay him the sum of N15, 000,000:00 as damages. That the Defendant and its agents by their continued actions have violated the Applicants rights to freely own property by the unlawful refusal to comply with the Judgment of the Court and release the said properties of the Applicant.

DONE IN ABUJA, THIS 8TH DAY OF JULY, 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA.

SUIT N°: ECW/CCJ/APP/21/21

BETWEEN

ABIODUN ILESANMI _____ *APPLICANT*

AND

THE FEDERAL REPUBLIC OF NIGERIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice, ECOWAS that an Application *BETWEEN ABIODUN ILESANMI (APPLICANT), AND THE FEDERAL REPUBLIC OF NIGERIA (DEFENDANT)*, was filed by the Applicant and REGISTERED by the Court on the 24th day of May, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

- | | | | |
|----|---|---|------------------|
| a. | ABIODUN ILESANMI
Mile 12 Market, Ketu-Alapera,
Lagos, Nigeria | } | <i>APPLICANT</i> |
| b. | THE FEDERAL REPUBLIC OF NIGERIA
Attorney-General's Chambers,
Federal Ministry of Justice,
Federal Secretariat Complex,
Shehu Shagari Way, Abuja. | } | <i>DEFENDANT</i> |

2. SUBJECT-MATTER OF THE PROCEEDINGS

The Applicant avers that he was arbitrarily arrested by the Department of State Security (DSS), who are agents of the Defendant and has been detained by same since 2nd April, 2021 without being charged to Court. He further avers that the DSS finally granted him administrative bail on the grounds that he must present a surety who is either a serving Senator or a serving minister. He avers the DSS was well aware that he will be unable to meet this onerous bail conditions and this is an indirect attempt to breach his fundamental human rights, specifically his right to personal liberty.

3. ORDERS SOUGHT BY THE APPLICANT

- a. A DECLARATION that the detention of the Applicant in the detention facility of the State Security Service in Lagos by the Defendant since 2nd April, 2021 till date without trial is illegal and unconstitutional as it violates his human right to dignity, personal liberty, presumption of innocence and fair hearing guaranteed Articles 5, 6 and 7 of the African Charter on Human and Peoples' Rights.
- b. AN ORDER directing the Defendant to release the Applicant from illegal custody forthwith.

- c. AN ORDER directing the Defendant to pay the Applicant the sum of N200, 000,000.00 (Two hundred million naira only) being compensation for the violation of his human rights.

4. SUMMARY OF PLEAS-IN-LAW

That the Applicant's human rights to personal liberty, dignity of human person, presumption of innocence and fair hearing as guaranteed by the African Charter on Human and Peoples' Right have been violated by the Defendant having detained the Applicant since 2nd April, 2021 without bail or trial.

5. SUMMARY OF MAIN SUPPORTING ARGUMENTS

The Applicant avers that he was arrested at about 2:00 am on the 2nd April, 2021 by the armed officers of the Department of State Security Service (DSS), a security agency of the Defendant who broke into his residence at Alapere/Ogudu Estate, Lagos, Nigeria, where they searched and made away with documents and some money. He avers that the Department of State Security went to his workplace and forcibly catered away with two bags of rice. He avers that he has not committed any offence for which the DSS is empowered to investigate, detain and prosecute him under the National Securities Act. He avers that he was later granted administrative bail under very stringent and rigid conditions that he will not be able to perfect. He avers that by granting very stringent bail conditions, the DSS was indirectly violating his rights to liberty. He claims that since his detention, his health has deteriorated, and he has suffered severe mental torture and trauma. He further avers that the Defendant has breached his right to personal liberty, dignity of human person, presumption of innocence and fair hearing as guaranteed by the African Charter on Human and Peoples' Rights.

DONE IN ABUJA, THIS 15TH DAY OF JUNE 2021.

SIGNED: 

Mr. Tony Anene-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA.

SUIT N°: ECW/CCJ/APP/22/21

BETWEEN

- | | | | |
|----|---|---|-------------------|
| 1. | CASSANDRA GARBER | } | <i>APPLICANTS</i> |
| 2. | SAMUEL VALCARCEL | | |
| 3. | OLAASGILL | | |
| 4. | PROF. K. KOSO-THOMAS | | |
| 5. | SIR ERNEST DUNSTAN MORGAN AND OTHERS | | |

AND

REPUBLIC OF SIERRA LEONE _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN (1) **CASSANDRA GARBER**; (2) **SAMUEL VALCARCEL**, (3) **OLA ASGILL**; (4) **PROF. K. KOSO-THOMAS**; (5) **SIR ERNEST DUNSTAN MORGAN AND OTHERS** (*APPLICANTS*) AND **REPUBLIC OF SIERRA LEONE** (*DEFENDANT*) was filed by the Applicants and registered by the Court on the 7th day of June 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

- | | | | |
|----|--|---|-------------------|
| a. | CASSANDRA GARBER,
SAMUEL VALCARCEL,
OLAASGILL,
PROF. K. KOSO-THOMAS,
SIR ERNEST DUNSTAN MORGAN AND OTHERS.
C/o Garber & Co
49 Upper Waterloo Street
Freetown, Sierra Leone | } | <i>APPLICANTS</i> |
|----|--|---|-------------------|

AND

- | | | | |
|----|---|---|------------------|
| b. | REPUBLIC OF SIERRA LEONE
Represented by
The Attorney General of Sierra Leone
Guma Building, Laminah Sankoh Street
Freetown, Sierra Leone | } | <i>DEFENDANT</i> |
|----|---|---|------------------|

2. SUBJECT-MATTER OF PROCEEDINGS

- a. A Violation by the Defendant of the human and fundamental rights of the Applicants, their families and the Krio community and people situated in Sierra Leone and beyond, in that the Defendant has violated the following of Articles of the African Charter on People and Human Rights, namely:-

- b. Article 2 of the African Charter on People and Human Rights in that the Defendant has maintained as law a national statute that affords different and disparate treatment to a group of Sierra Leoneans based upon their place of origin wherein such persons are subjected to disability and restrictions that other groups are not subjected to.
- c. Article 7 (1) which mandates that every person should have the right to appeal to competent national organs against acts or laws that violate his / her fundamental rights.
- d. Article 10 (1) of the African Charter on People and Human Rights in that the Applicants, and the Krios in general have been subject to restrictions on their freedom of association
- e. Article 12 of the African Charter on People and Human Rights in that the Applicants and the Krios have been subject to restrictions on their freedom of movement and residence within the borders of Sierra Leone.
- f. Article 19 of the African Charter which prohibits domination of a people by another and the infliction of unequal treatment to a targeted set of people, namely the Applicants and the communities they represent.

3. ORDERS SOUGHT BY THE APPLICANTS

- a. A DECLARATION that sections 3 and 4 of the Provinces Land Act 1960 are inconsistent with Article 2 and 19 of the African Charter on People and Human Rights in that the Applicants and members of their tribe, to wit, the Krios have been subject to unequal treatment, domination, and discrimination on the basis of their place of origin and tribe in violation of said Article 2 and Article 19 respectively which mandates that every person shall be entitled to the enjoyment of rights and freedoms without distinction of any kind **“such as race, ethnic group, color, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status”** and **“shall have the same rights ... before the Law”**.
- b. A DECLARATION that sections 3 and 4 of the Provinces Land Act 1960 are inconsistent with the Article 10 (1) of the African Charter on People and Human Rights in that the Applicants, and the Krios have been subject to restrictions on their freedom of association as the offending statute precludes them for freely associating with other persons, tribes and communities normally resident in the Provinces in Sierra Leone.
- c. A DECLARATION that sections 3 and 4 the Provinces Land Act 1960 are inconsistent with the Article 12 of the African Charter on People and Human Rights in that the Applicants and the Krios have been subject to restrictions on their freedom of movement and residence within the borders of Sierra Leone as the offending statute specifically places restrictions on the rights of Krios to reside and move freely in the provinces.
- d. A DECLARATION that the rights of the Applicants and the Krios in general have been violated as a result of the failure to be heard by the Supreme Court of Sierra Leone which is a violation of Article 7 (1) of the African Charter which mandates that every person should have the right to appeal to competent national organs against acts violating his/her fundamental human rights as recognized and guaranteed by conventions, laws, regulations and customs in force.
- e. A DECLARATION that the Provinces Lands Act - Cap. 122, Cap. 60 of the Laws of Sierra Leone, Act No. 46 of 1961, and Act No. 29 of 1972 all of which contain supporting or definitional statutory sections to the Provinces Lands Act 1960 are inconsistent with Articles 2, 10, 12 and 19 of the African Charter on People and Human Rights to the extent that they classify Krios as “Non-Natives” in their own country, illegally placing them in the same category as those persons of European or Asiatic descent thus treating them unequally and unfairly.
- f. AN ORDER in the Court’s inherent discretion nullifying, modifying, qualifying and declaring as unconstitutional the pertinent sections of the Provinces Lands Act and the definitional sections

referred to in paragraph 5 above and deleting from their ambit their application to persons “*whose principal place of residence is in the Colony*” so as to ensure that the offending statutes are not in conflict with Articles 2, 10, 12 and 19 of the African Charter on People and Human Rights.

- g. DAMAGES in favour of the Applicants personally and damages in favour of the Krio Community in general against the Defendant in such amount as this Court may deem just for the deprivation of property rights, psychological harm, constitutional and fundamental rights violations, loss of business and economic opportunities suffered by the Applicants and the Krio Community as a whole from 1961 to date.
- h. AN ORDER granting such other reparations and/ or damages as the Court may deem just and proper for the overt discrimination, violation of the aforementioned provisions of the African Charter and for the loss of business and economic opportunities in the provinces from 1961 to date.
- i. COSTS.
- j. Such other and further RELIEF as this Court may deem just and proper.

4. SUMMARY OF THE PLEAS-IN-LAW

The Applicants relied on Article 33 of the Rules of Procedure of the Community Court of Justice; Articles 9(4); 10(d) of the Supplemental Protocol A/SP1/01/05 amending the Protocol (A/P1/7/91) relating to the Community Court of Justice; Article 2 freedom from discrimination, Article 10 freedom of association; Article 12 freedom of movement; Article 19 right to equal treatment before the law of the African Charter on Human & Peoples’ Rights ratified by Sierra Leone on September 21st 1983; Universal Declaration on Human Rights adopted by the UN General Assembly in 1948; The Covenant on Civil and Political Rights was ratified by Sierra Leone on August 23, 1996; Section 3 (1) (2) (4) of the Provinces Land Act states of Sierra Leone; The Protectorate Ordinance 1933, Cap. 60 Laws of Sierra Leone; The Interpretation Ordinance, 1933 as amended by the Interpretation Ordinance 1946 of Sierra Leone; and The Laws (Adaptation) Act 1972, Act No.29 of 1972, Sierra Leone to file an action for the violations of these international conventions including the African Charter to which Sierra Leone is a party.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicants avers that the Krios evolved into a separate ethnic group with their own language, culture, beliefs, traditions, folklores and peculiarities. Many of the Krios were utilized in Sierra Leone and within West Africa to staff the colonial civil service and to act as missionaries throughout the various British colonies.
- b. That during the second half of the nineteenth century, the British government felt a need to expand its presence and control beyond Freetown to the hinterland of Sierra Leone. In 1895, by way of an Order in Council, the British declared the area adjacent to and outside the colony of Sierra Leone as a Protectorate. District Commissioners were appointed over various geographical area of the provinces but unlike the Colony, a system of indirect rule was adopted which left the authority of the tribal chiefs largely intact. The District Commissioners supervised the actions of the tribal chiefs and the tribal chiefs exercised control over their tribesmen.
- c. The Krios were excluded from the administration in the Protectorate and were prevented from buying land therein. Land in the colony however followed the English common law system and was freely alienable. Land in the provinces remained vested in the tribal chiefs but the colonial legislative council headed by the Governor made laws for the provinces.
- d. The Krios in the colony were regarded as British Subjects and people in the provinces, as British Protected Persons. The provinces were treated by and large as a foreign territory

separate and distinct from the colony. In 1927, the British passed the Protectorate Land Ordinance Act of 1927 which contained provisions detailing with what rights non-natives could acquire to land in the provinces. The Krios for purposes of this statute were classified as non-natives.

- e. The primary purpose of the above statute was to make provisions regulating the interests in land that could be acquired by non-natives in the provinces. The ordinance contained other relevant provisions pertaining to the procedure for securing a lease, the sanctions if said procedure was not adhered to and the relinquishment and removal of any fixtures and buildings on the property at the expiration of the lease. A lease not in compliance with the procedures stipulated was voidable at the instance of either party. A system of registration of these leases with the Registrar General was mandated. In this way, the colonial government was able to monitor and keep a record of leases acquired by non-natives in the provinces.
- f. That the Krios were subject to the same restriction as expatriate British nationals living and working in Sierra Leone. In 1960, the Ordinance was re-enacted as the Provinces Land Act (Cap. 122 of the Laws of Sierra Leone 1960) with only a few cosmetic changes to the substance of the statute such as changing the term "protectorate" to "provinces".
- g. The Applicants state therefore, that it is undeniable that the Provinces Land Act is inconsistent and in violation of these international Conventions including the African Charter to which Sierra Leone is a party. In light of these Conventions and the African Charter which is binding upon the Defendant, the offending statutes must be construed in such a way as to be consistent with them or otherwise declared null and void.

DONE IN ABUJA, THIS 25th DAY OF JUNE 2021.

SIGNED: 
Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA.

SUIT N°: ECW/CCJ/APP/25/21

BETWEEN

**LAWYERS ALERT INITIATIVE FOR PROTECTING
THE RIGHTS OF CHILDREN WOMEN & THE INDIGENT _____ APPLICANT**

AND

THE FEDERAL REPUBLIC OF NIGERIA _____ DEFENDANT

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **LAWYERS ALERT INITIATIVE FOR PROTECTING THE RIGHTS OF CHILDREN, WOMEN AND THE INDIGENT (APPLICANT)**, AND **THE FEDERAL REPUBLIC OF NIGERIA (DEFENDANT)**, was filed by the Applicant and registered by the Court on the 11th day of June, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

- | | | | |
|----|---|---|------------------|
| a. | LAWYERS ALERT INITIATIVE FOR PROTECTING THE RIGHTS OF CHILDREN, WOMEN & THE INDIGENT
No. 6, Ahmadu Bello Way,
Old GRA, Makurdi,
Benue Estate
Nigeria | } | <i>APPLICANT</i> |
| b. | FEDERAL REPUBLIC OF NIGERIA
Attorney-General's Chambers,
Federal Ministry of Justice,
Federal Secretariat Complex,
Shehu Shagari Way, Abuja. | } | <i>DEFENDANT</i> |

2. SUBJECT-MATTER OF THE PROCEEDINGS

The Applicant avers that the provisions of Section 405 (1) paragraphs (c) (d) and (2) (d) (e) and Sections 406 and 407 of the Penal Code of Nigeria, Cap. 89 of Northern Nigeria, 1963 continuously violates and disregards the provisions of Article 2, 3, 5, 6, 7, 10, 12, 18 & 19 of the African Charter on Human and Peoples' Rights (ACHPR) and violates the human rights of vulnerable groups in Nigeria.

3. ORDERS SOUGHT BY THE APPLICANT

- a. A DECLARATION that the provisions of Section 405 (1) (c) & (d) and (2) (d) & (e) and Sections 406 and 407 of the Penal Code Nigeria, Cap. 89 of Northern Nigeria 1963 are not compatible with the African Charter on human and Peoples' Rights and other international human rights instruments applicable in Nigeria, and thereby violates the rights of poor and marginalized groups in Nigeria.

- b. A DECLARATION that the provisions of Section 405 (1) (c) & (d) and (2) (d) & (e) and Sections 406 and 407 of the Penal Code of Nigeria, cap 89. of Northern Nigeria 1963 are vagrancy laws.
- c. ANY OTHER FURTHER ORDER(S) as the Court may deem fit in the circumstance.

4. SUMMARY OF THE PLEAS-IN-LAW

- a. The Applicant also avers that the said vagrancy laws violate human rights as guaranteed by the provisions of Articles 2, 3, 5, 6, 7, 10, 12, 18 and 19 of the African Charter on human and peoples' Rights.
- b. The Applicant avers that the African Court on Human and Peoples' Rights declared in the Court's Opinion that States have an obligation to repeal or modify their laws that criminalize vagrancy because they are incompatible with human rights standards.
- c. The Applicant avers that African Court on Human and Peoples' Rights declared that vagrancy laws violate multiple provisions of the of the African Charter on Human and Peoples' Rights and are incompatible with Articles 2, 3, 5, 6, 7, 12 & 18 as well as Article 24 of the Protocol to the African Charter on Human and Peoples' Rights (Maputo Protocol).

5. SUMMARY OF MAIN SUPPORTING ARGUMENTS

- a. The Applicant avers that by the provisions of Section 405 (1) (c) & (d) and (2) (d) & (e) and Sections 406 and 407 of the Penal Code of Nigeria, cap 89. of Northern Nigeria 1963, a person can be convicted and punished for an offence on the direction of a "punishing officer". That the "punishing officer" has ultra-vires powers and pronounces discretionary verdicts. That sex workers and vulnerable persons are arbitrarily arrested, dehumanized, and imprisoned for offences provided in these laws which are considered vagrancy laws.
- b. That the provisions of Section 405 (1) (c) & (d) and (2) (d) (e) and Sections 406 & 407 of the Penal Code Law Cap. 89 of Northern Nigeria 1963 are too narrow and discriminatory and create ambiguity, arbitrary arrest and devaluation of a person's status in society.

DONE IN ABUJA, THIS 23RD DAY OF JUNE 2021.

SIGNED: 
Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA.

SUIT N°: ECW/CCJ/APP/30/21

BETWEEN

- | | | |
|--|---|-------------------|
| <ol style="list-style-type: none"> 1. REGISTERED TRUSTEE OF FACULTY OF PEACE ORGANIZATION 2. COM. KELLY OMOKARO 3. MAXIST KOLA EDOKPAYI 4. COM. OSEMU OGBIDI | } | <i>APPLICANTS</i> |
|--|---|-------------------|

AND

THE FEDERAL REPUBLIC OF NIGERIA _____ *RESPONDENT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **1. REGISTERED TRUSTEE OF FACULTY OF PEACE ORGANIZATION, 2. COM. KELLY OMOKARO, 3. MAXIST KOLA EDOKPAYI, 4. COM. OSEMU OGBIDI (APPLICANTS)** AND **THE FEDERAL REPUBLIC OF NIGERIA (RESPONDENT)** was filed by the Applicants and registered by the Court on the 18th day of June, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of parties are as follows:

- | | | |
|---|---|-------------------|
| <ol style="list-style-type: none"> a) The 1st to 4th Applicants, through their lawyer, President Aigbokhan, Esq. | } | <i>APPLICANTS</i> |
| <ol style="list-style-type: none"> b) The Respondent, FEDERAL REPUBLIC OF NIGERIA is a Member State of the Economic Community of West African States (ECOWAS) and a signatory to ECOWAS Treaty and Protocols. | } | <i>RESPONDENT</i> |

2. SUBJECT-MATTER OF THE PROCEEDINGS

Violation of the right to assembly and association of the Applicants as they were denied the right to gather and assemble themselves to protest the high cost of living.

3. ORDERS SOUGHT BY THE APPLICANTS

- a. A DECLARATION that the Respondent's action banning peaceful assembly and the disruption of the procession organized by the Applicants infringes on their rights to assemble and associate.
- b. A DECLARATION that Respondent has a duty to ensure the protection of the assembly slated for the 29th day of March 2021.
- c. A PERPETUAL INJUNCTION restraining the Respondent or its agents or privies from issuing any ban notice, disturbing or interfering with the rights of any person or group of persons from any part of Nigeria from holding assembly or associating with themselves as a group or part of a group in pursuant of their rights as stipulated by law.

- d. AN AWARD of 500, 000. 00 USD (Five Hundred Thousand Dollars as general damages and or exemplary damages/ compensation for the unlawful denial of the right to association and assembly of the Applicants from the date of judgment and interests therein at 10% per month until judgment is fully liquidated against the Respondent

4. SUMMARY OF PLEAS-IN-LAW

- a. Breach of **Articles 10 and 11 of the African Charter, Article 21 of the International Covenant on Civil and Political Rights and Section 40 of the Constitution of 1999** as well as **Rule 9 (4) of the African Commission on Human and People's Right Guidelines on Freedom of Association and Assembly in Africa 2017** and **Guidelines for the Policing of Assemblies by Law Enforcement officials in Africa 2017**.
- b. The Judgment in **Malawi Law society and others. v. President and others. (Malawi High Court) 2002. Para. 30** and See **Rule 70 (a) and 71** of the Guidelines on Freedom of Association and Assembly in Africa 2017, **Rules 71 (b) & 73** of the Guidelines on Freedom of Association and Assembly in Africa 2017. **Article 25** of the International Covenant on Civil and Political Rights (ICCPR), **Rule 11, 85, 89, 92, 94 and 98 of the Guidelines on Freedom of Association and Assembly in Africa 2017**

5. SUMMARY OF MAIN SUPPORTING ARGUMENTS

- a. The Applicants aver that they are the key promoters of the protest and assembly fixed for the 28th day of March 2021, but that the exercise was disrupted by the Respondent.
- b. That the protest and assembly were aimed at directing government attention to the hike in prices of fuel, sachet water and cement and its link with monopoly, but the Respondent locked up the assembly premises with the Applicants inside for hours, with no alternative venue proposed by the Respondent.
- c. That the Edo State government banned the gathering of members of the Nigeria Women Society in May 2021, which did not aid the ability of an assembly to take place within sight and sound of the target audience or the Applicants.
- d. That the Respondent failed to promptly communicate a decision to prohibit the assembly to the Applicants/organizers.
- e. That the lockout order of the Respondent infringes on the right of the Applicants and its best interest and that of the general public.
- f. That as a fact the Respondent conducted its oversight partially and unfairly.
- g. That the ground for the infringement of the Applicants' rights was not clear, transparent, and readily available.
- h. That there is no legitimate aim sought to be achieved by the dismissal of the protest.

DATED THIS 30th DAY OF JUNE 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/31/21

BETWEEN

- | | | | |
|----|---------------------------------|---|-------------------|
| 1. | MR. ISAAC OLAMIKAN | } | <i>APPLICANTS</i> |
| 2. | MRS. EDOGHOGHO UGBEREASE | | |

AND

THE FEDERAL REPUBLIC OF NIGERIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **MR. ISAAC OLAMIKAN** (*1ST APPLICANT*), **MRS. EDOGHOGHO UGBEREASE** (*2ND APPLICANT*) AND **THE FEDERAL REPUBLIC OF NIGERIA** (*DEFENDANT*), was filed by the Applicants and REGISTERED by the Court on the 18th day of June, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

- | | | | |
|----|---|---|-------------------|
| a. | MR. ISAAC OLAMIKAN
#1 Omorodion Street, GRA,
Benin City, Edo State Nigeria

MRS. EDOGHOGHO UGBEREASE
#1 Sakponba Road, Benin City,
Edo State, Nigeria | } | <i>APPLICANTS</i> |
| b. | FEDERAL REPUBLIC OF NIGERIA
Attorney-General's Chambers,
Federal Ministry of Justice,
Federal Secretariat Complex,
Shehu Shagari Way, Abuja. | | |

2. SUBJECT-MATTER OF THE PROCEEDINGS

The Applicants who are online journalist, filed this action against the Defendant on the ground that the Defendant's legislative framework discriminates and excludes qualified Applicants like the Applicants from practicing journalism on the basis of age and publishing frontiers. The Applicants aver that there were arrested by agents of the Defendant when taking pictures at a gas plant and in the premises of the Court, respectively, on the ground that they were not qualified journalists. The agents of the Defendant claimed that a journalist that publishes online or reports community issues without being registered with the Defendant is not recognized as a journalist in Nigeria. The Applicants have instituted this action for the breach of the right to freedom from discrimination.

3. ORDERS SOUGHT BY THE APPLICANTS

- | | |
|----|---|
| a. | A DECLARATION sections 19 (1) (a), 27 and 37 of the Press Council Act of Nigeria of 1992 be declared void on ground that it fails to recognize public interest media viz; rights of online and citizen journalists as guaranteed in Article 9(1) and (2) of the African Charter on Human and Peoples Rights; Articles 19 of the Universal Declaration of Human Rights, Article 2, 10 and 19 of the International Covenant on Civil and Political Right of 1966 and Article 8 (1) and 10 (2) of the Declaration of Principle on Freedom of Expression in Africa (2002) |
|----|---|

- b. A DECLARATION that Defendant requirement of 25 years and 18 years age qualification for the job of editor and practice of journalism in Nigeria as provided for in sections 19 (3) (b) and 37 of Press Council Act of 1992 is not based on equal opportunities and a violation of the Applicants' rights under Article 9(1) and (2) of the African Charter on Human and Peoples Rights; Articles 19 of the Universal Declaration of Human Rights, articles 2, 10 and 19 of the International Convention on Civil and Political Rights of 1966 and Article 8 (1) and 10 (2) of the Declaration of Principle on Freedom of Expression in Africa (2002)
- c. A DECLARATION that the statutory obligation of having attended a course of training on journalism for one to be recognized by the Council as a journalist as provided in Sections 19 (1) (a) (3) and 27 of the Press Council Act of 1992 is in violation of the Applicants' rights under Article 9(1) and (2) of the African Charter on Human and Peoples Rights; Articles 19 of the Universal Declaration of Human Rights, Articles 2, 10 and 19 of the International Convention on Civil and Political Rights of 1966 and Article 8 (1) and 10 (2) of the Declaration of Principle on Freedom of Expression in Africa (2002)
- d. A DECLARATION that, by the continued enforcement of sections 19 (1) (a) , 27 and 37 of the Press Council Act of Nigeria of 1992, the Defendants are in breach of its obligation under the Revised ECOWAS Treaty, the African Charter on Human and Peoples Rights and Declaration of Principle on Freedom of Expression in Africa (2002)
- e. A DECLARATION that unlawfully arresting and detaining of the Applicants while gathering and investigating information violates the provisions of Universal Declaration of Human Rights, International Convention on Civil and Political Rights of 1966, African Charter on Human and Peoples' Rights and Declaration of Principle on Freedom of Expression in Africa (2002).
- f. AN ORDER compelling the Defendant to amend the provisions of sections 19 (1) (a) (3) (b), 27 and 7 of the Press Council Act of Nigeria of 1992 in line with global practices and to promote free, pluralistic and professional journalism
- g. A PERPETUAL INJUNCTION restraining the Defendant from further giving effect to the provisions of sections 19 (1) (a) (3) (b), 27 and 37 of the Press Council Act of Nigeria of 1992
- h. COMPENSATORY damages to the Applicants to the tune of N1, 000, 000 USD for discrimination, wrongful detention and malicious prosecution of the 1st and 2nd Applicants against the Defendants jointly and severally
- i. OTHER CONSEQUENTIAL ORDER(S) as this honourable court may deem fit to grant in the circumstance.

4. SUMMARY OF THE PLEAS-IN-LAW

That the Applicants human rights to freedom from discrimination has been violated by the Defendant contrary to:

- a. Article 19 of the Universal Declaration of Human Rights (UDHR);
- b. Articles 6, 13 (1),, 19, 29 (2) (4), of the African Charter on Human and People's Rights ("The African Charter"); and
- c. Articles 2, 10 and 19 of the International Covenant on Civil and Political Right ("The ICCPR").

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENT

- a. The Applicants aver that the Defendant's legislative framework on the qualifications for accreditation as a journalist, is discriminatory in nature. That the media has the inalienable right to disseminate information to members of the public or a right that must not be whittled down by legal requirements.

- b. They aver that the international statutorily protected rights of journalists no doubt includes just and equitable right relative to personal and community well-being to affirm the state commitment to a system of even government and justice cutting across religious, geographical and ideological barriers.
- c. They also aver that Journalism is continuously evolving to include input from media institutions, private individuals and a range of organizations that seek, receive and impart information and ideas of all kinds, online as well as offline in the exercise of freedom of opinion and expression in accordance with international and national instruments thereby contributing to the shaping of public debate. For all shades of journalists to be safe, national laws must incorporate provisions of international human rights laws.
- d. The Applicants allege that as online journalists they should be recognized as journalists by the laws of the Defendant.

DONE IN ABUJA, THIS DAY 30TH JUNE 2021.

SIGNED:

Mr. Tony 
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES
(ECOWAS)**

HOLDEN IN ABUJA, NIGERIA

SUIT N^o: ECW/CCJ/APP/33/21

BETWEEN:

JUSTICE NKEA ALEAMBONG EMMANUEL _____ *APPLICANT*

AND

REPUBLIC OF THE GAMBIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **JUSTICE NKEA ALEAMBONG EMMANUEL (APPLICANT)** AND **REPUBLIC OF THE GAMBIA (DEFENDANT)** was filed by the Applicant and registered by the Court on the 7th day of July, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a. **JUSTICE NKEA ALEAMBONG EMMANUEL (MRG)**
is a Cameroonian Legal Practitioner and Managing Partner of **Veritas Law Offices** Buea, P.O Box 246 Buea, Southwest Region, Republic of Cameroon. C/o FALANA & FALANA'S CHAMBERS, APPLICANT'S COUNSEL, 22, MEDITERRANEAN STREET, IMANI ESTATE, OFF SHEHU SHAGARI WAY, MAITAMA DISTRICT, ABUJA. falanahumanright@gmail.com **08136570994** } *APPLICANT*

AND

b. **REPUBLIC OF THE GAMBIA**
is a Member State of the Economic Community of West African States (ECOWAS). C/o the Attorney General, Of the Republic of the Gambia, Ministry of Justice, Marina Parade, Banjul, the Gambia. } *DEFENDANT*

2. SUBJECT-MATTER OF THE PROCEEDINGS

- a. This case concerns the publication of *wanted posters* of the Applicant in conspicuous and multiple locations in the Respondent State. A *wanted poster* (or *wanted sign*) is a *poster* distributed to let the public know of an alleged criminal whom authorities wish to apprehend. The *wanted posters* were therefore distributed to let the public know that the Applicant is an alleged criminal who is *wanted* by the law.
- b. The print and online media in The Gambia relied on the publication of these *wanted posters* by the Respondent to publish lead stories of the Applicant as a criminal and fugitive. These representations and the injurious online content thereof are still accessible on the internet.

3. ORDERS SOUGHT BY THE APPLICANT

- a. A DECLARATION that the publication of the *wanted posters* of the Applicant at such conspicuous and multiple locations in the Respondent State were arbitrary and unlawful, and in violation of Article 17(1) of the International Covenant on Civil and Political Rights.
- b. A DECLARATION that the publication of the *wanted posters* of the Applicant at such conspicuous and multiple locations in the Respondent State and for nonexistent reasons is a violation of paragraph *M(1)(b) of the Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa, 2003*.
- c. A DECLARATION that the failure by the Attorney General Chambers of the Respondent State to provide the Applicant with information on why the *wanted posters* were published, constitute a violation of the Applicant's right to information and violation of Article 9(1) of the African Charter on Human and Peoples' Rights.
- d. A DECLARATION that the publication of the *wanted posters* of the Applicant at such conspicuous and multiple locations in the Respondent State without any legal basis constitutes a breach of the Applicant's human right to fair hearing guaranteed by Article 7 of the African Charter on Human and Peoples' Rights.
- e. AN ORDER directing the Respondent to set up an independent panel of inquiry to look into events surrounding the false publications, and also determine the persons responsible for the false publications of the *wanted posters* of the Applicant and to provide credible measures taken to discipline, dismiss and prosecute the officers involved.
- f. AN ORDER nullifying the purported *wanted posters* of the Applicant.
- g. AN ORDER directing the Respondent State to take urgent measures to ensure that the offensive online content against the Applicant is deleted.
- h. AN ORDER directing the Respondent State to issue an apology which should be published by the same media platforms.
- i. AN ORDER directing the Respondent to pay the sum of US\$2,000,000.00 (Two Million Dollars) as reparation for the violation of the Applicant's human right to dignity and fair hearing.
- j. AN ORDER directing the Respondent to pay the sum of US\$1,000,000.00 (One Million Dollars) to the Applicant for denying him information on why he was declared wanted without any legal basis.

4. SUMMARY OF THE PLEAS-IN-LAW

- a. That the publication of the *wanted posters* of the Applicant at conspicuous locations in multiple police stations in the Respondent State were intended to unjustly injure the honour and reputation of the Applicant.
- b. That the publication of the *wanted posters* of the Applicant and the online content thereof, jointly and separately constitutes a violation of the Plaintiff's right to honour and reputation under article 17 of the ICCPR in that (a) the publications and the online content thereof, portray the Applicant as a criminal and fugitive, (b) the *wanted posters* were false, and accentuated by malice and bad faith, (c) the publications were legally unjustified, unwarranted, unlawful and arbitrary, and (d) the publications and the subsisting online content thereof have adversely affected the Applicant's honour, wherefore the Applicant has lost several important job opportunities.

- c. That the Applicant is entitled to monetary damages for the unwarranted infringements of his human rights to dignity, fair hearing, and freedom of information by the Respondent State.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant avers that he lived in The Gambia between *15 August 2005* and *05 February 2014* - both dates inclusive. During this period, the Applicant worked as an Administrator with Jollof Tutors; State Counsel at the Ministry of Justice; Principal Magistrate, High Court Judge (Presiding Judge of Special Criminal Division) and Acting Justice of Appeal at the Court of Appeal of the Gambia; Lecturer at the Gambia Law School; and Adjunct Law Lecturer at the University of the Gambia.
- b. As the Presiding Judge of the Special Criminal Division of the High Court of The Gambia, the Applicant alleged that he heard and determined several high profile cases, including but not limited to the cases of: **The State v Joseph Wowo & Lamin Jobarteh**; both accused persons being respectively the immediate past Chief Justice of The Gambia and the immediate past Attorney General and Minister of Justice of The Gambia, for the offence corruption; **The State v. Lamin Jobarteh, Pa Harry Jammeh, & Njogu L. Bah**; the three accused persons being respectively the immediate past Attorney General and Minister of Justice of The Gambia, the immediate past Solicitor General and Legal Secretary at Ministry of Justice of The Gambia, and the immediate past Secretary General at the Presidency of the Republic of The Gambia, for the offence of abuse of office; and, **The State v. Amadou Sanneh**; the accused being the serving Treasurer of the main opposition party in the The Gambia - United Democratic Party (UDP), for the offence of sedition.
- c. During the hearing of these cases, the Director General of the National Intelligence Agency (NIA) sought severally to influence the Applicant's judgments without success. The Applicant avers that he was later subjected to diverse forms of intimidation and blackmail on the social media and the internet. For instance, it was falsely alleged that the Applicant had forged his qualification as a Legal Practitioner from the Sierra Leone Law School, and that prior to these hearings, the Applicant was being investigated on corruption related charges before the Chief Justice.
- d. The Applicant stated that the allegations were false because he has never ever visited Sierra Leone nor taken any course of study there, and the Applicant's qualification documents submitted to the Respondent State for employment showed that the Applicant qualified as a Legal Practitioner in Cameroon. Secondly, if there was any corruption investigation against him as alleged, a copy of the instrument of accusation would have been served on the him and a copy lodged in his administrative file in the Judiciary.
- e. Despite the above, and even though the serving Chief Justice and Minister of Justice had assured the Applicant that the allegations against him were roundly false, there were no official rebuttals to the allegations from the Judiciary of The Gambia and the Ministry of Justice – the natural custodians of all the necessary files and documents.
- f. The Applicant considered the failure of the Judiciary and the Ministry of Justice to issue rebuttals to the scandalous allegations as complicit and believed that these false allegations were intended to incite official and public hatred and contempt towards his person. As a result, the Applicant resigned from the Judiciary of the Gambia on the *05 of February 2014* and his resignation was dully accepted by the Judicial Secretary who proceeded to thank the Plaintiff for his services. *Exhibit "A" is the Letter of the Judicial Secretary accepting the Applicant's resignation from the Judiciary.*
- g. The Applicant insists that during his entire stay in The Gambia, he was never once subjected to any official investigations by any administrative, civil, or penal authority.

- h. However, on or about the *05 June 2014*, about six (06) months after the Applicant had left The Gambia, *The Point Newspaper* – a local Gambian tabloid which is simultaneously accessible online, published a lead story with the caption “*Justice Emmanuel Nkea ‘WANTED’*” and this contained a photograph of the Applicant. *Exhibit “B” is a copy of the printout of the online publication of The Point Newspaper of 5 June 2014.*
- i. The above publication stated *inter alia* that: “[*W*]hen this news was received, this newspaper sent reporters to several police stations in the Kanifing Municipality, including Serrekunda police station, and the police stations in Wellingara and Bundung. This reporter went round, and spotted the photo of Justice Emmanuel Nkea, a former judge at the high court in Banjul, pasted at the various police stations.”
- j. Another Gambian online blogger - *Sedi Sanneh*, also made a blog post of this story containing a photograph of the Plaintiff. *Exhibit “C” is a printout of the online publication of Sidi Sanneh’s blog post.* The above media reports were widely disseminated on and are still accessible on the internet till date.

DONE IN ABUJA, THIS 20th DAY OF JULY 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/34/21

BETWEEN

PASTOR KUNLE GARB _____ *APPLICANT*

AND

THE REPUBLIC OF BENIN _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice, ECOWAS that an Application *BETWEEN PASTOR KUNLE GARBS (APPLICANT) AND THE REPUBLIC OF BENIN (DEFENDANT)* was filed by the Applicant and registered by the Court on the 7th day of July, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the Parties are as follows:

a. **PASTOR KUNLE GARBS**

Igbokofi village,
Yewa North Local Government Area,
Ogun State,
South-West - Nigeria

} *APPLICANT*

b. **THE REPUBLIC OF BENIN**

C/o the Attorney General of the Federation
Ministry of Justice
Route de l'a oport, Cotonou,
Benin.
moj@justice-gov.org
+(229) 21202247
+ (229) 21202223

} *DEFENDANT*

2. SUBJECT-MATTER OF THE PROCEEDINGS

Violation of the Applicant's Fundamental Human Rights to dignity of the human person, physical and mental health, liberty, family life freedom of movement, fair hearing, enjoyment of the rights and freedoms recognized and guaranteed the African Charter on Human and Peoples' Rights and the Universal Declaration on Human and Peoples' Rights.

3. ORDERS SOUGHT BY THE APPLICANT

- a. A DECLARATION that arrest of the Applicant by the armed agents of the Respondent at **Igbokofi village market, of Igbokofi village in Yewa North Local Government Area of Ogun state, South-West Nigeria** by gendarmes of the Respondent in **June, 2021** is illegal as it violates the human right of the Applicant to the dignity of the human person guaranteed by Article 5 of the African Charter of Human and Peoples Rights and Articles 4 and 5 of the Universal Declaration of Human Rights.
- b. A DECLARATION that the detention of the Applicant by the armed agents of the Respondent at Benin from **June 2021** till **date** without due process of law is illegal as it violates the human

right of the Applicant to fair hearing and presumption of innocence guaranteed by **Articles 7 (1) (b) and (2) of the African Charter of Human and Peoples Rights and Articles 7 and 8 of the Universal Declaration of Human Rights.**

- c. A DECLARATION that the arrest and detention of the Applicant by the armed agents of the Respondent at **Igbokofi village market, of Igbokofi village in Yewa North Local Government Area of Ogun state, South-West Nigeria** by gendarmes of the Respondent in **June, 2021** till date without access to his family is illegal as it violates the human right of the deceased to the dignity of the human person guaranteed by Article 5 of the African Charter of Human and Peoples Rights and Articles 4 and 5 of the Universal Declaration of Human Rights.
- d. A DECLARATION that the arrest and detention of the Applicant by the armed agents of the Respondent without access to his Attorney from **June 2021** till **date** is illegal as it violates the human right of the Applicant to legal representation guaranteed by Article 5 of the African Charter of Human and Peoples Rights and Articles 4 and 5 of the Universal Declaration of Human Rights.
- e. A DECLARATION that the arrest and detention of the Applicant by the armed agents of the Respondent without access to his family from **June 2021** till **date** is illegal as it violates the human right of the Applicant to family and family life guaranteed by the African Charter of Human and Peoples Rights and the Universal Declaration of Human Rights.
- f. A DECLARATION that the failure of the Defendant to investigate and prosecute the persons responsible for the arrest, detention, brutalization and torture of the Applicant, from **June 2021** till date is a dereliction of the legal obligation of the Respondent under Article 1 of the African Charter of Human and Peoples Rights and Article 1 of the Universal Declaration on Human and Peoples Rights.
- g. AN ORDER of this Honourable Court directing the Respondent to pay over to the Applicant the sum of \$500, 000. 00 (Five Hundred Thousand Dollars) only as aggravated and general damages for the violation of Applicant's right to liberty, freedom of movement, private and family life, dignity of person, health, legal representation by the armed agents of the Respondent.
- h. AN ORDER of this Honourable Court directing the Defendant to arrest and prosecute forthwith the persons responsible for the violations of Applicant's right to liberty, freedom of movement, private and family life, dignity of person, health, legal representation.
- i. AN ORDER of this Honourable Court directing the Respondent to pay over to the Applicant the sum of \$1000. 00 (One Thousand Dollars) only as cost of prosecuting this suit.
- j. AND ANY OTHER ORDER OR ORDERS this Community Court of Justice might make in the circumstance of this case.

4. SUMMARY OF THE PLEAS-IN-LAW

- a. The arrest, detention, torture, brutalization and degrading human treatment meted out on the Applicant by armed agents of the Respondent did not breach the Applicant's fundamental rights to freedom from torture, personal liberty, family life, fair hearing and freedom of movement guaranteed by Articles 4, 5, 6, 7 and 12 of the African Charter of Human and Peoples Rights and Articles 4 and 5 of the Universal Declaration on Human and Peoples Rights.
- b. The Applicant is entitled to damages payable by the Respondent for the violation of the Applicant's right to freedom from torture, personal liberty, family life, fair hearing and freedom of movement guaranteed by Articles 4, 5, 6, 7 and 12 of the African Charter of Human and Peoples Rights and Articles 4 and 5 of the Universal Declaration on Human and Peoples Rights.
- c. Articles 1, 2, 3, 4, 5 and 7 of the International Covenant on Civil and Political Rights.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant is alleging that he was unlawfully arrested, tortured and dehumanized by the Respondent's Gendarmeries who had crossed illegally into the Nigerian territory and abducted him at the Igbokofi village market, Igbokofi, Yewa North Local Government Area of Ogun State, after scaring away traders and other Nigerians at the market.
- b. The Applicant who is an activist alleged that he has been consistently campaigning against the incessant harassment of Nigerians by the Respondent State (Beninese) in attempts to forcefully annex the Nigerian territory.
- c. That the act was alien to the Extradition Treaty Between The Peoples' Republic Of Benin, The Republic Of Ghana, The Federal Republic Of Nigeria And The Republic Of Togo 1984.
- d. That the abduction was done without the prior knowledge of Nigeria whose citizen the Applicant is and in whose territory the Applicant was at the time of the unlawful invasion/abduction of the Applicant. He was allegedly kept in prison within the Respondent's territory under the most inhuman condition and denied him access to his family, lawyers and doctors since his unlawful arrest and incarceration.

DONE IN ABUJA, THIS 21ST DAY OF JULY, 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/35/21

LA LIGUE SENEGALAISE DES DROITS HUMAINS _____ *APPLICANT*

AGAINST

THE REPUBLIC OF SENEGAL _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **LA LIGUE SENEGALAISE DES DROITS HUMAINS (APPLICANT) AND THE REPUBLIC OF SENEGAL (DEFENDANT)** was filed by the Applicants and registered by the Court on the 9th day of July 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

- | | | | |
|-----------|---|---|------------------|
| a. | LA LIGUE SENEGALAISE DES DROITS HUMAINS
Represented by its counsel, Mr. Assane Dioma NDIAYE, lawyer at the Senegalese Bar Association, located at 10 rue Saba, Immeuble Sam Seck, Fann Hock, Dakar Senegal. | } | <i>APPLICANT</i> |
| b. | THE REPUBLIC OF SENEGAL
Represented by the Judicial Agent of the State, residing at its offices at 10 Avenue Carde 10th Floor, Rond-point Washington, BP. 14451. | } | <i>DEFENDANT</i> |

2. SUBJECT-MATTER OF THE PROCEEDINGS

- a. FIND that the Republic of Senegal violated the fundamental rights of members of parliament and Senegalese citizens as a result of the provisions in question;
- b. ORDER the Republic of Senegal to repeal the impugned provisions (Article 60 of the Constitution of the Republic of Senegal and Article 7 of the Rules of Procedure of the National Assembly of Senegal) within a maximum period of six months;
- c. In addition, ORDER the Republic of Senegal to bear all costs.

3. SUMMARY OF THE PLEAS-IN-LAW

In support of the claims against the Republic of Senegal, the Applicant invokes violations of:

- a. Article 1 paragraph J of Protocol A/SP1/12/01 on democracy and good governance;
- b. Articles 8, 9 paragraph 2, 10 paragraph 1 and Article 11 of the African Charter on Human and Peoples Rights;
- c. Articles 18 (1) 19, 21 and 22 (1) of the International Covenant on Civil and Political Rights; and

- d. Articles 18, 19 and 20 (1) of the Universal Declaration of Human Rights.

4. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant is a Senegalese human rights organisation and argues that Article 60 of the Senegalese Constitution and Article 7 of the Rules of Procedure of the National Assembly, which provide for the loss of a deputy's seat in the event of resignation from his or her party, contravene the international conventions ratified by Senegal in the area of civil and political rights. It adds that such provisions also infringe universally recognised fundamental rights and run counter to the principle of the absolute independence of elected representatives with regard to their electors, as opposed to the imperative mandate which obliges elected representatives to apply the instructions of their electors or party. The Applicant claims that these provisions violate the fundamental rights of deputies and Senegalese citizens, in particular the right to freedom of opinion, freedom of thought, freedom of conscience and the right to freedom of association.
- b. This is why the Applicant brought the case before the Court to establish the violation of the above-mentioned fundamental rights and consequently to be compensated.
- c. The Applicant requests the Court to examine the above-mentioned claims in the subject-matter of the application.

DONE IN ABUJA, THIS 21ST DAY OF JULY 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/36/21

BETWEEN

MR. MOUHAMED RASSOUL NDIAYE & ALASSANE LO _____ *APPLICANTS*

AND

THE REPUBLIC OF SENEGAL _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS, that an application BETWEEN **MR. MOUHAMED RASSOUL NDIAYE & ALASSANE LO (APPLICANTS)** AND **THE REPUBLIC OF SENEGAL (DEFENDANT)** was filed by the Applicants and registered by the Court on the 9th day of July 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

a. **Mr. Mouhamed Rassoul NDIAYE & Alassane LO**

Mr. Mouhamed Rassoul NDIAYE and Mr. Alassane LO, citizens of Senegal, represented by Mr. Assane Dioma NDIAYE, Attorney at Law at the Senegalese Bar, located at 10, Rue Saba, Immeuble Sam Seck, Fann Hock, Dakar-Senegal, Tel: +221338422157, Email :djigaconsulting@yahoo.fr; and Maîtres Yaré FALL & Amadou Aly KANE, Lawyers registered with the Senegalese Bar, 112, Rue Marsat X Blaise DIAGNE, Dakar-Senegal.

APPLICANTS

b. **REPUBLIC OF SENEGAL**

On behalf of the Judicial Agent of the State (AJE), domiciled at his offices at Rondpoint Washington, 10th floor, Dakar, Maître Moussa Boca THIAM, mbthiam@minfinances.sn or maitrethiam@gmail.com

DEFENDANT

2. SUBJECT-MATTER OF THE PROCEEDINGS

- a. FIND the violation of the fundamental rights of the Applicants, enshrined and guaranteed by the Constitution of Senegal, and all relevant conventions on human rights;
- b. FIND also the violation of the rights of the Applicants, in particular the right to a fair and equitable trial, the right to be tried within a reasonable time, the right to the presumption of innocence, and the right to compensation.
- c. ORDER the Respondent State to pay to each of the Applicants the sum of 500 million CFA francs as compensation;
- d. And ORDER the Respondent state to pay the entire costs.

3. SUMMARY OF THE PLEAS-IN-LAW

In support of their claims, the Applicants rely on the following relevant international legal instruments:

- a. On the violation of the right to be tried within a reasonable time, and the right to a fair trial, they rely on articles 3, 9 and 10 of the Universal Declaration of Human Rights (UDHR), article 9 paragraph 1 and 3 of the International Covenant on Civil and Political Rights, and articles 6 and 7 paragraph 1d, as well as principle no. 38 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment adopted by the General Assembly;
- b. On the violation of the presumption of innocence and the right to reparation, articles 11 paragraph 1 of the Universal Declaration of Human Rights, articles 9 and 14 paragraph 2 of the International Covenant on Civil and Political Rights (ICCPR), and article 7 paragraph 1b of the African Charter on Human and Peoples' Rights (ACHPR);
- c. And finally, on the violation of the principle of equality of citizens before the law, they relied on article 7 of the Universal Declaration of Human Rights (UDHR) and article 14-1 of the International Covenant on Civil and Political Rights (ICCPR)

4. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicants claim to have been arrested and charged with two other persons for criminal conspiracy and murder preceded or accompanied by another crime;
- b. That they were detained on 12 December 2011, then referred to the First Criminal Chamber of the High Court of Dakar, they were acquitted by judgment N°. 77/2019 issued on 16 July 2019;
- c. That upon initiating a procedure before the Commission for the Compensation of Persons Abnormally Detained on Remand, followed by a final decision of dismissal, discharge or acquittal, for the purpose of compensation, the purpose of the Commission was to guarantee the fundamental rights of those subject to trial, in particular the right to be tried within a reasonable time and the presumption of innocence;
- d. The Applicants claim that although they fulfilled the conditions of eligibility for compensation in accordance with the law, their application was dismissed without any motivation by decision N°. 02/CS/CI/2021 of the Supreme Court, while their families were plunged since their incarceration into a state of total destitution;
- e. It follows from the foregoing that the Applicants request that the respondent State be ordered to pay 500 million CFA francs to each of the Applicants by way of compensation, and to pay all costs.

DATED THIS 21st DAY OF JULY 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/38/21

BETWEEN:

PATRICK EHOLOR

(PRESIDENT OF ONE LOVE FOUNDATION) _____ *APPLICANT*

AND

THE FEDERAL REPUBLIC OF NIGERIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **PATRICK EHOLOR** (PRESIDENT OF ONE LOVE FOUNDATION) (*APPLICANT*), and the **FEDERAL REPUBLIC OF NIGERIA** (*DEFENDANT*), was filed by the Applicant and registered by the Court on 28th July, 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

a. Name and address of the Applicant:

PATRICK EHOLOR

(President of One Love Foundation)

Gayata Hotel Premises

Kubwa,

Abuja, Nigeria

b. Name and address of the Defendant:

FEDERAL REPUBLIC OF NIGERIA

c/o The Hon. Attorney-General of the Federation

and Minister for Justice,

Attorney General's Chambers,

Federal Ministry of Justice,

Maitama, Abuja,

Nigeria.

2. SUBJECT-MATTER OF THE PROCEEDINGS

The Applicant's complaints border on the violation of the rights to freedom of expression and information based on the banning of lawful protest and the wrongful killing of protesters during the protest especially of Jumoke in Lagos State 3rd July 2021.

3. ORDERS SOUGHT BY THE APPLICANT

- a. A DECLARATION that the act of Nigeria Government in banning/suspension of all protests in Nigeria and the Nigerian Government act/directive to criminalize/prosecute persons protesting, and arrest of all group members of the Applicant and other protesters of all kinds in Nigeria and same illegal criminalization of same by the Nigeria Government is entirely inconsistent

and incompatible with international human rights standards and infringes on the rights to the freedom of expression, right to peace full assembly and opinion guaranteed under the African Charter on Human and Peoples' Rights, the Declaration of Principles on Freedom of Expression in Africa 2002, the Universal Declaration of Human Rights 1948, the International Covenant on Civil and Political Rights 1976, the Revised Treaty of the Economic Community of West African States 1993, the 1999 Constitution of the Federal Republic of Nigeria(as amended).

- b. AN ORDER directing the Defendant and/or its agents and Lagos State of Nigeria to provide effective remedies and reparation of 1billion dollars to parents of Miss Jumoke being the deceased killed by the Nigeria Police force on 3rd July in Lagos State of Nigeria, including adequate compensation, restitution, satisfaction or guarantees of non-repetition that the Honourable Court may deem fit to grant to human rights defenders, activists bloggers, journalists and other online and off-line media practitioners that have been harassed, intimidated, unlawfully arrested, detained, and unfairly prosecuted by the Defendant because of lawful protest through the criminalization of same by Nigerian Government.
- c. COST of this suit in the sum of \$1, 000,000,00. (One Million Dollars) in contingent fees.
- d. GENERAL DAMAGES of the sum of \$100, 000,000,00 (One Hundred Million Dollars) being all inconvenience, damages suffered by the Applicant, its group and its NGO members by the Clamp down and banning by the Nigeria Federal Government of all protests of all kinds and further criminalizing protest in Nigeria.

4. SUMMARY OF THE PLEAS-IN-LAW

The Applicant relies on Article 4 (g) of the ECOWAS Revised Treaty which provides for the applicability of the provisions of the African Charter on Human and Peoples' Rights (African Charter). The Applicant therefore relies on Articles 2 and 9 of the African Charter, Article II and XII of the Declaration of Principles on Freedom of Expression in Africa 2002 and Article 66 of the ECOWAS Revised Treaty which guarantee the right to information and freedoms of expression, press and peaceful assembly. The Applicant further relies on Articles 1, 3, 4, 5, 6, 7, 8 and 10 of the African Charter; Articles 1, 2, 3, 5, 7, 9, 19 and 26 of the International Covenant on Civil and Political Rights; Articles 1, 2, 9, 27, 28 & 30 of the Universal Declaration of Human Rights 1948 and; Articles 4 and 65 of the ECOWAS Revised Treaty.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Application is brought against the Defendant due to the violation of the rights to freedom of expression, information and other human rights of activists, bloggers, journalists, broadcaster, and social media users. The Applicant avers that despite the Defendant ratifying international human right treaties to protect human rights especially freedom of expression, information and press, the Defendant's security agents continuously intimidate people who are critical of Government policies.
- b. The Applicant also avers that sometime that year last year, a group known as Yoruba nation group emerged as a pressure group requesting vide protest, the right for the South West of Nigeria and Yoruba Nation to secede from Nigeria. That on 30th June 2021, security agents of the Defendant killed members of the Yoruba Nation Group named Sunday Ogboho in Ibadan, Nigeria. That thereafter, the group through a press release and letter to the Commissioner of Police, Lagos State scheduled a peaceful protest on 3rd July, 2021 but that the Commissioner of Police of Lagos State in a press release stated that the protesters should be dealt with during the protest. That following the threat, a young girl named Jumoke was killed by Officers of the Commissioner of Police, Lagos State by live bullets during a clampdown on protesters during the Yoruba Nation Group protest on 3rd July, 2021 in Ojota town of Lagos State.

- c. The Applicant further avers that there are high profile cases of harassment of peaceful protesters, intimidation, arrest, unlawful detention, prosecution and imprisonment of journalists, bloggers, broadcasters, social media users, human rights defenders and activists in Nigeria by its agents and several states in Nigeria. The high profile cases listed are as follows: on 28th November 2018, the unlawful arrest and detention of Deji Adeyanju, the convener of Concerned Nigerians alongside Daniel Abobama and Boma Williams while leading a peaceful protest tagged "Police are not politicians save our democracy"; and on 30th October, 2021, the killing of peaceful protesters at the Lekki Toll gate during the peaceful protest of "End SARS" by the Nigerian Army.
- d. The Applicant states that the above stated violations are perpetuated under the guise of maintaining peace and order. That no law is used to erode the sacred right to freedom of expression, information and right to peaceful assembly which is the bedrock of the rule of law and sustainable democracy.

DONE IN ABUJA, THIS 11th DAY OF AUGUST 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA.

SUIT N^o: ECW/CCJ/APP/40/21

BETWEEN

**THE REGISTERED TRUSTEES OF HEDA RESOURCE CENTRE
HUMAN AND ENVIRONMENTAL DEVELOPMENT AGENDA _____ APPLICANTS**

AND

THE FEDERAL REPUBLIC OF NIGERIA _____ DEFENDANT

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application *BETWEEN THE REGISTERED TRUSTEES OF HEDA RESOURCE CENTRE HUMAN AND ENVIRONMENTAL DEVELOPMENT AGENDA (APPLICANTS) AND THE FEDERAL REPUBLIC OF NIGERIA (DEFENDANT)* was filed by the Applicants and registered by the Court on the 22nd day of July, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

- | | | | |
|----|--|---|-------------------|
| a. | <p>THE REGISTERED TRUSTEES OF HEDA RESOURCE CENTRE HUMAN AND ENVIRONMENTAL DEVELOPMENT AGENDA
No 15A, Yinusa Adeniji Street off Toyin Street,
Ikeja Lagos State.</p> | } | <i>APPLICANTS</i> |
| b. | <p>FEDERAL REPUBLIC OF NIGERIA,
The Attorney General of the Federation
Federal Ministry of Justice, Headquarters Plot
71b Shehu Shagari Way, Central Business
District FCT. Abuja</p> | } | <i>DEFENDANT</i> |

2. SUBJECT-MATTER OF THE PROCEEDINGS

Violation of the Human Rights to life, dignity of the person, right to enjoy best attainable state of physical and mental health and the right to have a general satisfactory environment by the citizens of Nigeria and Nigerians residing in the oil producing states.

3. ORDERS SOUGHT BY THE APPLICANT(S)

- a. A DECLARATION that the continuous flaring of gas in Nigeria is illegal and a gross violation of the fundamental rights of the Nigerian people especially those who reside in the Niger Delta region and other oil producing communities as enshrined in Articles 4, 5, 16 and 24 of the African Charter on Human and Peoples' Rights.
- b. A DECLARATION that the Defendant is under a legal obligation to stop all oil and gas producing companies from flaring gas in Nigeria as it infringes on the Nigeria people's right to life, human dignity, best attainable state of physical and mental health and the right to general satisfactory environment as guaranteed in Articles 4, 5, 16 and 24 of the African Charter on Human and Peoples' Rights.

- c. AN ORDER mandating the Defendant to enforce the Flare Gas (Prevention of Waste and Pollution) Regulations against any defaulting oil producing companies forthwith.
- d. AN ORDER directing the Defendant to collect all the fines handed out as penal sanctions to the defaulting oil producing companies in breach of the Flare Gas (Prevention of Waste and Pollution) Regulations from 1984 to date.

3. SUMMARY OF THE PLEAS-IN-LAW

- a. That as a State Party to the African Charter on Human and Peoples' Rights, the Federal Republic of Nigeria is under international obligation to recognise the rights, duties and freedoms enshrined in the Charter and to undertake to adopt legislative or other measures to give effect to them.
- b. That the Defendant has laws and regulations which makes gas flaring illegal and these legislations even provides penal sanctions for defaulters.
- c. That the Defendant has refused to act on these laws nor display the willpower to enforce them.
- d. That the Defendant has failed to protect the human rights of the Nigerian people to environment by enforcing the aforementioned laws and regulations.
- e. That the continuous flaring of gas in the Niger Delta and other oil producing communities is not only killing the Nigerian people, it is also crippling the Nigeria economy. But ultimately, it is a gross violation and infringement of the Fundamental Human Rights of Nigerians especially those residing in the Niger Delta Region and other oil producing communities as life is the basis of humanity.
- f. That the failure of the Defendant to provide basic services such as safe drinking water and electricity and the shortage of medicine constitute a violation of the provisions of the African Charter on Human and Peoples' Rights.

4. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicants avers that the Defendant had always acknowledged that gas flaring is a serious environmental and health problem as far back as 1979, when it made gas flaring illegal through the passage of the Associated Gas Reinjection Act 1979 and set a deadline for the 1st day of January, 1984 as the end date of gas flaring in Nigeria.
- b. The Applicants avers that over 40 years after, the Defendant is still infringing on the Fundamental Rights of its people residing in the Niger Delta region and other oil producing communities.
- c. The Applicants avers that the commitment to end gas flaring by the President of the Defendant was made in the best interest of the Defendant and its people and also in accordance with the Paris Agreement which the Defendant is a party to.
- d. The Applicants further avers that at the United Nations Climate Change Conference – COP22 held in Marrakesh, Morocco in 2016, President Muhammadu Buhari, the Head of State of the Defendant pledged to do everything within his powers to bring gas flaring to an end by the end of the year 2020.
- e. That in a bid to end gas flaring by 2020, the Defendant in 2016 commissioned the Nigerian Gas Flare Commercialization Programme and in 2018, signed the Flare Gas (Prevention of Waste and Pollution) Regulations which provides penal sanctions in form of fine for defaulting oil companies. However, the penal sanctions have not been effectively handed down to the oil producing companies and it is notoriously evident that gas flaring still happens in oil fields.

- f. That the extension of the deadline to end gas flaring in Nigeria to 2025, only shows the lack of commitment of the Defendant to end gas flaring or protect the fundamental rights of its people.
- g. The Applicants avers that Gas flaring has been a major cause of pollution, environmental and health hazard in the Niger Delta and other oil producing communities for years and its total stoppage will be in the best interest of the Defendant and its people.
- h. That those residing in the Niger Delta region and other oil producing communities are at the receiving end of gas flaring as it infringes on their right to life, human dignity, right to enjoy best attainable state of physical and mental health and the right to general satisfactory environment as enshrined and guaranteed under the African Charter on Human and People's Rights.

DONE IN ABUJA, THIS 5th DAY OF AUGUST 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar,
Community Court of Justice, ECOWAS,
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/41/21

BETWEEN

EBRIMAH BARROW _____ *APPLICANT*

AND

REPUBLIC OF THE GAMBIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application **BETWEEN EBRIMAH BARROW (APPLICANT) AND REPUBLIC OF THE GAMBIA (DEFENDANT)** was filed by the Applicant and registered by the Court on 22nd day of July, 2021.

1. NAMES AND ADDRESSES OF PARTIES

a. BRIMAH BARROW

C/o FALANA & FALANA'S Chambers,
22, Mediterranean Street,
Imani Estate,
Abuja.

} *APPLICANT*

b. REPUBLIC OF THE GAMBIA

C/o The Attorney General
of the Federation,
Ministry of Justice,
Marina Parade,
Banjul, The Gambia.

} *DEFENDANT*

2. SUBJECT-MATTER OF THE PROCEEDINGS

Violation of the Applicant's Fundamental Human Rights to dignity of the human person, physical and mental health, liberty, family life freedom of movement, fair hearing, enjoyment of the rights and freedoms recognized and guaranteed without distinction to race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status, equality before the law, respect for life and integrity, respect of the dignity inherent in a human being and to the recognition of legal status, enjoyment of same respect and rights, as guaranteed by the provisions of Articles 1, 2, 3, 4, 5, 7, 15, 16 and 19 of the African Charter on Human and Peoples Rights, discrimination on ground of status, right to an effective remedy by the competent national judicial institutions for acts violating the Applicant's fundamental rights as guaranteed by the provisions of Articles 1, 2, 3, 4, 5, 6, 7, 8, 13, and 28 of the Universal Declaration of Human Right.

3. ORDERS SOUGHT BY THE APPLICANT

- a. A DECLARATION that arrest of the Applicant by the armed agents of the Respondent at his home on Thursday June 22, 2000 is illegal as it violates the human right of the Applicant to the dignity of the human person guaranteed by Article 5 of the African Charter of Human and Peoples Rights and Articles 4 and 5 of the Universal Declaration of Human Rights.

- b. A DECLARATION that the detention of the Applicant by the armed agents of the Respondent at the National Intelligence Agency's Headquarters, Banjul, Gambia from Thursday June 22, 2000 till December 19, 2000 without a court order is illegal as it violates the human right of the Applicant to fair hearing and presumption of innocence guaranteed by Articles 7 (1) (b) and (2) of the African Charter of Human and Peoples Rights and Articles 7 and 8 of the Universal Declaration of Human Rights.
- c. A DECLARATION that the arrest and detention of the Applicant by the armed agents of the Respondent at his home on Thursday June 22, 2000 without access to his family is illegal as it violates the human right of the deceased to the dignity of the human person guaranteed by Article 5 of the African Charter of Human and Peoples Rights and Articles 4 and 5 of the Universal Declaration of Human Rights.
- d. A DECLARATION that the arrest and detention of the Applicant by the armed agents of the Respondent without access to his Attorney from Thursday June 22, 2000 till December 19, 2000 is illegal as it violates the human right of the Applicant to legal representation guaranteed by Article 5 of the African Charter of Human and Peoples Rights and Articles 4 and 5 of the Universal Declaration of Human Rights.
- e. A DECLARATION that the arrest and detention of the Applicant by the armed agents of the Respondent without access to his family from Thursday June 22, 2000 till June, 2004 is illegal as it violates the human right of the Applicant to family and family life guaranteed by the African Charter of Human and Peoples Rights and the Universal Declaration of Human Rights.
- f. A DECLARATION that the failure of the Defendant to investigate and prosecute Mr. Yahya Jammeh and his accomplices for the arrest, detention, brutalization and torture of the Applicant, from Thursday June 22, 2000 to July, 2004 is a dereliction of the legal obligation of the Respondent under Article 1 of the African Charter of Human and Peoples Rights and Article 1 of the Universal Declaration on Human and Peoples Rights.
- g. AN ORDER of this Honourable Court directing the Respondent to pay over to the Applicant the sum of \$500, 000. 00 (Five Hundred Thousand Dollars) only as aggravated and general damages for the violation of Applicant's right to liberty, freedom of movement, private and family life, dignity of person, health, legal representation by the armed agents of the Respondent.
- h. AN ORDER of this Honourable Court directing the Defendant to arrest and prosecute Mr. Yahya Jammeh and his accomplices forthwith for the violations of Applicant's right to liberty, freedom of movement, private and family life, dignity of person, health, legal representation.
- i. AN ORDER of this Honourable Court directing the Respondent to pay over to the Applicant the sum of \$1000. 00 (One Thousand Dollars) only as cost of prosecuting this suit.

4. SUMMARY OF THE PLEAS-IN-LAW

- a. The Applicant states that his arrest, detention, torture brutalization and degrading human treatment meted on him by armed agents of the Defendant breached his fundamental rights to freedom from torture, personal liberty, family life, fair hearing and freedom of movement guaranteed by Articles 4, 5, 6, 7 and 12 of the African Charter of Human and Peoples Rights and Articles 4 and 5 of the Universal Declaration on Human and Peoples Rights.
- b. The Applicant avers that he is entitled to damages payable by the Defendant for the violation of his right to freedom from torture, personal liberty, family life, fair hearing and freedom of movement guaranteed by Articles 4, 5, 6, 7 and 12 of the African Charter of Human and Peoples Rights and Articles 4 and 5 of the Universal Declaration on Human and Peoples Rights.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant avers that the arbitrary arrest and detention of the Applicant by the Defendant violated the Applicants human right to personal liberty guaranteed by Article 6 of the African Charter on Human and People's Rights and Articles 3 and 6 of the Universal Declaration on Human and Peoples Rights.
- b. The Applicant also avers that he has a right to his freedom of movement as guaranteed by Article 12 of the African Charter on Human and People's Rights. Therefore, confining him to prison without a Court Order (from Thursday June 22, 2000 to December 19, 2000) and in violation of a due process of law, the Defendant violated his human right to freedom of movement guaranteed by Article 12 (1) and 12 (5) of the African Charter on Human and People's Rights.
- c. The Applicant further avers that his detention by the Defendant for over five Months in a brutal manner (with torture and savage brutalization) without being tried, convicted and sentenced by a court of law violated his human rights to dignity and fair hearing guaranteed by Articles 4, 5 and 7 of the African Charter on Human and People's Rights and Articles 3, 4, 5, 6, 7, 8, 9, 10, 11 and 17 of the Universal Declaration on Human and Peoples Rights.
- d. The Applicant allege that the Defendant deliberately and without any legal justification infringed on the human rights of the Applicant to personal liberty, humane treatment, family life, fair trial and movement guaranteed by Sections 17, 19, 21, 22, 24 and 25 respectively of the Constitution of The Gambia of 1997.

DONE IN ABUJA, THIS 5th DAY OF AUGUST, 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N°: ECW/CCJ/APP/42/21

BETWEEN:

1. MR. BAH N'DAW

2. MOCTAR OUANE _____ *APPLICANTS*

AND

REPUBLIC OF MALI _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **(1) MR. BAH N'DAW & (2) MOCTAR OUANE (APPLICANTS)** AND **REPUBLIC OF MALI (DEFENDANT)**, was filed by the Applicants and registered by the Court on the 27th day of July 2021.

1. NAMES AND ADDRESSES OF PARTIES

a. BAH N'DAW

MOCTAR OUANE,

whose Counsel is Mr. Mamadou Ismaila
KONATE, Lawyer registered with the Bar in Mali
and in Paris, Hamdallaye ACI 2000, BP 2434,
Bamako- Mali;

} *APPLICANTS*

b. STATE OF MALI

on whose behalf the Minister of Justice and Human
Rights, Mr. Mamadou KASSOGUE is acting;

} *DEFENDANT*

2. SUBJECT-MATTER OF THE PROCEEDINGS

The Applicants solicit that may it please the Court:

- a. TO HOLD jurisdiction to examine the initiating Application filed by them;
- b. TO DECLARE AND ADJUDGE that the Defendant State violated the right to freedom of movement and to security of persons of the Applicants, thereby equally violating Article 6 the African Charter on Human and Peoples' Rights ACHP and Article 9 of the ICSECR;
- c. TO DECLARE AND ADJUDGE that, owing to the circumstances that the violation was perpetrated, it was a very highly aggravated violation;
- d. TO ORDER the Defendant State to pay to each of the Applicants the sum of hundred million (100.000.000) CFA francs as damages;
- e. TO ORDER the Defendant State to bear all costs.

3. ORDER SOUGHT BY THE APPLICANTS

The Order sought by the Applicants is in consonance with the above-stated subject-matter of the litigation.

4. SUMMARY OF THE MAIN PLEAS-IN-LAW

In support of their claims, the Applicants invoke the violation of the following legal texts: the instruments on the Community Court of Justice, ECOWAS, the provisions of the African Charter on Human and Peoples' Rights and those of the ICCPR.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicants aver that they were illegally sacked from their jobs, respectively as President and Premier Minister of the Transitional Government.
- b. The Applicants further aver that they were jailed by the nee military leaders, and this is the reason they filed the instant case before the Court, seeking that the Court find that their human rights were violated, and that the honourable Court order the Defendant State to pay them damages.

DONE IN ABUJA, THIS 10TH DAY OF AUGUST 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar,
Community Court of Justice - ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N°: ECW/CCJ/APP/45/21

BETWEEN

COMMANDANT ABOUBACAR DIAKITE AKA 'TOUMBA' _____ *APPLICANT*

AND

REPUBLIC OF GUINEA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **COMMANDANT ABOUBACAR DIAKITE AKA 'TOUMBA'** (*APPLICANT*) AND **REPUBLIC OF GUINEA** (*DEFENDANT*) was filed by the Applicant and registered by the Court on the 6th day of August 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

- a. **COMMANDER ABOUBACAR DIAKITE, KNOWN AS 'TOUMBA'**, assisted by Maître Paul Yomba KOUROUMA and Maître Lanciné SYLLA, Attorneys at Law, at the BAH et fils building, 1st floor, transversal No. 2 Bambeto - Airport, commune of Ratoma, Conakry; } *APPLICANT*

AND

- b. **REPUBLIC OF GUINEA**, represented by the judicial agent of the State at cité Chemin de fer, quartier Almamy, Commune de KALOUM Conakry - GUINEA. } *DEFENDANT*

2. SUBJECT-MATTER OF THE PROCEEDINGS

- a. FIND that the Republic of Guinea violated the Applicant's right to personal liberty, right to a fair and equitable trial including the right to a defence, principle of equality before the law and the right to be tried within a reasonable time, in violation of Articles 6, 7 of the African Charter, 9, 14 of the International Covenant on Civil and Political Rights, 3, 9 and 11 of the Universal Declaration of Human Rights;
- b. DECLARE that the Republic of Guinea is responsible for the poor functioning of its judicial institutions;
- c. TO ORDER the Republic of Guinea to release immediately and without bond Commander Aboubacar DIAKITE, *known as "TOUMBA"*;
- d. ORDER the Republic of Guinea to pay to Commander Aboubacar DIAKITE the sum of two billion francs (2,000,000,000 FCFA) as damages for the harm suffered;

- e. ORDER any other injunction that the Court considers appropriate in the circumstances of the case;
- f. ORDER the State of Guinea to pay the entire cost.

3. ORDER SOUGHT BY THE APPLICANT

The Order sought by the Applicant is in consonance with the above-stated subject-matter of the proceedings.

4. SUMMARY OF THE PLEAS-IN-LAW

In support of his claims, the Applicant invokes the following texts:

- a. Articles 6 and 7 of the African Charter on Human and Peoples' Rights;
- b. Articles 9 and 14 of the International Covenant on Civil and Political Rights;
- c. Articles 3, 9 and 11 of the Universal Declaration of Human Rights.
- d. He also invoked several provisions of Guinean positive law.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

The Applicant considers that his continued detention beyond the normal time limit is unlawful. He declares the rejection of his request for provisional release to be unfair. He therefore declares that the Republic of Guinea has violated his human rights, specifically: violation of his right to liberty and violation of his right to a fair trial. He requests the sanction of the Republic of Guinea and claims damages.

DONE IN ABUJA, THIS 15TH DAY OF NOVEMBER 2021.

SIGNED:



Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)
HOLDEN IN ABUJA NIGERIA.**

SUIT N^o: ECW/CCJ/APP/46/21

BETWEEN
KOLAWOLE O. A. KOIKI _____ *APPLICANT*

AND
THE FEDERAL REPUBLIC OF NIGERIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application *BETWEEN KOLAWOLE O. A. KOIKI (APPLICANT) AND THE FEDERAL REPUBLIC OF NIGERIA (DEFENDANT)* was filed by the Applicant and registered by the Court on 6th day of August, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a. **KOLAWOLE O. A KOIKI**
The Applicant is a 94-year-old Nigerian citizen
and resident of 61, Opebi Road, Ikeja,
Lagos State of Nigeria. } *APPLICANT*

AND

b. **THE FEDERAL REPUBLIC OF NIGERIA**
C/O Attorney General of the Federation
Federal Ministry of Justice, Abuja, Nigeria. } *DEFENDANT*

2. SUBJECT-MATTER OF THE PROCEEDINGS

The violation of the Applicant's fundamental human right to fair hearing as contained in **Article 7 (a)** of the African Charter on Human and Peoples' Rights; and **Section 36** of the Constitution of the Federal Republic of Nigeria, 1999 (As Altered), by the failure of the National Human Rights Commission of Nigeria to conclude the hearing and determination of the Applicant's Complaint against the unlawful and unjustifiable expropriation of his shares by the Nigerian government through the extant provisions of the New Nigerian Salt Company Limited (Takeover) Act which ousts the jurisdiction of any court or tribunal from entertaining any complaint, suit or legal proceedings.

3. ORDERS SOUGHT BY THE APPLICANT

- a. A DECLARATION that the failure, refusal of the National Human Rights of Nigeria to conclude the hearing and determination of the Complaint by the Applicant is a violation of the fundamental human right to fair hearing of KOLAWOLE O. A. KOIKI, as contained in **Articles 4, 5** of the African Charter on Human and Peoples Rights; **Articles 3, 8** of the United Nations Universal Declaration of Human Rights, 1948; and **Section 33** of the Constitution of the Federal Republic of Nigeria, 1999 (As Altered) together with the Revised ECOWAS Treaty and all other applicable ECOWAS Protocols.
- b. AN ORDER of Court directing the Respondent to compensate the Applicant with the sum of N5, 000,000,000 (FIVE BILLION NAIRA) as damages for the total deprivation of the Applicant's right to fair hearing

- c. AND for such further or other orders as the court may deem fit to make in the circumstance.

4. SUMMARY OF THE PLEAS-IN-LAW

- a. The Applicant stated that Article 7 (a) of the African Charter on Human and Peoples Rights provides that: Every individual shall have the right to have his cause heard. This comprises a) the right to an appeal to competent national organs against acts of violating his fundamental rights as recognized and guaranteed by conventions, laws, regulations and customs in force.
- b. He noted that section 36 of the Constitution of the Federal Republic of Nigeria provides as follows:
- 36.1) In the determination of his civil rights and obligations, including any question or determination by or against any government or authority, a person shall be entitled to a fair hearing within a reasonable time by a court or other tribunal established by law and constituted in such manner as to secure its independence and impartiality.
- (2) Without prejudice to the foregoing provisions of this section, a law shall not be invalidated by reason only that it confers on any government or authority power to determine questions arising in the administration of a law that affects or may affect the civil rights and obligations of any person if such law - (a) provides for an opportunity for the persons whose rights and obligations may be affected to make representations to the administering authority before that authority makes the decision affecting that person; and (b) contains no provision making the determination of the administering authority final and conclusive.
- (3) The proceedings of a court or the proceedings of any tribunal relating to the matters mentioned in subsection (1) of this section (including the announcement of the decisions of the court or tribunal) shall be held in public.
- c. He relied on **Section 44** of the Constitution of the Federal Republic of Nigeria which provides as follows: **44. (1)** No moveable property or any interest in an immovable property shall be taken possession of compulsorily and no right over or interest in any such property shall be acquired compulsorily in any part of Nigeria except in the manner and for the purposes prescribed by a law that, among other things - (a) requires the prompt payment of compensation therefore and (b) gives to any person claiming such compensation a right of access for the determination of his interest in the property and the amount of compensation to a court of law or tribunal or body having jurisdiction in that part of Nigeria.
- d. That **Section 5** of the National Human Rights Commission Act 1995 (As Amended By The National Human Rights Commission Act 2010) of Nigeria provides as follows: That the Commission shall – (a) deal with all matters relating to the protection of human rights as guaranteed by the Constitution of the Federal Republic of Nigeria, the African Charter, the United Nations Charter and the Universal Declaration on Human Rights and other international treaties on human rights to which Nigeria is a signatory; Cap. 63 LRN. Cap.10 LFN. Functions of the Commission; (b) monitor and investigate all alleged cases of human rights violation in Nigeria and make appropriate recommendations to the Federal Government for the prosecution and such other actions as it may deem expedient in each circumstance; (c) assist victims of human rights violations and seek appropriate redress and remedies on their behalf.
- e. The Applicant finally stated that **Section 6 (e)** of the National Human Rights Commission Act 1995 (As Amended by The National Human Rights Commission Act 2010) of Nigeria provides as follows: The Commission shall have power to-*Make determination as to damages or compensation payable in any relation to any violation of human rights where it deems this necessary in the circumstances of the case*

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant avers his shares numbering 216,000 (Two Hundred and Sixteen Thousand) out of the total shares of 480,000 (Four Hundred and Eighty Thousand) Shares in the New Nigerian Salt Company were expropriated by the Federal Government of Nigeria in 1978 through and by the promulgation of the **NEW NIGERIAN SALT COMPANY LIMITED (TAKEOVER) DECREE**

- N° 27 OF 1978**, a law of the Federal Republic of Nigeria that is still in existence to date, fully operational and has not been repealed by the National Assembly of Nigeria.
- b. He stated that by Section 1 of the New Nigerian Salt Company Limited (Takeover) Decree N° 27 of 1978 (now CAP. 289 L.F.N. 1990) they effectively took over, seized, confiscated, and expropriated the shares belonging to him without any reason, totally devoid of just cause by stating thus, as follows: *Notwithstanding the provisions of any other enactment, all shares of whatever description and however held in the company known as the New Nigeria Salt Company Limited (other than shares held by the Federal Government) are hereby forfeited to the Federal Government free of all encumbrances without any further assurance apart from this Act.*
 - c. He avers that for many years, the Applicant could not successfully get justice under the Nigerian legal system by virtue of Section 3 (2) of the New Nigerian Salt Company Limited (Takeover) Decree N° 27 of 1978 (now CAP. 289 L.F.N. 1990), which states as follows: The question whether any provision of Chapter IV of the Constitution of the Federal Republic of Nigeria has been is being or would be contravened by anything done or proposed to be done in pursuance of this Act shall not be inquired into in any court of law, accordingly, the relevant section of the Constitution shall not apply in relation to such question. Thus, the Act in question excluded the powers of the Courts to entertain any complaint with regards to the takeover of the Applicant's shares by the Nigerian government.
 - d. That with the re-emergence of civil rule and democracy in Nigeria in 1999, the Applicant filed a complaint before the Human Rights Violations Investigation Commission of Nigeria, also known as the Oputa Panel alleging human rights violation of his rights to own moveable property but the report of the Panel was never published or gazetted and as such, no determination was made by the Oputa Panel regarding the Applicant's Complaint.
 - e. That following the amendment of the National Human Rights Commission (NHRC) Act in 2010, which expanded the powers of the NHRC to receive complaints and make determinations of complaints against human rights violations in Nigeria, the Applicant decided to make a Complaint against the Nigerian government for acts which amount to human rights violation of his right to own moveable property.
 - f. That the NHRC did receive and commenced investigation of the Applicant's Complaint to the extent of visiting the site of the location of the salt company in 2015. Unfortunately, the council of the NHRC which begun the hearing and investigation of the Applicant's Complaint was dissolved in 2015. And that only the Council of the NHRC Could now hear, investigate, and determine complaints made by individuals to the NHRC.
 - g. Therefore, in 2018, attempts by the Applicant to get the report of the Oputa Panel regarding the determination of his earlier Complaint was refused by the Federal Ministry of Justice. The Applicant in February 2021 caused his lawyers to write the National Human Rights Commission reminding it about the need to hear and determine his Complaint. Thus, to date the hearing and determination of the Applicant's Complaint according to the provisions of the National Human Rights Commission Act, 2005 (As Amended in 2010) is yet to be done.
 - h. The Applicant states that being a very senior citizen of 94 years old, who is resident in Lagos, he has been restricted by distance from Abuja, the location of the headquarters of the NHRC and recently, by the COVID-19 Pandemic, from constantly seeking for the ultimate determination of his complaint and that it is in the interest of justice to have the Applicant's Complaint fully heard and determined while he is alive.

DONE IN ABUJA, THIS 18th DAY OF AUGUST, 2021.

SIGNED:



Mr. Tony ANENE-MAIDOH, (Esq.)

Chief Registrar

Community Court of Justice, ECOWAS

Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/47/21

BETWEEN

- | | | |
|---|---|-------------------|
| <ol style="list-style-type: none"> 1. CLARA UNUODE 2. AUSTINE OGHENERO UNUODE 3. DIANA UFOMA UNUODE 4. THERESA EFETURE UNUODE | } | <i>APPLICANTS</i> |
|---|---|-------------------|

AND

THE FEDERAL REPUBLIC OF NIGERIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice, ECOWAS that an Application *BETWEEN CLARA UNUODE & 3 ORS. (APPLICANTS) AND THE FEDERAL REPUBLIC OF NIGERIA (DEFENDANT)* was filed by the Applicants and registered by the Court on the 11th day of August, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

- | | | | |
|----|--|---|-------------------|
| a. | <ol style="list-style-type: none"> 1. CLARA UNUODE 2. AUSTINE OGHENERO UNUODE 3. DIANA UFOMA UNUODE 4. THERESA EFETURE UNUODE <p>All of No. 5, Bogoro Close, Federal Housing Authority,
Kubwa, Abuja, Federal Republic of Nigeria.</p> | } | <i>APPLICANTS</i> |
| b. | <p>THE FEDERAL REPUBLIC OF NIGERIA
Office of the Attorney-General of the
Federal Republic of Nigeria,
FCT-Abuja.</p> | } | <i>DEFENDANT</i> |

2. SUBJECT-MATTER OF THE PROCEEDINGS

Violation of the Fundamental Human Rights to life of **ANTHONY ONOME UNUODE (deceased)** being failure of the Federal Republic of Nigeria to honour obligation to uphold Fundamental Human Right to Life pursuant to Article 4 of The African Charter on Human and Peoples Right, 1981, Article 3(1)(D)(G) & (4) Of ECOWAS Supplementary Protocol, 2005.

3. ORDERS SOUGHT BY THE APPLICANTS

- a. A DECLARATION that the attack and stabbing to death of **Anthony Onome Unuode** at Kubwa-Abuja on the 17th day of October, 2020 under the watch of the Nigerian Police who is the agent

of the Nigerian State responsible for security of lives and property is a breach of the obligation of the Defendant to provide security for the lives of her citizens under Article 4 of the African Charter on Human and Peoples Right, 1981 and Article 3(1)(d)(g) & (4) of ECOWAS Supplementary Protocol, 2005.

- b. AN ORDER of this Honourable Court compelling the Respondent to pay the Plaintiffs the sum of **\$10, 000,000.00 (Ten Million US Dollars) only** as Compensatory Damages for the loss of **Anthony Onome Unuode** occasioned by the failure of the Nigerian State to honour her obligation under the African Charter on Human and Peoples Right.
- c. The sum of **N5, 000,000.00 (Five Million Naira) only**, being cost of litigation.

4. SUMMARY OF THE PLEAS-IN-LAW

- a. Article 5 of the Revised Treaty of the Economic Community of West African States (ECOWAS);
- b. ARTICLE 33 of the THE RULES OF THE COMMUNITY COURT OF JUSTICE;
- c. ARTICLE 10 of the SUPPLEMENTARY PROTOCOL A/SP.1/01/05 AMENDING THE PROTOCOL, (A/P.1/7/91) RELATING TO THE COMMUNITY COURT OF JUSTICE;
- d. Article 4 of the African Charter on Human and Peoples Right, 1981; and
- e. Article 3(1)(d)(g) & (4) of ECOWAS Supplementary Protocol, 2005.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Defendant is the Federal Republic of Nigeria who has a duty under the United Nations Declaration on Human Right, African Charter on Human and Peoples Right and ECOWAS Treaty to provide and safeguard the lives of her citizens.
- b. That the Defendant, The Federal Republic of Nigeria, failed in her duty to secure life of her citizen under the ACHPR when the Nigerian Police failed to intervene or come to the rescue of the victim when he was being attacked by the thugs/hoodlums.
- c. That the Nigerian Police, the organ saddled with the responsibility of security of lives and property stood by and watched, which is a clear failure on the part of the Federal Republic of Nigeria. Therefore, the Defendant, Federal Republic of Nigeria should be held accountable for the failure.

DONE IN ABUJA, THIS 24TH DAY OF AUGUST 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA, NIGERIA

SUIT N^o: ECW/CCJ/APP/48/21

BETWEEN
**THE INCORPORATED TRUSTEES
OF MEDIA RIGHTS AGENDA** _____ *APPLICANTS*

AND
THE FEDERAL REPUBLIC OF NIGERIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice (ECOWAS) that an Application **BETWEEN INCORPORATED TRUSTEES OF MEDIA RIGHTS AGENDA (APPLICANTS) AND THE FEDERAL REPUBLIC OF NIGERIA (DEFENDANT)** was filed by the Applicants and registered by the Court on the 16th day of August, 2021.

1. NAME AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

- | | | | |
|----|---|---|-------------------|
| a. | <p>INCORPORATED TRUSTEES OF
MEDIA RIGHTS AGENDA
Darlington Onyekwere, Esq
C/o J-K Gadzama LLP,
J-K Gadzama Court, 1805, Damaturu Crescent,
Off Kabo Street, Off Ahmadu Bello Way,
Garki 2, Abuja (08032892640)</p> | } | <i>APPLICANTS</i> |
| b. | <p>THE FEDERAL REPUBLIC OF NIGERIA
C/o Attorney General of the Federation
Federal Ministry of Justice,
Maitama Abuja, Nigeria.</p> | } | <i>DEFENDANT</i> |

2. SUBJECT-MATTER OF THE PROCEEDINGS

Violation of the Applicants' fundamental rights to life and freedom of expression of Nigerian journalists/ media practitioners.

3. ORDERS SOUGHT BY THE APPLICANTS

- a) ADECLARATION that the killing of the following Nigerian Journalists to wit: (1) **TUNDE OLADEPO**, (2) **OKEZIE AMARUBEN**, (3) **FIDELIS IKWUEBE**, (4) **SAM NIMFA-JAN**, (5) **SAMSON BOYI**, (6) **BAYO OHU**, (7) **NATHAN S. DABAK**, (8) **SUNDAY GYANG BWEDE**, (9) **ZAKARIYA ISA**, (10) **ENENCHE AKOGWU** and (11) **PRECIOUS OWOLABI** is a violation of their fundamental right to life as encapsulated by section 33 of the 1999 Constitution of the Federal Republic of Nigeria (as amended), Article 4 of the African Charter, Article 3 of the Universal Declaration of Human Rights and Article 6 (1) of the International Covenant on Civil and Political Rights.
- b) ADECLARATION that the killing of the following Nigerian Journalists to wit: (1) **TUNDE OLADEPO**, (2) **OKEZIE AMARUBEN**, (3) **FIDELIS IKWUEBE**, (4) **SAM NIMFA-JAN**, (5) **SAMSON BOYI**,

(6) **BAYO OHU**, (7) **NATHAN S. DABAK**, (8) **SUNDAY GYANG BWEDE**, (9) **ZAKARIYA ISA**, (10) **ENENCHE AKOGWU** and (11) **PRECIOUS OWOLABI**, while carrying out their journalistic duty is a violation of their right to freedom of expression and the press as encapsulated by section 39 of the 1999 Constitution of the Federal Republic of Nigeria (as amended), Article 9 of the African Charter, Article 19 of the Universal Declaration of Human Rights and Article 19 (2) of the International Covenant on Civil and Political Rights.

- c) A DECLARATION that the failure of the Federal Government of Nigeria to adopt effective measures protect and guarantee the safety of (1) **TUNDE OLADEPO**, (2) **OKEZIE AMARUBEN**, (3) **FIDELIS IKWUEBE**, (4) **SAM NIMFA-JAN**, (5) **SAMSON BOYI**, (6) **BAYO OHU**, (7) **NATHAN S. DABAK**, (8) **SUNDAY GYANG BWEDE**, (9) **ZAKARIYA ISA**, (10) **ENENCHE AKOGWU** and (11) **PRECIOUS OWOLABI** who were journalists in Nigeria, pursuant to Article 66 (2) (c) of the Revised ECOWAS Treaty 1993 and principle 20 of the Declaration of Principles of Freedom of Expression and Access to Information in Africa, amount to a breach of the duty and obligation imposed on the Federal Government of Nigeria by the African Charter on Human and Peoples' Rights and the Revised ECOWAS Treaty.
- d) A DECLARATION that the failure of the Respondent to take effective legal and other measures to adequately investigate, prosecute and punish perpetrators of attacks against Nigerian Journalists to wit: (1) **TUNDE OLADEPO**, (2) **OKEZIE AMARUBEN**, (3) **FIDELIS IKWUEBE**, (4) **SAM NIMFA-JAN**, (5) **SAMSON BOYI**, (6) **BAYO OHU**, (7) **NATHAN S. DABAK**, (8) **SUNDAY GYANG BWEDE**, (9) **ZAKARIYA ISA**, (10) **ENENCHE AKOGWU** and (11) **PRECIOUS OWOLABI** and ensure that victims' families have access to effective remedies, is a breach of the duty and obligation imposed on the Federal Government of Nigeria under Article 66(2) of revised ECOWAS Treaty, Article 2 (3) of the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights.
- e) AN ORDER directing the Federal Government of Nigeria to take measures to prevent attacks on journalists and other media practitioners.
- f) AN ORDER directing the Respondent to immediately carry out effective, transparent and impartial investigation into the murders of the said journalists in Nigeria who were killed while carrying out their journalistic work or under circumstances relating to the discharge of their duties as journalists.
- g) AN ORDER directing the Federal government to pay the sum of Ten Million Naira (10,000 000) as compensation for each of the victim's family as reparation.

4. SUMMARY OF THE PLEAS-IN-LAW

- a) Applicants invokes **Section 33(1) of the 1999 Constitution of the Federal Republic of Nigeria (As Amended)**, **Article 4 of the African Charter on Human and Peoples' Rights (African Charter)** and **Article 6(1) of the International Covenant on Civil and Political Rights (ICCPR)**, everyone, including Journalists and media practitioners in Nigeria, is entitled to the fundamental right to life.
- b) **Section 39(1) of the 1999 Constitution of the Federal Republic of Nigeria**, **Article 9 of the African Charter** and **Article 19(2) of the ICCPR** guarantee the right to freedom of expression, media and the press.
- c) **Articles 4 and 9 of the African Charter**, **Article 66 (2)(c) of the Revised ECOWAS Treaty** and **Article 2(3) of the ICCPR**, the Respondent has an obligation to effectively investigate the targeted killings of the identified journalists, who were either killed in the line of duty or under circumstances believed to be connected to the discharge of their duties as media practitioners, as well as identify, prosecute and punish the perpetrators.

- d) **Principle 20 of The Declaration of Principles of Freedom of Expression and Access to Information in Africa** imposes an obligation on the Respondent to, amongst others, guarantee the safety of journalists and other media practitioners, take measures to prevent attacks on journalists.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a) The Applicants, a non-governmental organization registered under Nigerian laws whose mandate includes promoting and defending the right to freedom of expression, media freedom and access to information both online and offline. The Applicants has observer status with the African Commission on Human and Peoples' Rights.
- b) The Applicants alleges that, late Tunde Oladepo was murdered on 26th February, 1998. He was a senior correspondent with the Guardian newspaper in Lagos, Nigeria. It was reported that Oladepo was murdered by gunmen who entered his home early in the morning and shot him to death in front of his wife and children. Nothing was removed from Oladepo's residence, ruling out robbery as a motive. Oladepo was the bureau chief of The Guardian's state office in Ogun State, Nigeria and was covering political affairs. Co-workers believe he was murdered because of his work as a journalist.
- c) The Applicants further alleges that, Okezie Amaruben, publisher of *News Service Magazine*, was reported to have been arbitrarily shot and killed by an Enugu State Nigerian police officer on 2nd September, 1998. He was being forced into a police vehicle when the officer fired his gun and the bullet pierced Amaruben's skull.
- d) Applicants contends that, Fidelis Ikwuebe, a freelance journalist who contributed to The Guardian newspaper, was abducted and murdered on 18th April, 1999 while covering violent clashes between the Aguleri and Umuleri communities in Anambra State, Nigeria. It was not clear who was responsible for Ikwuebe's death.
- e) That the Sam Nimfa-Jan, a journalist with the magazine *Details*, based in Jos, Plateau State, Nigeria was killed in Kafanchan, Kaduna State on 27th May, 1999 during ethnic clashes. He was on assignment covering riots between the Hausa Fulani and Zangon-Kataf groups that broke out over the installation of a new emir (traditional local leader) in the Jema'a area.
- f) That Mr. Samson Boyi was a photojournalist with the Adamawa State (one of the thirty six states in Nigeria) owned newspaper – *The Scope*. He was murdered on 5th November, 1999.
- g) Applicants equally alleges that, Mr. Bayo Ohu, 45, was an assistant news editor for *The Guardian* newspaper in Nigeria. It was reported that he was shot by unidentified assailants as he answered a knock at the front door of his house in Lagos, Nigeria at about 6:52am on 20th September, 2009. The assailants made away with only his laptop and mobile phone. He was taken to a local hospital, but staff on duty refused to treat him because he was not brought in with a police report. He died before neighbors could get him to another hospital.
- h) The Deputy Editor Nathan S. Dabak, 36, and reporter Sunday Gyang Bwede, 39, Nigerian journalists of the monthly newspaper of the Church of Christ in Nigeria (COCIN) called the Light Bearer were murdered on 24th April, 2010. They were reported to have been driving to an assignment when they were attacked and killed by a mob in Jos, capital of Plateau state, Nigeria.
- i) On 22nd October, 2011, a Nigerian journalist, Zakariya Isa was killed. Isa was a reporter and cameraman for the state-run Nigerian Television Authority (NTA) in the north eastern state of Borno. It was reported that Boko Haram, a militant group, claimed responsibility for the murder of Isa who was 41 years old at the time.

- j) Mr. Enenche Akogwu, 31, a reporter and camera operator with independent broadcaster Channels Television was killed in Kano, Nigeria on 20th January, 2012 by unidentified gunmen suspected to be members of the boko haram sect. He was killed while in the line of duty.
- k) A Nigerian journalist, late Mr. Precious Owolabi, aged 23, was working with a private media house - *Channels Television* - in 2019 as a corps member during his mandatory National Youth Service Corps (NYSC) programme in Nigeria, a one year work assignment carried out by all Nigerian graduates not more than 30 years, the news of the unfortunate death of late Precious Owolabi was widely reported by many media houses on various platforms including Committee to Protect Journalist on 22nd July, 2019.

DONE IN ABUJA, THIS 27th AUGUST 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/49/21

BETWEEN:

- | | | | |
|----|--|---|-------------------|
| 1. | PETER ONYIKE | } | <i>APPLICANTS</i> |
| 2. | PATRICK EHOLOR
<i>(PRESIDENT OF ONE LOVE FOUNDATION)</i> | | |

AND

THE FEDERAL REPUBLIC OF NIGERIA _____ *RESPONDENT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **1. PETER ONYIKE** **2. PATRICK EHOLOR** (*PRESIDENT OF ONE LOVE FOUNDATION*) (*APPLICANTS*), AND **THE FEDERAL REPUBLIC OF NIGERIA** (*RESPONDENT*), was filed by the Applicants and registered by the Court on 17th August, 2021.

1. NAMES AND ADDRESSES OF PARTIES

- | | | | |
|----|---|---|-------------------|
| a. | PETER ONYIKE
Banex Plaza, Wuse 2,
Abuja, Nigeria.

PATRICK EHOLOR
<i>(President of One Love Foundation)</i>
Pathlegal and Co,
Gayata Hotel Premises, Kubwa,
Abuja, Nigeria. | } | <i>APPLICANTS</i> |
| b. | FEDERAL REPUBLIC OF NIGERIA
c/o The Hon. Attorney-General of the Federation
and Minister for Justice,
Attorney General's Chambers,
Federal Ministry of Justice,
Maitama,
Abuja, Nigeria. | | |

2. SUBJECT-MATTER OF THE PROCEEDINGS

The Applicants allege the violation of the 1st Applicant's human rights to personal liberty, dignity of person, presumption of innocence and fair hearing.

3. ORDERS SOUGHT BY THE APPLICANTS

- a. A DECLARATION that the act of Mr. Umar Danladi, who is the Chairman/President of Code of Conduct Tribunal (CCT) to use the officers of Nigeria Police Force to torture and assault the 1st Applicant on 29th March 2021, and thereafter lay a false criminal complaint against the 1st Applicant, culminating in his detention in a cell in Wuse Zone 2, Abuja, from 31st

March 2021 to 6th April 2021 in FCT, Abuja constitutes false imprisonment and is unconstitutional and illegal.

- b. A DECLARATION that the act of the CCT chairman to use the officers of Department of State Security (DSS) in detaining the 1st Applicant from 29th of March 2021 to 30th March 2021 and further torturing and assaulting 1st Applicant by the DSS officers on instigation of the CCT chairman, and thereafter still laying a false criminal complaint against the 1st Applicant is unconstitutional.
- c. AN ORDER of this Honourable Court restraining the CCT chairman to desist from engaging in untoward, violent and irrational conducts and further arresting, detaining and or taking any illegal step against the 1st Applicant.
- d. AN ORDER of this Honourable Court directing the CCT chairman to tender unreserved apologies to the 1st and 2nd Applicant and members of the public for their untoward, violent, irrational, negligent, reckless and unprofessional conducts against the 1st Applicant and such apologies should be published at the front page of any of the national daily newspaper that has wide circulation throughout Nigeria and same shall run for 2 days consecutively.
- e. AN ORDER of this Honourable Court mandating the Respondent and its CCT chairman to pay the 1st Applicant the sum of N100,000,000.00 (One Hundred Million Naira) SEPERATELY as general and punitive damages differently.
- f. AN ORDER of this Honourable Court mandating the Respondent and its CCT chairman, wherein all of them separately should pay to the 1st Applicant the sum of N50,000,000.00 (Fifty Million Naira) as punitive damages for actions of the Respondent's, agents, security officers and Its CCT chairman.

4. SUMMARY OF THE PLEAS-IN-LAW

The Applicants relies on the provisions of Article 4 (g) of Revised Treaty and Articles 5, 7 (b) (d) of the African Charter on Human and Peoples' Rights to prove that his human rights have been violated by his illegal arrest and detention under inhuman conditions and without trial.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The 1st Applicant avers that he witnessed Mr. Umar Danladi (CCT Chairman) and his driver beat up a security guard at Banex Plaza, Wuse 2 Abuja. That during the incident, he picked up the phone of the CCT Chairman from the ground and handed it to the CCT Chairman when he noticed that it had fallen from his pocket.
- b. That upon the video of the beating of the security guard in wide circulation, the CCT Chairman in trying to get witnesses on his side, invaded the 2nd outer gates of Banex Plaza, Abuja with DSS officers in Hilux car. That thereafter they pounced on the 1st Applicant, tore his boxers and trousers, and poured tear gas on his eyes. That they drove the 1st Applicant to the Aso drive headquarters office of DSS, where he was locked up, his hands tied to the back and face covered. That while in detention he was denied access to food, access to a Lawyer, medical assistance and was tortured.
- c. That the 1st Applicant cannot read and write but was held at gun point by the DSS officers and forced to write implicating confessional statements and letter of apology to the CCT Chairman on the whole assault case and unlawful imprisonment on the Applicant.
- d. That the CCT chairman instructed the DSS headquarters officer to transfer the 1st Applicant to the FCT police command of Nigeria police force, where the CCT chairman had gone to initiate a false complaint/petition to cover up the beating of the security guard that had

gone viral on social media. That he was tortured and brutalized while in detention from 31st March 2021 to 6th April 2021 and was admitted to the hospital as a result of the severe beating, injury and torture received while in detention. The Applicants aver that he was only released due to heavy pressure from media campaigns and NGOs. That the CCT Chairman has used several means to intimidate everyone around the 1st Applicant who has useful information to indict him.

DONE IN ABUJA, THIS 27th DAY OF AUGUST 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/50/21

BETWEEN

- | | | |
|---|---|-------------------|
| <ol style="list-style-type: none"> 1. GLORY OKOLIE 2. INCORPORATED TRUSTEES OF ONE LOVE FOUNDATION 3. CARING INCORPRATED TRUSTEES OF BEHIND BAR HUMAN RIGHTS FOUNDATION | } | <i>APPLICANTS</i> |
|---|---|-------------------|

AND

THE FEDERAL REPUBLIC OF NIGERIA _____ *RESPONDENT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **(1) GLORY OKOLIE (2) INCORPORATED TRUSTEES OF ONE LOVE FOUNDATION AND (3) CARING INCORPORATED TRUSTEES OF BEHIND BAR HUMAN RIGHTS FOUNDATION (APPLICANTS) AND FEDERAL REPUBLIC OF NIGERIA (RESPONDENT)** was filed by the Applicants and registered by the Court on the 24th day of August, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

- | | | |
|---|---|-------------------|
| <ol style="list-style-type: none"> a. GLORY OKOLIE & 2 ORS.
Pathlegal and Co Gayata Hotel Premises
Kubwa, FCT. Abuja. | } | <i>APPLICANTS</i> |
|---|---|-------------------|

AND

- | | | |
|--|---|-------------------|
| <ol style="list-style-type: none"> b. THE FEDERAL REPUBLIC OF NIGERIA.
C/o The Attorney General of the Federation,
Federal Ministry of Justice, Abuja. | } | <i>RESPONDENT</i> |
|--|---|-------------------|

2. SUBJECT-MATTER OF THE PROCEEDINGS

Violation of the Applicant's Human Rights to personal liberty, dignity of person, presumption of innocence and fair hearing guaranteed by Article 5, 6, and 7 of the African Charter on Human and Peoples' Rights.

3. ORDERS SOUGHT BY THE APPLICANTS

- a. A DECLARATION of this honourable Court, that the act of the Respondent in detaining the 1st Applicant from 13th June, 2021 till date without an Order of any Court permitting same, is a violation of the 1st Applicants right to fair hearing and personal liberty as enshrined in Articles 1, 3,4,5,6, and 7 of the African Charter on Human and Peoples' Rights (Ratification and Enforcement Act Chapter A9 LFN, 2004.
- b. A DECLARATION of this honourable Court, that the act of the Respondent in detaining the 1st Applicant from 13th June, 2021, and beyond 71 (seventy one) days till date without an Order of any Court permitting same, is a violation of the 1st Applicant's right to fair hearing and personal;

liberty as enshrined in Articles 1, 3,4,5,6, and 7 of the African Charter on Human and Peoples' Rights (Ratification and Enforcement Act Chapter A9 LFN, 2004.

- c. A DECLARATION that the beating/slapping, torturing, physical assault and verbal/ vulgar abuse of the 1st Applicant by the 1st Respondent and the Respondent IGP IRT Officers, without the Applicants committing any crime known to law whatsoever, is illegal, unconstitutional and amounts to a violation of the 1st Applicant's right to fair hearing and personal liberty as enshrined in Articles 1, 3,4,5,6, and 7 of the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act Chapter A9 LFN, 2004.
- d. A DECLARATION that the usage of the Applicant by the Respondent IGP IRT Officers by sexually assaulting the 1st Applicant, usage of the 1st Applicant to wash the Respondent Officers clothes, and usage of the Applicant to cook for the Respondent IGP IRT Officers, even when the Applicant was in the illegal custody of the Respondent, and without the Applicant committing any crime known to law whatsoever is illegal, unconstitutional and amounts to a violation of the Applicant's right to fair hearing and personal liberty as enshrined in Section 35 and 36 of the Constitution of the Federal Republic of Nigeria, 1999 as amended and Articles 1, 3,4,5,6, 7 of the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act Chapter A9 LFN, 2004.
- e. AN ORDER of this honourable Court restraining the Respondent to desist from engaging in untoward, violent and irrational conducts against the 1st Applicant.
- f. AN ORDER of this honourable Court, granting bail to the 1st Applicant on liberal terms to wit: unconditionally and conditionally pending the time, the Respondent deem it fit to charge the 1st Applicant to Court in this regard.
- g. AN ORDER of this honourable Court, mandating the Respondent to pay the 1st Applicant the sum of ₦ 100,000,000,000.00 (One Hundred Billion Naira) as general and punitive damages separately for infringing on the rights of the 1st Applicant.
- h. AN ORDER of this honourable Court, mandating the Respondent to pay the 1st Applicant the sum of ₦ 50,000,000.00 (Fifty Million Naira) as punitive damages for its recklessness, bias, malice, failure to perform its statutory duty when the Respondent's Officers within his knowledge wholly infringed on the Fundamental Rights of the 1st Applicant in this regard.
- i. AND FOR SUCH FURTHER ORDERS as this honourable Court may deem fit to make in the circumstance of this case.

4. SUMMARY OF THE PLEAS-IN-LAW

- a) That the act of the Respondent in detaining the 1st Applicant from 13th June, 2021, and beyond 71 (seventy one) days till date without an Order of any Court permitting same, is a violation of the 1st Applicant's right to fair hearing and personal; liberty as enshrined in the provisions of the African Charter on Human and Peoples' Rights.
- b) that the beating/slapping, torturing, physical assault and verbal/ vulgar abuse of the 1st Applicant by the 1st Respondent and the Respondent IGP IRT Officers, without the Applicants committing any crime known to law whatsoever, is illegal, unconstitutional and amounts to a violation of the 1st Applicant's right to fair hearing and personal liberty as enshrined in the provisions of the African Charter on Human and Peoples' Rights.
- c) That the usage of the Applicant by the Respondent IGP IRT Officers by sexually assaulting the 1st Applicant, usage of the 1st Applicant to wash the Respondent Officers clothes, and usage of the Applicant to cook for the Respondent IGP IRT Officers, even when the Applicant was in the illegal custody of the Respondent, and without the Applicant committing any crime known to law whatsoever is illegal, unconstitutional and amounts to a violation of the Applicant's right to

fair hearing and personal liberty as enshrined in the Constitution of the Federal Republic of Nigeria, 1999 as amended and the African Charter on Human and Peoples' Rights.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a) That the 1st Applicant is a Community citizen by virtue of his nationality of the Federal Republic of Nigeria.
- b) That the 2nd Applicant is the head of an NGO (One Love Foundation), who are also interested in this matter and have sought the consent of the 1st Applicant; the 3rd Applicant is also an NGO, in which the 1st Applicant belongs to and who also on his behalf in public interest capacity have filed this case on behalf of the 1st Applicant.
- c) The 1st Applicant avers that on the 13th of June, 2021 that the 1st Applicant being a Jamb Applicant, went on an errand from her family house in Imo State, and never returned home on that day.
- d) That from 17th June, 2021 the family members started making all frantic search of the 1st Applicant in hospitals, churches, and mosques, all to no avail.
- e) The Applicant avers that the family members in search of the 1st Applicant actually approached the Owerri Command of Nigeria Police Force, who charged the Uncle of the 1st Applicant, the sum of ₦ 50, 000.00 to track vide telephone, tracking the last known address of the 1st Applicant, perform.
- f) The Applicant avers that the phone tracking showed that the 1st Applicant was detained by the Respondent IGP IRT Officers at their Owerri Tiger Base Unit of the Respondent, and when the Uncle approached this 67t67 Office, the Respondent Owerri Tiger Base Unit denied ever arresting the 1st Applicant.
- g) That not till the end of June, 2021 that a certain Izuchukwu Okeke having just been released from the Respondent's Unit Owerri Tiger Base cell, informed the family and the Respondent Owerri Command Unit Uncle of the 1st Applicant, that the 1st Applicant was in custody of Respondents' Owerri Unit Cell, and on the said cell she was cooking for the IGP IRT Police Officers, washing clothes for them, and sometimes that therein, the Respondent Owerri Command Unit Officers occasionally take turns to abuse the Applicant sexually.
- h) The Applicant further avers that the Respondent Officers demanded monetary commitment from the Uncle of the 1st Applicant, for the release on bail of the 1st Applicant, wherein the 1st Applicant's Uncle thereafter in cash and POS Bank transactions actually advanced to the Respondent the IGP IRT Police Officers Owerri Tiger Base Unit.
- i) That even when the Uncle of the 1st Applicant has paid the monetary sum above, the 1st Applicant was not released by the Respondent and their Officers.

DATED THIS 9th DAY OF SEPTEMBER 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/51/21

BETWEEN

SATTA LAMIN BANYA _____ *APPLICANT*

AND

REPUBLIC OF SIERRA LEONE _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **SATA LAMINE BANYA (APPLICANT)** AND **REPUBLIC OF SEIRRA LEONE (DEFENDANT)** was filed by the Applicant and registered by the Court on the 2nd day of September, 2021.

1. NAMES AND ADDRESSES OF PARTIES

a. Name and address of Applicant:

SATA LAMIN BANYA
New London Area,
Kailahun District of the
Eastern Province of
Sierra Leone.

b. Name and address of Defendant:

REPUBLIC OF SIERRA LEONE
Member State of Economic Community
of West African States (ECOWAS)

2. SUBJECT-MATTER OF THE PROCEEDINGS

Violations by the Defendant of the fundamental Human Rights of the Applicant as guaranteed under Articles 1,2,5 and 7 of the African Charter on Human and Peoples Rights ,Articles 2(1) 2,3, 4 and 25 of the Protocol of the African Charter on Human and Peoples Right on the Rights of Women in Africa (Maputo Protocol) Articles 1and 2 of the Convention on the elimination of all forms of Discrimination Against Women and Articles 2(1) 2(3) 7 and 14 of the International Convention on Civil and Political Rights.

3. ORDERS SOUGHT BY THE APPLICANT

- a. A DECLARATION that the Defendant has violated the rights of the Applicant to a remedy and access to justice pursuant to Articles 1 and 7(1)(a) of the African Charter on Human and Peoples' Rights, article 2(3) of the International Covenant on Civil and Political Rights, and article 25 of the Maputo Protocol.
- b. A DECLARATION that the Defendant is legally responsible for the violation of the right of the Applicant to freedom from discrimination pursuant to Article 2 of the African Charter on Human

and Peoples' Rights, Articles 2, 3(4) and 4(2) of the Maputo Protocol, Article 2(1) of the International Covenant on Civil and Political Rights and Articles 1 and 2 of the Convention on the Elimination of all Forms of Discrimination against Women.

- c. A DECLARATION that the Defendant is legally responsible for violation of the rights of the Applicant to dignity, and to freedom from cruel, inhuman or degrading treatment pursuant to Article 5 of the African Charter on Human and Peoples Rights, Article 3 of the Maputo Protocol and Article 7 of the International Covenant on Civil and Political Rights.
- d. AN ORDER for the Defendant to pay to the financial compensation in the sum of One Hundred and Fifty Thousand Dollars only (USD 150, 000).
- e. AN ORDER for the Defendant to adopt such legislative, administrative, social and economic resources as may be necessary to ensure the protection, punishment and eradication of all forms of sexual violence against women.
- f. AN ORDER for the Defendant to provide support services for victims of sexual violence against women, including information, legal services, health services and counselling.

4. SUMMARY OF THE PLEAS-IN-LAW

The Applicant avers that Articles 1 and 7 (1) (a) of the African Charter on Human and Peoples' Rights obliges governments to take necessary measures to give effect to the rights in the Charter and the right to remedy for all victims of human rights violations. It also provides that the State has a duty to protect victims of human rights from the violations that they have suffered, and this duty of the State includes the maintenance of a system of justice that provides remedies for violations and imposes sanctions on violators.¹ Therefore, it is important that perpetrators of human rights violations are brought to book by an effective investigation and prosecution.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant states that even though the sexual violence suffered by the Applicant was perpetrated by non-State actors, the failure to successfully prosecute those non-State actors makes the Defendant responsible for a violation of the right of the Applicant to freedom from discrimination pursuant to Article 2 of the African Charter on Human and Peoples' Rights, Articles 2, 3(4) and 4(2) of the Maputo Protocol, Article 2(1) of the International Covenant on Civil and Political Rights and Articles 1 and 2 of the Convention on the Elimination of all Forms of Discrimination against Women.
- b. The Applicant further avers that by virtue of the failure to effectively investigate, and prosecute the perpetrators of rape and other violence against the Applicant, the Defendant is legally responsible for violation of the Applicants rights to dignity, and to freedom from cruel, inhuman or degrading treatment.

DONE IN ABUJA, THIS 15th DAY OF SEPTEMBER 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)
HOLDEN IN ABUJA NIGERIA.**

SUIT N^o: ECW/CCJ/APP/53/21

BETWEEN

MR. BABACAR NDIAYE _____ *APPLICANT*

AND

- | | | |
|--|---|--------------------|
| <ol style="list-style-type: none"> 1. COMMISSION OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES 2. THE PRESIDENT OF THE COMMISSION OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATE | } | <i>RESPONDENTS</i> |
|--|---|--------------------|

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **MR. BABACAR NDIAYE** (*APPLICANT*), **1.) THE COMMISSION OF THE ECONOMIC COMMUNITY OF WEST AFRICA; 2.) THE PRESIDENT OF THE COMMISSION OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES** (*RESPONDENTS*) was filed by the Applicant and registered by the Court on the 2nd day of November, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

- | | | |
|--|---|------------------|
| <ol style="list-style-type: none"> a. MR. BABACAR NDIAYE
FCT, Abuja, Nigeria | } | <i>APPLICANT</i> |
|--|---|------------------|

AND

- | | | |
|--|---|--------------------|
| <ol style="list-style-type: none"> b. ECOWAS COMMISSION c. PRESIDENT, ECOWAS COMMISSION
Yakubu Gowon Way, Abuja, Nigeria | } | <i>RESPONDENTS</i> |
|--|---|--------------------|

2. SUBJECT-MATTER OF THE PROCEEDINGS

The Applicant avers that he was the Director of Finance of the 1st Respondent who was suspended and subsequently dismissed from service by the 2nd Respondent without strict compliance with the mandatory provisions of the ECOWAS Staff Regulations set. The Applicant avers that his dismissal was in clear violation of the ECOWAS Staff Regulations and extant treaties. The Applicant avers that his salaries and other emolument of the office of the Director of finance has been withheld by the 2nd Respondent from January 2021 till date.

3. ORDERS SOUGHT BY THE APPLICANT

- a. A DECLARATION that the dismissal of the Applicant by the 1st and 2nd Respondents is arbitrary, null and void same having violated the provisions of the ECOWAS Staff Regulation, the African Charter on Human and Peoples Right and other applicable International Protocols the Respondents are bound by.
- b. A DECLARATION that the stoppage of the Applicant's salary before the exhaustion of the Appeal process is arbitrary, unlawful, null and void and contrary to the provisions of Article 68 (b) of the ECOWAS Staff Regulations.

- c. AN ORDER of this Honourable Court setting aside the dismissal of the Applicant forthwith for being arbitrary, null and void and violative of the provisions of the ECOWAS Staff Regulations and the African Charter on Human and Peoples rights and other international instruments.
- d. AN ORDER of Mandatory Injunction restraining the Respondents and or his agents from advertising the Applicant's Post of Director of Finance contrary to Article 73(b) of the ECOWAS staff regulations pending the hearing and determination of his appeal before this Honourable Court.
- e. AN ORDER of this Honourable Court directing the Respondents to pay forthwith the Applicant his salary arrears and all other entitlements from January 2021 till date.
 - i. Or as alternative to relief (e);
 - ii. An order mandating the respondents to pay all the Applicant's outstanding entitlements including salary arrears, bonuses, grants inter alia from the date it was last paid till the date judgement is executed and to further pay the sum of 5 million us dollars for the violations of the Applicant's rights hereto.
- f. AN ORDER of this Honourable Court RESTRAINING the Respondents from violating the rights of the Applicant in any manner whatsoever without due process of law.
- g. AN ORDER of this Honourable Court directing the Respondents to pay over to the Applicant the sum of \$1000. 00 (One Thousand Dollars) only as cost of prosecuting this suit.
- h. AND ANY OTHER ORDER OR ORDERS this Community Court of Justice might make in the circumstance of this case.

4. SUMMARY OF THE PLEAS-IN-LAW

Sustained violation of the Applicant's right to basic enjoyment of economic and social rights guaranteed by:

- a. Articles 1, 2, 3, 4 and 5 of the African Charter on Human and Peoples Rights;
- b. Articles 2, 3, 8, 12 and 25 of the Universal Declaration of Human Rights;
- c. Articles 2, 3, 6, and 26 of International Covenant on Civil and Political Rights;
- d. Articles 2, 3, 5, 10, 11 and 12 of International Economic, Social and Cultural Right, Violation of the Applicant's right to fair hearing; and
- e. Gross violation of Article 69, 67 and 73 of the ECOWAS Staff Regulation.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant avers that there was a grand and clandestine design to dismiss him from the service of the 1st Respondent without proof of any malfeasance from him and without following the laid down rules of the Revised ECOWAS Staff Regulation.
- b. The Applicant further avers that before he received the decision of the 2nd Respondent on the appeal he submitted his salaries, allowances and other emoluments was suspended in spite of exercising his right of Appeal in line with Article 73 of the ECOWAS Staff Regulation.
- c. The Applicant contends that it was wrong and a clear violation of the ECOWAS Staff Regulation for the 2nd Respondent to suspend his salaries and emoluments when he invoked his right of Appeal in compliance with the Staff Regulation.

DONE IN ABUJA, THIS 17th DAY OF DECEMBER 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/54/21

BETWEEN

MR. ISMAILA HAIDARA AND 2 ORS _____ *APPLICANTS*

AND

REPUBLIC OF MALI _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS, that an application **BETWEEN MR ISMAÏLA HAIDARA & 2 ORS (APPLICANTS) AND REPUBLIC OF MALI (DEFENDANT)** was filed by the Applicants and registered by the Court on the 15th day of September, 2021.

1. NAMES AND ADDRESSES OF PARTIES

a. MR. ISMAILA HAIDARA & 2 ORS

Represented by their Counsel, Mr. Bleoue Aka Blaise, lawyer at the Bar of Abidjan/Côte d'Ivoire, Toge N 1996/239, residing in Abidjan, Cocody-Riviera-Palmeraie, at the Immeuble près de la Pharmacie du BONHEUR, 3rd Floor, 06 BP 1789 Abidjan 06.

} *APPLICANTS*

b. REPUBLIC OF MALI

Represented by the Director General of Government Litigation, BP: 234 - Tel: (223) 20 29 67 11- Fax: (223) 20 29 67 10 in Hamdallaye ACI 2000-Rue 385-Porte 315-Bamako (Mali).

} *DEFENDANT*

2. SUBJECT-MATTER OF THE PROCEEDINGS

- a. DECLARE that the right to Counsel, the right to the presumption of innocence and the right to a fair trial of the applicants were manifestly violated;
- b. DECLARE that the violations committed have caused them enormous damage that deserves judicial and pecuniary reparation;
- c. ORDER the Republic of Mali to stop the violation of their rights to Counsel, to a fair trial and to the presumption of innocence, by having the preliminary investigation and other subsequent acts annulled, in accordance with the relevant provisions of the Code of Criminal Procedure, in particular Article 206, and to stop the prosecution of the Applicants;
- d. GRANT each Applicant the sum of one hundred million francs (100, 000,000 CFA francs), for all damages;
- e. GIVE the Respondent State thirty (30) days to report to the Court on the execution of the judgment;
- f. ORDER the Republic of Mali to pay the costs of the project.

3. SUMMARY OF THE PLEAS-IN-LAW

In support of their claims against the Republic of Mali, the Applicants relied on violations of:

- a. Article 7 of the African Charter on Human and Peoples' Rights;
- b. Article 14 of the International Covenant on Civil and Political Rights; and
- c. Article 11 of the Universal Declaration of Human Rights.

4. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicants are nationals of the Republic of Mali, they claim that after a written report of infringement of public property and fraudulent bankruptcy, they were interrogated. They claim that their rights to a fair trial and to the presumption of innocence were violated
- b. For this reason, the Applicants applied to the Court to find the violation of the above-mentioned fundamental rights and consequently to be compensated.
- c. The Applicants are seeking the above claims from the Court as set forth in the subject-matter of the Application.

DONE IN ABUJA, THIS 16TH DAY OF NOVEMBER 2021.

SIGNED: 

Tony ANENE-MAIDOH (Esq.)
Chief Registrar,
Community Court of Justice - ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/57/21

BETWEEN:

MR. ANTONIO ANDRADE LOPES TAVARES _____ *APPLICANT*

AND

THE REPUBLIC OF CAPE VERDE _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **Mr. ANTONIO ANDRADE LOPES TAVARES** (*APPLICANT*) AND **THE REPUBLIC OF CAPE VERDE** (*DEFENDANT*), was filed by the Applicant and registered by the Court on the 5th day of October 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

a. Name and address of Applicant:

Mr. ANTONIO ANDRADE LOPES TAVARES

is a citizen of Cape Verde, from Achada Eugenio Lima-Praia, Republic of Cape-Verde, with address at email : andradelopesantoniogmail.com, WhatsApp: 002389351567 or 00351967508555

b. Name and address of Defendant:

THE STATE OF CAPE VERDE with address at Palais de la Présidence de la république du Cap-Vert, CP 100-Plateau PRAIA-Ilha de Santiago-Cap-Vert; PBX (+238) 261 2445/2829 ; FAX: (+238) 2614356

2. SUBJECT-MATTER OF THE PROCEEDINGS

The Applicant solicits that may it please the Honourable Court:

- a. TO NOTE the refusal of « Habeas Corpus » and to expose serious acts of injustice that are being committed, owing to the continued illegal detention of Ambassador Alex Saab;
- b. TO ORDER the annulment of the decision of the Supreme Court of Cape Verde of 25 May 2021;
- c. TO EQUALLY ORDER the immediate and unconditional release of Ambassador Alex SAAB, and award damages in his favour;
- d. TO ORDER the Defendant State to pay damages for the moral prejudice suffered, as well as for the serious violations of laws, norms and international principles ratified by the Defendant State;

3. SUMMARY OF THE PLEAS-IN-LAW

In support of his claims, the Applicant relies on the following pleas-in-laws:

- a. Articles 25 (1), 36 § 2 and 30 (2) of the Constitution of Cape Verde, which provide respectively that: **«The nationals, foreigners and stateless persons, every person residing on the national territory enjoy the same rights, freedom and guarantees ...», and «Every citizen that enjoys his political right scan seek to exercise his right to «habeas corpus» on behalf of a person who is detained or imprisoned illegally», and finally that «No one may be deprived of his freedom either as a whole or partially, except when charged and pronounced guilty by a Court...»;**
- b. The Applicant equally evokes the violation of the provisions of Articles 5, 9 and 12 of the Universal Declaration of Human Rights, of Article 4 of the African Charter on Human Rights;
- c. Finally, the Applicant evokes the violation of the provisions of the Vienna Convention of 23 May 1969, especially its Article 1 on Diplomatic Relations, as well as its Article 6 on the capacity of States in signing treaties, and Article 7 full powers.

4. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. On 12 June 2020, The Venezuelan Diplomat Alex Nain Saab Morán, an Ambassador accredited by the Bolivarian Republic of Venezuela as Special Envoy to the Republic of Iran, who was on a humanitarian mission aimed at acquiring drugs and necessary equipment for the fight against the Covid-19 pandemic, and food had to make a transit stop over in the Republic of Cape Verde, specifically on the Island of Sal, to refuel his aircraft.
- b. The Applicant claims that he was arrested and imprisoned in a cell where he suffered torture, and was put under pressure to sign a voluntary extradition to the United States of America, in disregard to his status of his immunity as a Diplomat, who was illegally arrested because such was not pursuant to any court decision;
- c. The Applicant further avers that on 15 March 2021, a decision by the Community Court of Justice, ECOWAS ordered his immediate release because he was illegally and arbitrarily detained;
- d. Moreover, the Applicant avers that the Defendant State disregarded the injunctions from the ECOWAS Court, by authorising an extradition that violates, not only the internal constitutional norms of Cape Verde, but also the international conventional regulations on the status of Special Envoys, under which the Applicant is protected.

DONE IN ABUJA, THIS 18TH DAY OF NOVEMBER 2021.

SIGNED:



Tony ANENE-MAIDOH (Esq.)
Chief Registrar,
Community Court of Justice - ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/58/21

BETWEEN

CHUKWUEMEKA EDEH _____ *APPLICANT*

AND

THE FEDERAL REPUBLIC OF NIGERIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HERE BY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN, **CHUKWUEMEKA EDEH (APPLICANT) AND THE FEDERAL REPUBLIC OF NIGERIA (DEFENDANT)** was file by the Applicant and Registered by the Court on the 7th day of October, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a) **CHUKWUEMEKA EDEH**

S.P.A. Ajibade & Co.
Suite A312, Garki Mall
Plot1580, Damaturu Crescent, Off Kabo Street
Garki II, FCT, Abuja, Nigeria. } *APPLICANT*

b) **THE FEDERAL REPUBLIC OF NIGERIA**

Attorney-General and Minister for Justice,
Federal Ministry of Justice,
Maitama, Abuja Nigeria. } *DEFENDANT*

2. SUBJECT-MATTER OF THE PROCEEDINGS

Violation of the Applicant's fundamental human rights as guaranteed under Articles 1, 2, 3 and 5 of the African Charter on Human and Peoples' Rights; Articles 2 (1) and (3), 3, 7 and 26 of the International Convention on Civil and Political Rights (ICCPR); Articles 10, 11, 12, 13 and 16 (1) of the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); and Articles 1, 2, 5, 7 and 8 of the Universal Declaration of Human Rights.

3. ORDERS SOUGHT BY THE APPLICANT

- a. A DECLARATION that the failure on the part of the Respondent State to recognize, promote and protect the rights of the Applicant and the failure to take measures to give effect to the rights of the Applicant constitute multiple violations of Articles 1, 2, 3 and 5 of African Charter on Human and Peoples' Rights, Articles 2 (1) and (3), 3, 7 and 26 of the International Covenant on Civil and Political Rights, Articles 10, 11, 12, 13 and 16 (1) Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and Articles 1, 2, 5, 7 and 8 of the Universal Declaration of Human Rights.
- b. A DECLARATION that the treatment meted out on the Applicant by policemen of the Special Anti- Robbery Squad (SARS) in Enugu constitutes torture, cruel, inhuman and degrading treatment contrary to Articles 5 of the African Charter on Human and Peoples' Rights, Article 7 of the International Covenant on Civil and Political Rights, Articles 10, 11, 12, 13 and 16 (1)

Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and Articles 1 and 5 of the Universal Declaration of Human Rights.

- c. AN ORDER directing the Defendant to pay monetary compensation of N5, 000,000 (Five Million Naira) to the Applicant, for the pain, suffering and harm to his dignity including mental trauma and physical injuries.

4. SUMMARY OF THE PLEAS-IN-LAW.

- a. Applicant invokes Article 5 of the African Charter is aimed at the protection of both the dignity of the human person, and the physical and mental integrity of the individual.
- b. Article 3 of the African Charter on Human and Peoples Right, that every individual shall be equal before the law, every individual shall be entitled to equal protection of the law.
- c. Article 5 of the Universal Declaration of Human Rights, No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.
- d. Applicant equally invokes Article 7 of the ICCPR, that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant aver that sometime in June 2020 at about 5pm, he was unlawfully apprehended by 4 young men while at the place of employment of his brother Sunday Edeh i.e., a welding shop at Amaechi Obeagu.
- b. That despite the attempt of the Applicant's brother Sunday Edeh and his brother's boss Chukwuka Ani to stop the unlawfully apprehension, the Applicant was taken away by the 4 young men to the riverside where they accused him of committing burglary and began interrogating him.
- c. That the Applicant's insistence of his innocence, one of the young men made a phone call and within a short period of time a man arrived with a car accompanied by other unknown men and took the Applicant to the Special Anti- Robbery Squad (SARS) office in Enugu.
- d. That upon the Applicant's arrival at the Special Anti-Robbery Squad (SARS) office in Enugu, the Applicant was interrogated, and he maintained his innocence. He was however instructed to write a confessional statement which he vehemently refused to do.
- e. **That in reaction to the Applicant's refusal one of the Investigating Police Officer (IPO) named Benjamin started writing the statement himself. The Applicant's hands were cuffed, and legs were tied with rope, and he was shoved to the bare floor.**
- f. The IPO Benjamin further quizzed the Applicant demanding if he knew persons named Ogechukwu Ogbu and Chukwuma Onovo. The Applicant's denial of the knowledge of the 2 above named persons resulted in the unwarranted beating of the Applicant by the IPO and other policemen present.
- g. The IPO Benjamin completed the statement he was writing and gave it to the Applicant to sign. The Applicant refused and was slapped violently on his face from the back by a police officer standing behind him. He then had tear gas sprayed into his eyes. The totality of the cruelty lead to excruciating pain and temporary blindness of the Applicant.

- h. That the IPO further proceeded to hit the Applicant violently with an iron rod and a big stick intermittently. While other police officers present also joined to hit the Applicant all over his body and joints. Eventually a deep cut was inflicted on his left shoulder and the back of his leg which started bleeding.
- i. That despite the torture, cruel, inhuman and degrading treatment meted out on the Applicant by the policemen of the Special Anti- Robbery Squad (SARS) office in Enugu, resulting to physical injuries; no form of medical treatment was given to the Applicant for the injuries inflicted on him.
- j. That the Applicant was eventually arraigned at a Magistrate Court in Enugu on charges bordering on Burglary, Stealing and Cultism; and remanded in prison custody till date the Applicant has remained in prison custody as the prosecution has stopped coming to Court.
- k. That while in prison custody, the Applicant did not receive any form of treatment for the injuries inflicted on him by the police officers of the Special Anti-Robbery Squad (SARS) office in Enugu.

DATED IN ABUJA, THIS 20th DAY OF OCTOBER, 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/59/21

BETWEEN

JUSTICE JOSEPH WOWO _____ *APPLICANT*

AND

REPUBLIC OF THE GAMBIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **JUSTICE JOSEPH WOWO (APPLICANT)** AND **REPUBLIC OF THE GAMBIA (DEFENDANT)**, was filed by the Applicant and registered by the Court on 12th October, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

a. Name and address of the Applicant:

JUSTICE JOSEPH WOWO
Katy Texas
United States of America

b. Name and address of the Defendant:

REPUBLIC OF THE GAMBIA
c/o The Minister for Justice,
Ministry of Justice,
Banjul, The Gambia.

2. SUBJECT-MATTER OF THE PROCEEDINGS

The Applicant's complaints border on the violation of his legitimate rights as guaranteed by Articles 1, 2, 3, 4 and 14 of the African Charter on Human and Peoples' Rights; violation of his rights as guaranteed in Articles 6, 7, 22 and 25 (1) of the Universal Declaration of Human Rights; violation of his rights as guaranteed in Sections 18 (1) & (2) and 22 of the 1997 Constitution of The Gambia as amended.

3. ORDERS SOUGHT BY THE APPLICANT

- a. A DECLARATION that the Defendant pay the amount of D. 1,868,750.00 or USD\$ 46,718.00 which constitutes the amount due the Applicant and/or payment of salary arrears and gratuity from the date of the unlawful termination to the date of enforcement of the judgment plus 6% interest per annum.
- b. A DECLARATION that Defendant pay successful Attorney fees.
- c. A DECLARATION that the Defendant pay the sum of USD\$ 50,000.00 as compensation for the violations of the rights of the Applicant and the injury caused him, his family to the absence of basic needs as a result of refusal to pay him his salaries and gratuity and also for breach of contract.

4. SUMMARY OF THE PLEAS-IN-LAW

The Applicant relies on:

- a. Articles 9 (4) and 10 (d) of the Supplementary Protocol relating to the ECOWAS Court of Justice;
- b. Articles 1, 2, 3, 4 and 14 of the African Charter of Human and Peoples' Rights;
- c. Articles 2, 6, 22 and 25 (1) of the Universal Declaration of Human Rights; and
- d. Section 18(2) and 22 (1).

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant avers that he is a citizen of Nigeria and was the former Chief Justice of the Republic of the Gambia. The Applicant also avers that the Defendant unlawfully terminated his contract of employment and that based on these averments he had earlier brought the matter against the Defendant before the ECOWAS Court. That the ECOWAS Court of Justice in its judgment on the matter held that the acts of the Defendant relative to the removal from office, trial, and conviction were biased, lacking independence, amounts to non-compliance with due process and in breach of natural justice and hereby constitutes a gross violation of the Applicant's right to fair hearing.
- b. The Applicant further avers that he is entitled to the outstanding salary from the unlawfully terminated employment contract of July, 2013 to June 2015. That the Defendant has refused to pay him salary arrears and gratuity. That he wrote a letter of demand to the President of the Gambia dated 15 April, 2021. That the Defendant has refused to comply with the said judgment and pay the arrears.
- c. The Applicant submits that the denial of his legal entitlement, salary arrears and gratuity by the Defendant is without legal basis and that he has been seriously injured by the conduct of the Defendant. That the ECOWAS Court has already determined that the termination of the employment contract was unlawful and violated his rights.

DONE IN ABUJA, THIS 25th DAY OF OCTOBER 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/61/21

BETWEEN

HIS EXCELLENCY JOHN D. GRAY _____ *APPLICANT*

AND

THE REPUBLIC OF LIBERIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application **BETWEEN HIS EXCELLENCY JOHN D, GRAY (APPLICANT) AND THE REPUBLIC OF LIBERIA (DEFENDANT)** was filed by the Applicant and registered by the Court on the 15th day of October, 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties as follows:

a. Name and address of the Applicant:

HIS EXCELLENCY JOHN D. GRAY
C/o FALANA & FALANA'S CHAMBERS,
22, MEDITERRANEAN STREET,
IMANI ESTATE, MAITAMA,
ABUJA.

b. Name and address of the Defendant:

THE REPUBLIC OF LIBERIA
C/o The Attorney General and Minister of Justice
Ministry of Justice,
Gardiner Avenue and 9th Street,
Sinkor Monrovia, Liberia.

2. SUBJECT-MATTER OF THE PROCEEDINGS

The refusal by the Defendant to pay the pension and retirement benefits of the Applicant as a former Vice President of the Republic of Liberia from August 11, 2003 to date. The action of the Defendant constitutes a violation of the human rights of the Applicant to freedom from discrimination, equal protection of the law, the right to dignity, fair hearing, right to property guaranteed by Articles 2,3,4,7 and 14 of the African Charter on Human and Peoples' Rights.

3. ORDER SOUGHT BY THE APPLICANT

- a. A DECLARATION that the refusal of the Defendant to pay the Applicant his pension and other retirement benefits from October 14, 2003 till date is illegal as it violates the human right of the Applicant to own property guaranteed by Article 14 of the African Charter of Human and Peoples Rights and Article 17 of the Universal Declaration on Human Rights.
- b. AN ORDER MANDATING the Defendant to pay the Applicant his pension and other retirement benefits from October 14, 2003 till date, plus 6% interests per month; and thereafter the payment of his pension benefits for life.

- c. AN ORDER of this Honourable Court directing the Defendant to pay over to the Applicant the sum of \$5,000,000.00 (Five Million Dollars) being general damages for the violation of the Applicant's human rights from October 14, 2003 to date.

4. SUMMARY OF THE PLEAS-IN-LAW

- a. The Applicant avers that retirement benefits is the concept of legitimate expectation and that he served as Vice President of the State of Liberia before his retirement. Having spent time in active service of the Government of the Defendant, the Applicant is legitimately expected that upon leaving office, he will be entitled to some benefits.
- b. The Applicant avers that other former Vice Presidents of the Republic of Liberia are being paid their pension and other retirement benefits. The Defendant has subjected the Applicant to discriminatory treatment by refusing to pay his pension and other retirement benefits in violations of Articles 2, 3, 7, 14 and 19 of the African Charter of Human and Peoples Rights and Articles 2, 8, 10, 17 and 23 of the Universal Declaration on Human and Peoples Rights, Articles 2, 7 of the International Covenant on Economic and Social Cultural Rights, Chapter 3 Articles 11, 18, 20, 22, 24 and 26 of the Liberian Constitution 1986.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant allege that the Defendant failed in its obligation to safeguard the right of the Applicant to own property and ensure the property right of the Applicant which breached the obligation it owes the Applicant to prevent the breach of his human right.
- b. The failure by the Defendant to pay the Applicant entitlements without justification is a violation of a positive obligation the Defendant owes the Applicant. The actions or omissions of Defendant are in violation of the right to property by Article 14 of the African Charter.

DONE IN ABUJA, THIS 26th DAY OF OCTOBER 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/63/21

BETWEEN

- | | | |
|--|---|-------------------|
| <ol style="list-style-type: none"> 1. STELLA KUBAGEE 2. JOSEPH ANNY 3. SAMUEL ANANE 4. SOLOMON NKETIA 5. ABDUL-SAMED ABUBAKARI | } | <i>APPLICANTS</i> |
|--|---|-------------------|

AND

THE REPUBLIC OF GHANA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice, ECOWAS that an Application *BETWEEN STELLA KUBAGEE, JOSEPH ANNY, SAMUEL ANANE, SOLOMON NKETIA and ABDUL-SAMED ABUBAKARI (APPLICANTS) AND THE REPUBLIC OF GHANA (DEFENDANT)* filed by the Applicants and registered by the Court on 3rd of September, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a. Name and address of Applicants:

STELLA KUBAGEE
JOSEPH ANNY
SAMUEL ANANE
SOLOMON NKETIA
ABDUL - SAMED ABUBAKARI
 Asuakwa Community,
 Sunyani Metropolitan District,
 Bono Region of the Republic of Ghana.

b. Name and address of the Defendant:

REPUBLIC OF GHANA

2. SUBJECT-MATTER OF THE PROCEEDINGS

The 2nd - 5th Applicants aver some time in 2018, that there were arbitrarily arrested and tortured in the middle of the night, by Members of the Ghana Armed Forces stationed at the Liberation Barracks in Sunyani, Ghana. They aver that the soldiers accused the 2nd - 5th Applicants (the boys) of stealing a laptop belonging to one, Captain Prempeh. They aver that the soldiers took them to the Liberation Barracks where Captain Prempeh and two other soldiers: Adu Gyamfi a.k.a. Shakur and Ebo Mensah subjected the boys to so much beatings. The 1st Applicant who is the mother to the second Applicant was assaulted and battered by the said soldiers when she tried to prevent them from arbitrarily arresting the 2nd Applicant. The 2nd to 5th Applicants were beaten up with sticks, a pestle, a metal rod, a vehicle fan-belt and a cutlass. The soldiers stripped the 2nd – 5th Applicants naked and poured water on them as they beat them. The said Applicants

were later rescued by members of the Military Police and they were taken to a nearby military hospital where they received treatment for five days. They aver that the parents of the 2nd - 5th Applicants reported the incident to the nearest Police station but the Police failed to intervene, or to investigate the incident. The parents further reported the incident to the Commission on Human Rights and Administrative Justice (CHRAJ). CHRAJ is the national human rights institution of the Republic of Ghana. At the conclusion of its investigations into the incident, CHRAJ recommended that the boys be each paid a sum of Ten Thousand Ghana Cedis (GHC 10, 000). CHRAJ also recommended that the soldiers responsible for the incident be duly prosecuted and punished. Although the Military of the Defendant compensated the 2nd - 5th Applicants with the sum of Ten Thousand Ghana Cedis (GHC 10, 000) each in accordance with the settlement, however, till date, the soldiers responsible for the human rights abuse are yet to be punished and the 1st Applicant was never compensated for the human rights abuse she suffered.

3. ORDERS SOUGHT BY THE APPLICANTS

- a. A DECLARATION that the Republic of Ghana has violated the rights of the Applicants to a remedy and access to justice as provided for in article 1 of the African Charter on Human and Peoples' Rights; Article 2(3)(a) of the ICCPR; Articles 4, 5, 12, 13 and 14 of the CAT; and Articles 1 and 16 (1) of the African Charter on the Rights and Welfare of the Child.
- b. A DECLARATION that the Republic of Ghana has violated the rights of the Applicants to freedom from torture, cruel, inhuman or degrading treatment as provided for in article 5 of the African Charter on Human and Peoples' Rights; Article 7 of the ICCPR; Article 16 of the African Charter on the Rights and Welfare of the Child; Article 19 (1) of the CRC; and article 1 of the CAT.
- c. A DECLARATION that the Republic of Ghana has violated the rights of the Applicants to an adequate compensation and rehabilitation as provided for in article 5 of the African Charter on Human and Peoples' Rights and article 14 of the CAT.
- d. AN ORDER that the Republic of Ghana carries out an effective investigation into the torture and ill-treatment suffered by the Applicants on 24th June 2018 and to prosecute and punish the perpetrators.
- e. AN ORDER that the Republic of Ghana pay to the Applicants financial compensation as follows:
 - i. 1st Applicant - Five Thousand US Dollars Only (USD 5000).
 - ii. 2nd to 5th Applicants - Twenty Thousand US Dollars only (USD 20, 000) for each of them.
- f. AN ORDER for the Republic of Ghana to provide rehabilitation and psycho-social services to all the Applicants.
- g. AN ORDER for the Republic of Ghana to enact legislative provisions that criminalise and prescribe punishment for all acts of torture, cruel, inhuman and degrading treatment.
- h. AN ORDER for the Republic of Ghana to carry out training and sensitization of its military forces and all law enforcement agents on how to prevent torture and all forms of cruel, inhuman and degrading treatment; and to create units in the military and law enforcement agencies that would be responsible for investigating all acts of torture, cruel, inhuman or degrading treatment carried out by military or law enforcement agents.
- i. AN ORDER for the creating of agencies to provide support services such as counselling, rehabilitation and other psycho-social services to all victims of torture.
- j. ANY SUCH FURTHER ORDER(S) as the Court deems fit to make in the circumstances.

4. SUMMARY OF THE PLEAS-IN-LAW

This application is a result of the violations by the Defendant, of the fundamental human rights of the Applicants as guaranteed under:

- a. Articles 1, 5 and 7 of the African Charter on Human and Peoples' Rights;
- b. Articles 1 and 16 of the African Charter on the Rights and Welfare of the Child;
- c. Articles 2(2), 2 (3) and 7 of the International Covenant on Civil and Political Rights (ICCPR);
- d. Articles 2(1), 4, 37 (a) and 39 of the Convention on the Rights of the Child (CRC); and
- e. Articles 1, 2(1), 4, 5, 12, 13, 14 and 16 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

The Applicants aver that it is the duty of the Ghanaian authorities to promptly investigate the torture, inhuman and degrading treatment suffered by the Applicants, and to prosecute the responsible perpetrators. That the Government of Ghana has failed to carry out this duty. They aver that even if the torture and ill-treatment the Applicants suffered were perpetrated by the soldiers outside their normal functions, the Government by its failure to investigate and prosecute the perpetrators would become legally responsible for the violation of the Applicants' rights.

DATED THIS 17th DAY OF DECEMBER 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/64/21

BETWEEN

TRUE WHIG PARTY _____ *APPLICANT*

AND

REPUBLIC OF LIBERIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **TRUE WHIG PARTY (APPLICANT)** AND **REPUBLIC OF LIBERIA (DEFENDANT)** was filed by the Applicant and registered by the Court on 3rd day of November 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

a. TRUE WHIG PARTY

The Plaintiff is a Political Party duly registered under the laws of the Republic of Liberia, a member state of the Economic Community of West African States.
c/o FALANS & FALANA CHAMBERS
22, MEDITERRANEAN STREET,
IMANI ESTATE, MAITAMA,
ABUJA.
08136570994 email: falanahumanright@gmail.com

APPLICANT

b. REPUBLIC OF LIBERIA

The Defendant is a member state of the Economic Community of West African States (ECOWAS) and a signatory to the African Charter on Human and Peoples Rights as well as other international Human Rights instruments and treaties.
c/o The Attorney General and Minister of Justice
Ministry of Justice,
Gardiner Avenue and 9th Street,
Sinkor Monrovia,
Liberia

DEFENDANT

2. SUBJECT-MATTER OF THE PROCEEDINGS

The application pertains to the seizure of the Applicant's Secretariat in violation of its human rights of the members to fair hearing and property guaranteed by the provisions of Articles 1, 2, 3, 7, 14 and 19 of the African Charter on Human and Peoples Rights, discrimination on ground of status, right to an effective remedy by the competent national judicial institutions for acts violating the Applicant's fundamental rights as guaranteed by the provisions of Articles 2, 8 and 23 of the Universal Declaration of Human Rights.

3. ORDERS SOUGHT BY THE APPLICANT

- a. A DECLARATION that the forceful takeover of the Applicant's Head Office known and described as **E. J. Roye Building, Monrovia, Liberia** is illegal as it violates the fundamental right of the Applicant to fair hearing and equality respectively guaranteed by Articles 7, 2, 3, 14 and 19 of the African Charter of Human and Peoples Rights and Articles 8, 10, 2 of the Universal Declaration on Human Rights.
- b. A DECLARATION that the failure of the Defendant to investigate and prosecute the armed agents who invaded and forceful took over the Applicant's Head Office known and described as **E. J. Roye Building, Monrovia, Liberia** of the Applicant and carted their properties away is a dereliction of the legal obligation of the Defendant under Article 1 of the African Charter of Human and Peoples Rights and Article 1 of the Universal Declaration on Human and Peoples Rights.
- c. AN ORDER of this Honourable Court directing the Defendant to pay over to the Applicant the sum of **\$10, 000, 000. 00 (Ten Million Dollars)** only as aggravated and general damages for the egregious violation of the Applicant's right by the armed agents of the Defendant in Monrovia, Liberia.
- d. AN ORDER of this Honourable Court directing the Defendant, their agents, organs, privies, servants or by whatsoever name called to hand back to it, its Head Office known and described as **E. J. Roye Building, Monrovia, Liberia**.

4. SUMMARY OF THE PLEAS-IN-LAW

The Applicant respectfully pleads and relies on the violations of:

- a. Articles 1, 2, 7, 14 and 19 of the African Charter of Human and Peoples Rights;
- b. Articles 17, 2, 8, 23 and 10 of the Universal Declaration on Human and Peoples Rights;
- c. Articles 2, 7 of the International Covenant on Economic and Social Cultural Rights;
- d. Section 2 of the Act to amend People Redemption Council (PRC) Decree No. 86 "in order to return all properties confiscated by the PRC" Chapter 3, Articles 11, 20, 22, 24 and 26 of the Liberian constitution 1986.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The forceful seizure of Applicant's landed property without justification and adequate compensation determined by an impartial court of competent jurisdiction is a violation of a positive obligation the Defendant state owes the Applicant; the actions or omissions of the Defendant State are in violation of the right to property and fair hearing.
- b. That the Defendant state failed in its obligation to protect the right of the Applicant to own property, worse still, the state in so doing ensured that the property right of the Applicant legally acquired being used as it Head office was unlawfully taken away from them. By so doing, the Defendant state breached its obligation it owes them Applicant in two-fold- the obligation to prevent the breach, the obligation to stand up in their defense and protect against the breach.
- c. That the obligation to respect the right to property requires that States refrain from arbitrarily interfering with the enjoyment of the right. Expropriation without legal basis or not in the public interest as in the instant case is an example of a violation of the obligation to respect the right to property.

- d. The obligation to protect the right to property also requires the State to take all necessary measures including legislative, administrative, and judicial, to prevent encroachment by third parties. The failure to protect individuals against expulsion from or destruction of their property, or the failure to delimitate and demarcate the communal land of indigenous people, could amount to a violation of the right to property.
- e. The Applicant avers that the confiscation of Applicant's land without justification and adequate compensation determined by an impartial court of competent jurisdiction is a violation of a positive obligation the Defendant state owes the Applicant, the actions or omissions of the Defendant State are in violation of the right to property.
- f. The Applicant states that it is the duty of the Defendant State to investigate and remedy violations under the general obligations incumbent on them pursuant to the African Charter.

DONE IN ABUJA, THIS 15th DAY OF NOVEMBER 2021.

SIGNED: 

Mr. Tony Anene-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/65/21

BETWEEN

MELVILLE ROBERTS _____ *APPLICANT*

AND

REPUBLIC OF THE GAMBIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice, ECOWAS that an Application *BETWEEN MELVILLE ROBERTS (APPLICANT) AND REPUBLIC OF THE GAMBIA (DEFENDANT)* was filed by the Applicant and registered by the Court on the 5th day of November, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES:

a. Name and address of Applicant:

The Applicant is **MR. MELVILLE ROBERTS** is a legal practitioner and a community citizen from the Republic of the Gambia. } *APPLICANT*

b. Name and address of Defendant:

The Defendant is the **REPUBLIC OF THE GAMBIA** a member state of the Economic Community of West African States (ECOWAS). } *DEFENDANT*

2. SUBJECT-MATTER OF THE PROCEEDINGS

Violation of the Applicant's Right to access to Court, fair hearing/trial, privacy, respect for his life and integrity of his person and right to work under equitable and satisfactory conditions as guaranteed by the African Charter on Human and Peoples Rights and the Universal Declaration of Human and Peoples Rights.

3. ORDERS SOUGHT BY THE APPLICANT

- a.. A DECLARATION that the continuous deprivation of the Applicant to access the Court to afford him opportunity for a fair trial on the allegation of rape leveled against him by the Defendant is a violation of the Applicant's fundamental right to fair hearing and trial as guaranteed by the relevant provisions of the African charter on human and peoples right, the constitution of the Gambia and the universal declaration on human and peoples right.
- b. A DECLARATION that the decision of the Defendant to go ahead with the prosecution of the Applicant despite a police report clearing him of all offences is discriminatory and an interference with the privacy of the Applicant.
- c. A DECLARATION that the suspension of the Defendant for over two years without trial is a violation of the Applicant's right to work and also a violation to his right to presumption of innocence.

- d. AN ORDER directing the Defendant to reinstate the Applicant at his work and take cognizance of his promotion, salaries and emoluments.
- e. AN ORDER directing the Defendant to publish the report of the investigation carried out by the Republic of the Gambia and also to publish an apology to the Defendant for all the embarrassment caused him.
- f. AN ORDER restraining the Defendant from further interfering with the rights and entitlement without lawful cause.
- g. AN ORDER directing the Defendant to return to the Applicant his jewelries in their possession.
- h. AN ORDER directing the Defendant to pay the Applicant the sum of **\$500,000.00 (Five hundred Thousand dollars)**. For the damages caused him and the infringement of his rights and entitlement.
- i. AND FOR SUCH FURTHER OR OTHER ORDERS as this Honorable Court may deem fit to make in the circumstances.

4. SUMMARY OF THE PLEAS-IN-LAW

- a. Articles 1, 2, 3, 4, 7, and 15 of the African Charter on Human and Peoples Rights 1988.
- b. Articles 1, 2, 3, 5, 7, 10, 11, 12 and 23 of the Universal Declaration of Human and Peoples Rights.
- c. Article 33 of the Rules of the Community Court of Justice.
- d. Articles 17, 21, 23(1), 24 and 33 (1) of the Constitution of the republic of the Gambia.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. That the continued refusal of the Defendant to offer the Applicant fair trial in respect of the allegations against him is a violation of the Applicant's Fundamental right to fair hearing as guaranteed expressly by Section 24 (3) (a) of the Constitution of the Republic of the Gambia.
- b. That the Defendant nation and its authorities have subjected the Defendant to public ridicule and suspension from work without proffering any charge against the Defendant save a press release from the Defendant Minister of Justice informing the public of the decision to charge the Applicant herein.

DATED THIS 22nd DAY OF NOVEMBER 2021.

SIGNED: 
Mr. Tony Anene-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/66/21

BETWEEN

MR KONE MAMOUROU _____ *APPLICANT*

AND

REPUBLIC OF COTE D'IVOIRE _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application **BETWEEN MR. KONE MAMOUROU (APPLICANT) AND REPUBLIC OF COTE D'IVOIRE (DEFENDANT)** was filed by the Applicant and registered by the Court on the 16th day of November 2022.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

a. Name and address of Applicant:

Mr KONE MAMOUROU:

Professor in Medicine, Ivorian national, born on 2 February 1956 in Grand-Bassam, with an address in Abidjan Riviera-Palmeraie, 06 BP 1907 Abidjan 06; Counsel: Société Civile Professionnelle d'Avocats (SCPA) KAKOU-DOUMBIA-NIANG & Associés, Avocats à la Cour, with an address in Abidjan, Cocody les II Plateaux, Carrefour Duncan, Route du Zoo, Cité Laurier v, Duplex I, 16 BP 153, Abidjan 16, Tél: 00225 07 87 78 51 60, e-mail scpakakoudoumbianiang@gmail.com;

b. Name and address of Defendant:

REPUBLIC OF COTE D'IVOIRE:

represented by the Minister of Economy and Finance, Minister Adama COULIBALY, through the Judicial Agent of the State and Public Accounting, Mrs. KADIATOU LY SANGARE, Magistrate, with an address at his office located in Abidjan, Plateau, Boulevard Carde, Immeuble SOGEFIHA, BPV 98 Abidjan Telephone: +225 27 20 30 90 20, +225 27 20 21 35 77, in the Plateau in Abidjan.

2. SUBJECT-MATTER OF THE PROCEEDINGS

- a. DECLARE itself competent to hear complaints of violation of the rights invoked by the Applicant;
- b. DECLARE the present application admissible;

- c. FIND the violation by the Republic of Côte d'Ivoire of the human rights invoked by the Applicant, in particular the violations of his right to a fair and public hearing, the violation of his rights to an impartial judicial body, and the violation of his right to equality of arms with respect for legal certainty and legitimate expectations.
- d. ORDER the Defendant State, for the violation of the said rights, to pay the Applicant the total sum of Three billion eighty-three million, Six hundred thousand (3,083,600,000) FCFA for all causes of damage combined;
- e. ORDER the Defendant State to bear the costs of the proceedings.

3. SUMMARY OF THE PLEAS-IN-LAW

The Applicant alleges violation of the following instruments:

- a. Articles 8 and 10 of the 1948 Universal Declaration of Human Rights of 1948;
- b. Article 14 of the International Covenant on Civil and Political Rights;
- c. Article 3 African Charter on Human and People's Rights:
*"Every individual shall be equal before the law.
 2. Every individual shall be entitled to equal protection of the law."*
- d. Article 1 (a) and (d) of the African Charter on Human and Peoples' Rights;
- e. Under Article 45 of the Charter, the African Commission has produced a number of legal instruments which expressly define the fundamental principles to guide the Judge in the exercise of his office;

These instruments include:

- f. The resolution on the right to a remedy and a fair trial, adopted at its 11th session in March 1992;
- g. The resolution on the Right to a Fair Trial and Legal Aid, adopted on the occasion of its 26th session, held in November 1999;
- h. Guidelines and principles on the right to a fair trial and legal assistance in Africa, which provide the basis for:
 - i. The right to a fair hearing on essential principles, including equality of arms in proceedings, whether administrative, civil, criminal or military.
 - ii. The right to an effective remedy;
- i. Article 9(4) of Supplementary Protocol A/SP.1/01/2005 of 19/01/2005 amending Protocol A/P.1/7/91 stipulates that:
 "The Court has jurisdiction to hear cases of human rights violations in any Member State.

4. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Côte d'Ivoire judicial system, by violating Mr. KONE Mamourou's right to a fair and public hearing, violating his right to an impartial judicial body, and violating his right to legal certainty, has violated his human rights.

- b. Counsel for Mr. KONE Mamourou, in the event that the proceedings were to be continued without the order rejecting the application for revision on the grounds of manifest inadmissibility, asked the Honourable Court to allow them to present oral observations.
- c. Against all odds, by letter of 20 May 2021 received by the Counsel of Mr. KONE Mamourou, on 21 May 2021, a second report, still dated 22 April 2021, was sent to them for their written observations.
- d. That this new report took into account the statement of defence, duly filed by the Applicant's Counsel in the interests of the latter.
- e. In relation to this second report, Mr. KONE Mamourou filed his written observations at the Registry of the *Conseil d'Etat* on 7 June 2021 under number 1483.
- f. Again, in an extraordinary way, by a letter from the Registry of the *Conseil d'Etat*, received by Mr. KONE Mamourou's Counsel on 28 June 2021, they were sent a third report, still dated 22 April 2021, giving them a new deadline of fifteen (15) days to file their written observations.
- g. That, as of 15 June 2021, the Applicant's Counsel has, once again, filed their written submissions. Various letters that have remained unanswered.
- h. The 4th Chamber of the *Conseil d'Etat* of the Defendant State, although it is no longer involved in these proceedings as a result of its revision decision N^o. 250 of 30 June 2021, the Applicant's Counsel did not fail to send a letter of protest to the President of the said Chamber, with a copy to the President of the *Conseil d'Etat*, pointing out all the violations of the Applicant's rights that had been committed by this Court during the investigation phase of these proceedings.
- i. Consequently, the Applicant requests that the Defendant State be condemned for the violation of the said rights, and to pay the Applicant the total sum of three billion eighty-three million six hundred thousand (3,083,600,000) FCFA for all causes of damage combined.

DATED THIS 29TH DAY OF NOVEMBER 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N°: ECW/CCJ/APP/67/21

BETWEEN

MOHAMED AL BOUSIFI _____ *APPLICANT*

AND

REPUBLIC OF NIGER _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS, that an application **BETWEEN MOHAMED AL BOUSIFI (APPLICANT) AND REPUBLIC OF NIGER (DEFENDANT)** was filed by the Applicant and registered by the Court on the 18th day of November 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

a. MOHAMED AL BOUSIFI

Address: 5 rue Taher ben Ammar Elmanar, Tunis
Tunisia, Applicant's Counsel Maître Akram Jalel,
Tunisian Office

} *APPLICANT*

AND

b. REPUBLIC OF NIGER,

Represented by Director, State Litigations
Department, Government Secretariat General, BP
550 Presidency of the Republic, Niamey, Niger,
contact@justice.gouv.ne.

} *DEFENDANT*

2. SUBJECT-MATTER OF THE PROCEEDINGS

- a. A FINDING that Mohamed Al Bousifi is not party to Written Agreement N0005 of 27 February 2013;
- b. A DECLARATION that Written Agreement N0005 of 27 February 2013 cannot be invoked against Mohamed Al Bousifi;
- c. ADJUDGE and DECLARE that the said written agreement does not amount to a document with capacity to transfer the property rights attached to Land Title TF 17625, in accordance with law;
- d. ANNULMENT of the 35 hectares of land extracted on the basis of Written Agreement of 1 March 2013 based on TF 17625, and of all the resulting deeds made, for violation of the law;
- e. ORDER of restitution fixed asset: adjudge and declare that the land measuring 55 hectares located at Niamey on the Dosso road covered by Land Title TF 17625 remains the acquired property of Mohamed Al Bousifi, and order the Lad Registry Department of Niger to return immediately the entire land covered by Land Title TF 17625, to its owner Mohamed Al Bousifi;

- f. ORDER a compensation of 200 Million CFA Francs to be paid to Mohamed Al Bousifi by the Republic of Niger, for all the harms done against him;
- g. ASK the Republic of Niger to bear the costs.

3. ORDERS SOUGHT BY THE APPLICANT

Same as the reliefs sought under "Subject-Matter of the Dispute".

4. SUMMARY OF THE PLEAS-IN-LAW

In support of the claims made, the Applicant invokes several national texts of Niger governing the matter in issue, the case law of the European Court of Human Rights, Article 9(4) of the 2005 Protocol on the Court, Article 4 (g) of the Revised Treaty, Articles 6 and 7 of the African Charter on Human and Peoples' Rights.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant claims that he bought in 2010 a land covering 55 hectares at Niamey (on the Dosso road) covered by Land Title TF N°. 17625, upon a notarial deed of real estate transfer, made with EAPAD Co. Ltd, legally made with its Director General.
- b. He went to Libya afterwards, but upon a return to Niamey in 2015, he was surprised to realise that his landed property, registered under Land Title TF N°. 17625 RN, had been expropriated from him, broken up into smaller units, and distributed to third parties, including a certain Jalaoui Alkabouss.
- c. He avers that it was the Director-General of the People's Bureau of Libyan Investment in Niger (BIPLN) who gave away 35 hectares of the land to the said Jalaoui Alkabouss and a further hectares to other illegal owners; that all that was done without his knowledge, and in the course of his absence from the Republic of Niger. That he the full and sole owner of the land in dispute, which he acquired in totality and in full ownership, and therefore has the full rights to make use of it or dispose of it as he pleases. That this is the reason why he put up the claims under the subject-matter of the dispute.

DONE IN ABUJA, THIS 30TH DAY OF NOVEMBER 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/68/21

BETWEEN

LAMINE DJIBO & 12 ORS _____ *APPLICANTS*

AND

REPUBLIC OF NIGER _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS, that an application **BETWEEN LAMINE DJIBO & 12 ORS (APPLICANTS) AND REPUBLIC OF NIGER (DEFENDANT)** was filed by the Applicants and registered by the Court on the 18th day of November 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties are as follows:

1. LAMINE DJIBO & 12 ORS

Represented by their agents: Habibe Touré
Boubacar and Abdouramane Seyni, E-mail:
bhtoure@gmail.com, Niamey, Republic Niger.

} *APPLICANTS*

2. REPUBLIC OF NIGER

Represented by the Director, State Litigation
Department, whose address is at Quartier Koira
Kano, Rue KK 138; B.P. 11404, Niamey, Niger.

} *DEFENDANT*

2. SUBJECT-MATTER OF THE PROCEEDINGS

- a. A DECLARATION that the Application is admissible;
- b. FIND that the nomination of the Applicants as members of the CENI pursuant to Act N^o. 2020-939bis/PRN on 24 December 2020 and Supplementary Act N^o. 2021-077/PRN of 28 January 2021 is ill-founded;
- c. FIND that Judgment N^o. 135/P/CENI du 5 February 2021 and Judgment No. 08/CC/ME of 19 February 2021, violate Article 12 (new) of the Electoral Code;
- d. FIND that the refusal to ensure that the Applicants benefit from the provisions of Act 2017-827/PRN/M1/SP/D/ACR/MF of 27 October 2017, Act 2017-827/PRN/MI/SP/D/ACE/MF of 27 October 2017, fixing the basic salary, allowances, and other benefits which members of CENI and the sub-groups of CENI are entitled to in its Articles 5, 6, 7 and 9 is arbitrary;
- e. ADJUDGE AND DECLARE that the Republic of Niger violated the Applicants' rights to equality and non-discrimination;
- f. ADJUDGE AND DECLARE that the Republic of Niger violated the Applicants' right to work;
- g. ADJUDGE AND DECLARE that the Republic of Niger violated the Applicants' right to fair trial;

- h. ADJUDGE AND DECLARE that the Republic of Niger shall pay as compensation to each of the Applicants;
- Duty allowanceTwice the monthly basic salary;
 - Equipment allowance..... 2,000,000 CFA Francs;
 - Basic salary, allowances, and other benefits for the month of November (validation by candidates) to March (end of electoral process);
 - Allowance for separation from duty.....Twice the monthly basic salary.
- i. ORDER the Republic of Niger to pay to each of the Applicants the sums of Twenty-Five Million CFA Francs (CFA F 25,000,000) FCFA as reparation for all the harm done;
- j. ORDER the implementation of the judgment thus made within two (2) months, under penalty of 10% increase on each of the amounts requested, as interest on late execution of decision;
- k. ORDER the Republic of Niger to bear the cost.

3. SUMMARY OF THE PLEAS-IN-LAW

In support of their claims against the Defendant State, the Applicants cite violation of the following legal instruments:

- a. Article 4, Paragraph (g), of the Revised Treaty of ECOWAS;
- b. Articles 1, 2, 3, 7 and 15 of the African Charter on Human and Peoples' Rights;
- c. Article 2(1), 14(1) and 26 of the International Covenant on Civil and Political Rights;
- d. Article 6(1) and 7 of the International Covenant on Social, Economic and Cultural Rights; and
- e. Articles 1, 2, 10 and 23(1)(2) of the Universal Declaration of Human Rights.

4. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicants are all Niger citizens, and they assert that they were members of CENI, the national electoral body; but for in requesting for fair treatment in application of the texts in force, the Chairman of CENI, by a unilateral decision, terminated their mission, in disregard for the principle of parallelism of congruent forms. The Applicants argues that the Republic of Niger violated their fundamental rights in the instant case: their right to equality and non-discrimination, their right to work and their right to a fair trial.
- b. That was why they brought their case before the ECOWAS Court, in order for the Court to find violation of their human rights, and thereby be compensated.
- c. The Applicants ask the Court to grant them the reliefs sought under "Subject-Matter of the Dispute"

DONE IN ABUJA, THIS 28TH DAY OF NOVEMBER 2021.

SIGNED. 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
 Community Court of Justice, ECOWAS
 Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/70/21

BETWEEN

**INCORPORATED TRUSTEES
OF MEDIA RIGHTS AGENDA** _____

APPLICANTS

AND

THE FEDERAL REPUBLIC OF NIGERIA _____

DEFENDANT

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13(6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **INCORPORATED TRUSTEES OF MEDIA RIGHTS AGENDA (APPLICANTS)**, AND **THE FEDERAL REPUBLIC OF NIGERIA (DEFENDANT)**, was filed by the Applicants and registered by the Court on 24th November, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

a. Name and address of the Applicants:

INCORPORATED TRUSTEES OF MEDIA RIGHTS AGENDA

No. 21, Badland Street,
Off Isheri Road, Ikeja
Lagos, Nigeria

b. Name and address of the Defendant:

THE FEDERAL REPUBLIC OF NIGERIA

c/o The Hon. Attorney-General of the Federation
and Minister for Justice,
Attorney General's Chambers,
Federal Ministry of Justice,
Maitama,
Abuja, Nigeria.

2. SUBJECT-MATTER OF THE PROCEEDINGS

- a. The Applicant's complaints border on the violation of the fundamental rights to life and freedom of expression of Nigerian journalists/media practitioners - Dele Giwa, Okezie Amaruben, Bolade Fasisi, Edward Olalekan Ayo-Ojo, Samuel Boyi, Omololu Falobi, Godwin Agbroko and Abayomi Ogundeji – who were murdered at various times in Nigeria in the line of duty and/or under circumstances relating to their discharge of their duties as journalists.
- b. The Applicant's complaints also borders on the failure of the Respondent to protect, carry out effective investigation, prosecute and punish the perpetrators of the murder of journalists.

3. ORDERS SOUGHT BY THE APPLICANTS

- a. A DECLARATION that the killing of the following Nigerian Journalists to wit: (1) **TUNDE OLADEPO**, (2) **OKEZIE AMARUBEN**, (3) **FIDELIS IKWUEBE**, (4) **SAM NIMFA-JAN**, (5) **SAMSON BOYI**,

- (6) BAYO OHU, (7) NATHAN S. DABAK, (8) SUNDAY GYANG BWEDE, (9) ZAKARIYA ISA, (10) ENENCHE AKOGWU and (11) PRECIOUS OWOLABI** is a violation of their fundamental right to life as encapsulated by section 33 of the 1999 Constitution of the Federal Republic of Nigeria (as amended), Article 4 of the African Charter, Article 3 of the Universal Declaration of Human Rights and Article 6 (1) of the International Covenant on Civil and Political Rights.
- b. A DECLARATION that the killing of the following Nigerian Journalists to wit: **(1) TUNDE OLADEPO, (2) OKEZIE AMARUBEN, (3) FIDELIS IKWUEBE, (4) SAM NIMFA-JAN, (5) SAMSON BOYI, (6) BAYO OHU, (7) NATHAN S. DABAK, (8) SUNDAY GYANG BWEDE, (9) ZAKARIYA ISA, (10) ENENCHE AKOGWU and (11) PRECIOUS OWOLABI**, while carrying out their journalistic duty is a violation of their right to freedom of expression and the press as encapsulated by section 39 of the 1999 Constitution of the Federal Republic of Nigeria (as amended), Article 9 of the African Charter, Article 19 of the Universal Declaration of Human Rights and Article 19 (2) of the International Covenant on Civil and Political Rights.
 - c. A DECLARATION that the failure of the Federal Government of Nigeria to adopt effective measures protect and guarantee the safety of **(1) TUNDE OLADEPO, (2) OKEZIE AMARUBEN, (3) FIDELIS IKWUEBE, (4) SAM NIMFA-JAN, (5) SAMSON BOYI, (6) BAYO OHU, (7) NATHAN S. DABAK, (8) SUNDAY GYANG BWEDE, (9) ZAKARIYA ISA, (10) ENENCHE AKOGWU and (11) PRECIOUS OWOLABI** who were journalists in Nigeria, pursuant to Article 66 (2) (c) of the Revised ECOWAS Treaty 1993 and principle 20 of the Declaration of Principles of Freedom of Expression and Access to Information in Africa, amount to a breach of the duty and obligation imposed on the Federal Government of Nigeria by the African Charter on Human and Peoples' Rights and the Revised ECOWAS Treaty.
 - d. A DECLARATION that the failure of the Respondent to take measures to raise awareness and build the capacities of journalists and other media practitioners, policy makers and other stakeholders on laws and standards for ensuring the safety of journalists and other media practitioners in accordance with principle 20 of the Declaration of Principles on Freedom of expression and Access to Information in Africa; amounts to a breach of the duty and obligation imposed on the Federal Government of Nigeria by the Declaration and under the African Charter on Human and Peoples' Rights.
 - e. A DECLARATION that the Respondent has an obligation under sections 33 and 39 of the Constitution of the Federal Republic of Nigeria 1999 (as amended); Articles 4 and 9 of the African Charter on Human and Peoples' Rights, principle 20 of the Declaration of Principles on Freedom of Expression and Access to Information in Africa 2019 adopted by the African Commission, Article 2(3) of International Covenant on Civil and Political Rights and Article 66(2)(c) of the Revised ECOWAS Treaty to carry out an effective impartial investigation, prosecute and punish the perpetrators of attacks on journalists in Nigeria.
 - f. A DECLARATION that the failure of the Respondent to take effective legal and other measures to adequately investigate, prosecute and punish perpetrators of attacks against Nigerian Journalists to wit: **(1) TUNDE OLADEPO, (2) OKEZIE AMARUBEN, (3) FIDELIS IKWUEBE, (4) SAM NIMFA-JAN, (5) SAMSON BOYI, (6) BAYO OHU, (7) NATHAN S. DABAK, (8) SUNDAY GYANG BWEDE, (9) ZAKARIYA ISA, (10) ENENCHE AKOGWU and (11) PRECIOUS OWOLABI** and ensure that victims' families have access to effective remedies, is a breach of the duty and obligation imposed on the Federal Government of Nigeria under Article 66(2) of revised ECOWAS Treaty, Article 2 (3) of the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights.
 - g. AN ORDER directing the Federal Government of Nigeria to take measures to prevent attacks on journalists and other media practitioners.
 - h. AN ORDER directing the Respondent to immediately carry out effective, transparent and impartial investigation into the murders of the said journalists in Nigeria who were killed while carrying

out their journalistic work or under circumstances relating to the discharge of their duties as journalists.

- i. AN ORDER directing the Respondent to identify, prosecute and punish perpetrators of the attacks against the journalists and other media practitioners, and ensure that victims have access to effective remedies.
- j. AN ORDER directing the Federal Government of Nigeria to take measures to raise the awareness and build the capacities of journalists and other media practitioners, policy makers and other stakeholders on laws and standards for ensuring the safety of journalists and other media practitioners.
- k. AN ORDER directing the Federal government to pay the sum of Ten Million Naira (10,000000) as compensation for each of the victim's family as reparation.

4. SUMMARY OF THE PLEAS-IN-LAW

- a. The Applicant avers that by 33(1) of the 1999 Constitution of the Federal Republic of Nigeria (as amended), Article 4 of the African Charter on Human and Peoples' Rights (African Charter) and Article 6(1) of the International Covenant on Civil and Political Rights (ICCPR), everyone, including Journalists and media practitioners in Nigeria, is entitled to the fundamental right to life.
- b. The Applicant also avers Section 39(1) of the 1999 Constitution of the Federal Republic of Nigeria, Article 9 of the African Charter and Article 19(2) of the ICCPR guarantee the right to freedom of expression, media and the press.
- c. The Applicant avers that by the combined provisions of section 33 and 39 of the 1999 Constitution of the Federal Republic of Nigeria (as amended), Articles 4 and 9 of the African Charter, Article 66 (2)(c) of the Revised ECOWAS Treaty and Article 2(3) of the ICCPR, the Respondent has an obligation to effectively investigate the targeted killings of the identified journalists, who were either killed in the line of duty or under circumstances believed to be connected to the discharge of their duties as media practitioners, as well as identify, prosecute and punish the perpetrators.
- d. The Applicant further avers that Principle 20 of The Declaration of Principles of Freedom of Expression and Access to Information in Africa imposes an obligation on the Respondent to, amongst others, guarantee the safety of journalists and other media practitioners, take measures to prevent attacks on journalists

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant avers that the Respondent has failed in its responsibilities and binding obligations by its neglect to adopt measures to protect journalists, effectively investigate the killings of journalists, prosecute and punish perpetrators.
- b. The Applicant avers that the application is brought in furtherance of its mandate to compel the Respondent to take measures to protect journalists, carry out effective impartial investigation into the targeted killings of journalists as well as prosecute and punish perpetrators of the killings.
- c. The Applicant further avers that the identified and media practitioners were all murdered while exercise their right to freedom of expression and the press and/or under circumstances believed to be connected to the exercise of those rights, but that the Respondent have failed to effectively investigate, prosecute and punish perpetrators of the killings of Nigeria journalists.

DATED THIS 7TH DAY OF DECEMBER 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS,
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/71/21

BETWEEN

PATRICK EHOLOR _____ *APPLICANT*

(SUING ON BEHALF OF MEMBERS OF HIS NGO WHO WERE BRUTALIZED AND ONE AND MORE PERSONS KILLED BY THE NIGERIA SECURITY FORCES AT THE LEKKI TOLL GATE).

AND

THE FEDERAL REPUBLIC OF NIGERIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **PATRICK EHOLOR** *(SUING ON BEHALF OF MEMBERS OF HIS NGO WHO WERE BRUTALIZED AND ONE AND MORE PERSONS KILLED BY THE NIGERIA SECURITY FORCES AT THE LEKKI TOLL GATE)* (APPLICANT) AND **THE FEDERAL REPUBLIC OF NIGERIA** (DEFENDANT) was filed by the Applicant and registered by the Court on 3rd December, 2021.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a. **PATRICK EHOLOR**

(SUING ON BEHALF OF MEMBERS OF HIS NGO WHO WERE BRUTALIZED AND ONE AND MORE PERSONS KILLED BY THE NIGERIA SECURITY FORCES AT THE LEKKI TOLL GATE).

Gayata Hotel Premises,
Kubwa,
FCT, Abuja

} *APPLICANT*

AND

b. **THE FEDERAL REPUBLIC OF NIGERIA**

C/o Attorney General of the Federation
Federal Ministry of Justice,
Abuja, Nigeria.

} *DEFENDANT*

2. SUBJECT-MATTER OF THE PROCEEDINGS

- a. The Defendants violation of the Applicant's Rights to freedom of expression and information.
- b. That there is a Lagos State **#EndSars** Report on the Lekki toll gate killings of defenseless Nigerians by Nigeria Security forces, State and Political actors, that this Court should base its findings and Judgment on the said panel report and enter judgment for the Applicant in public interest capacity.

3. ORDERS SOUGHT BY THE APPLICANT

- a. A DECLARATION that the act of Nigeria government in banning/suspension of all protests of all kind in Nigeria during the **#EndSars** protest of Lagos state of on 20th October 2020 and ENDS SARS MEMEORIAL EVENT OF ON 20TH October 2021 and the Nigeria government act/directive

to criminalize/prosecute persons protesting, and arrest of all group members of the Applicant, the Applicant and all other protesters of all kinds in Nigeria in respect of the 20th October 2020 Lekki toll gate protest and same illegal criminalization of same by the Nigeria government is entirely inconsistent and incompatible with international human rights standards and infringe on the rights to the freedom of expression, right to peace full assembly and opinion guaranteed under the African Charter on Human and Peoples' Rights, the Declaration of Principles on Freedom of Expression in Africa 2002, the Universal Declaration of Human Rights 1948, the International Covenant on Civil and Political Rights 1976, the Revised Treaty of the Economic Community of West African States 1993, the 1999 Constitution of the Federal Republic of Nigeria(as amended).

- b. An ORDER directing the Defendant and/or its agents and Lagos State of Nigeria to provide effective remedies and reparation of 1 billion dollars each to parents/wards of every person and persons, the Applicant is representing in representative capacity and all deceased persons killed by the Nigeria Police force and officers of Nigeria Army on 20th October, 2020 in Lagos State Nigeria, including adequate compensation, restitution, satisfaction or guarantees of non-repetition that the Honourable Court may deem fit to grant to human rights defenders, activists bloggers, Journalists and other online and off-line media practitioners that have been harassed, intimidated, unlawfully arrested, detained, and unfairly prosecuted by the Defendant because of lawful protest of **#Endsars** of Lagos State on 20th October, 2020, through criminalization of same by Nigeria government.
- c. An ORDER directing the Defendant and/or its agents and Lagos State of Nigeria to give effect and further mandatory Injunction of this honourable Court mandating the Defendant and its agents to give full effect to all recommendations and resolutions of the Lagos State **#EndSars** report, and adequately compensate each and every person, who were either killed, life's taken, brutalized and maimed as contained in the Lagos State **#EndSars** report on the Lekki toll gate killings as released on 15th November, 2021.
- d. Cost of this suit is the sum of \$1, 000, 000.00 (One million dollars) in contingent fees.
- e. General damages of the sum of \$100, 000,000.00 (One hundred million dollars) being all inconvenience, damages suffered by the Applicant, its group and its NGO members by the clamp down and banning by the Nigeria Federal government of all protests of all kinds, and further criminalizing **#EndSars** protest in Nigeria.
- f. SUCH FURTHER Orders the Honourable Court may deem fit to make in the circumstances of the suit.

3. SUMMARY OF THE PLEAS-IN-LAW

- a. That the Federal Republic of Nigeria is a signatory to the International Covenant on Civil and Political Rights; the African Charter on Human and Peoples' Rights; the Supplementary Act (A/SA.1/6/10) on Freedom of Expression and Right to Information in West Africa.
- b. That the Federal Republic of Nigeria ratified the International Covenant on Civil and Political Rights in October 1993. Nigeria ratified the African Charter on Human and Peoples' Rights and domesticated it through the African Charter on Human and Peoples' Rights (Enforcement and Ratification) Act Cap A9 Laws of the Federation of Nigeria 2004.
- c. The Federal Republic of Nigeria is also a signatory to the Revised Treaty of the Economic Community of West African States dated 24th July, 1993.
- d. That the Defendant failed to guarantee the Applicant's rights to freedom of expression and information as provided by the African Charter on Human and Peoples' Rights.

- e. That the Defendant failed to protect the rights of people to peaceful assembly, to freedom of expression and to association, as well as to participate in the conduct of the public affairs of their country.

4. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The Applicant avers that evidence from the testimonies of all witnesses that appeared before the Lagos **#EndSars** Panel indicated that there were protests that emanated from opposition to alleged police brutality and perceived human rights violations and demand for police reforms.
- b. That the protests began on or about the 8th of October, 2020 and climaxed with the incident of alleged shooting of the protesters by soldiers and police at the Lekki Toll Gate in the evening of 20th October, 2020.
- c. The Applicant avers that from the evidence of Miss Serah Ibrahim, as well as Onileowo Legend, Dabiraoluwa Ayuku and Kamsichukwu Ibe, who participated in the **#EndSars** protests, the Nigeria soldiers killed innocent protesters at Lekki protest ground and Lagos state ends Panel finds that around October 8, 2020 or thereabout, the protest started as a form of campaign against Police brutality and police reforms, with protesters remaining at the protest grounds till about 8.00 - 9:00 pm but as it gained momentum, protesters stayed till 3:00 a.m and then later till the following day, coming in shifts and it thereafter became a continuous process.
- d. That The Panel finds that the protest was about police brutality and police reform, especially the various experiences of youths in the hands of the Special Anti-Robbery Squad, SARS. Protesters had prayer meetings, worship services, Jumaat Services, musical interludes, ambulance services, rescue operations, security services and they had meaningful and peaceful interactions with the Lekki Concession Company, Loatsad Promedia, the Governor of Lagos State and other top officials of the State Government and even the security agencies, prior to October 20th 2020, were all consistent with peaceful and orderly conduct, not generally associated with hoodlums.
- e. The Panel finds that the protest had the objectives of communicating the grievances of the youths to the appropriate authorities, they had Nigerian flags and it was comprised of people from different tribes and religion, old and young.
- f. The testimony by Witnesses of the **#EndSars** protesters indicated that live bullets were fired by Nigerian Army and the empty shell casings of live bullets allegedly recovered from the scene were tendered in evidence by the Witnesses of the protesters at the Lagos State **#EndSars** panel and it was in their report. That the presence of protesters at the Lekki Toll Gate did not threaten the territorial integrity of Nigeria and could not be considered as a civil insurrection to warrant the intervention of the Nigerian Army.
- g. The Applicant avers that the atrocious maiming and killing of unarmed, helpless and unresisting protesters, while sitting on the floor and waving their Nigerian flags, while singing the National Anthem can be equated to a 'massacre'.

DATED THIS 14TH DAY OF DECEMBER 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
Community Court of Justice, ECOWAS,
Abuja - Nigeria.

**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN IN ABUJA NIGERIA.

SUIT N^o: ECW/CCJ/APP/72/21

BETWEEN

- | | | |
|---|---|-------------------|
| <ol style="list-style-type: none"> 1. OBIANUJU CATHERINE UDEH 2. PERPETUAL KAMSI 3. DABIRAOLUWAADEYINKA | } | <i>APPLICANTS</i> |
|---|---|-------------------|

AND

THE FEDERAL REPUBLIC OF NIGERIA _____ *DEFENDANT*

NOTICE OF REGISTRATION OF AN APPLICATION

NOTICE IS HEREBY GIVEN, pursuant to Article 13 (6) of the Rules of the Community Court of Justice, ECOWAS that an Application BETWEEN **(1) OBIANUJU CATHERINE UDEH (2) PERPETUAL KAMSI (3) DABIRAOLUWAADEYINKA (APPLICANTS)** AND **THE FEDERAL REPUBLIC OF NIGERIA (DEFENDANT)** was filed by the Applicants and registered by the Court on 15th day of December, 2021.

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of the parties as follows:

a. Names and addresses of the Applicants:

OBIANUJU CATHERINE UDEH

Elegushi Beach Road Lekki, Lagos State.
Nigeria.

PERPETUAL KAMSI

Ibeju Lekki, Lagos State.
Nigeria.

DABIRAOLUWAADEYINKA

Magodo Phase 2 Area, Lagos State
Nigeria.

b. Name and address of the Defendant:

THE FEDERAL REPUBLIC OF NIGERIA

C/o Honourable Attorney General
of the Federation,
Ministry of Justice,
Abuja.

2. SUBJECT-MATTER OF PROCEEDINGS

- a. The actions and omissions of the Defendant, through its public officials and other State agents, when it ordered its agents to open fire and shoot live bullets at unarmed peaceful ENDSARS protesters on the evening of 20th October to 21st October 2020, thereby severely causing mental and psychological trauma / torture, grievous bodily injury, disability, death, to the Applicants and unarmed citizens amounting to a violation of their rights to life, endangering the lives and personal integrity, dignity and security of life and person of the Applicants, excessive use of lethal force which amounts to torture and other cruel, inhuman or degrading treatment.

- b. The Defendant State's violation of its obligation under international law and most especially the African Charter to protect the lives of the Applicants and citizens, protect its citizens from extra-judicial killings and to promote and provide security for its citizen.
- c. The actions and omissions of the Defendant State through its public officials and other State agents in violating the rights of the Applicants to freedom of peaceful assembly and association guaranteed and protected under the African charter.
- d. The Defendants State's persistent tolerance and promotion of a climate of impunity in the Country as a result of its systemic failure to condemn, effectively identify and secure accountability for a series of grave attacks against the Applicants and people of Nigeria and failure to convict perpetrators of human rights violations in the years preceding the 20th and 21st of October 2020 Lekki Tollgate Shooting and till date.

3. ORDER SOUGHT BY THE APPLICANTS

- a. A DECLARATION that the Defendant's attempt to take the Applicants' lives, its failure to protect some of them from calculated murder, failure to protect their security and lives, breach of their rights to inviolability of the lives of their loved ones, breach of their rights to equality and dignity of persons, breach of their rights not to be subjected to torture, inhuman and degrading treatment, breach of their rights to existence, rights to international peace and security, rights to a general satisfactory environment, rights not to compromise the security of the state, rights to freedom of association, assembly and expression is in contravention of Articles 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 13, 20 and 23 of the African Charter of Human and Peoples' Rights and Articles 1, 2, 3, 4, 5, 6, 7, 9, 15, 19, 21 and 22, of the International Covenant on Civil and Political Rights and Articles 1, 2, 3, 5, 6, 7, 8, 12, 18, 19, 20 and 21 of the Universal Declaration of Human Rights.
- b. A DECLARATION that the psychological and mental trauma to which the Applicants have been subjected to since the events of 20th and 21st of October 2020 as a result of the negligence and irresponsibility of the Defendant violates the provisions of Article 4, 5, 28 of the African Charter on Human and Peoples Rights.
- c. A DECLARATION that the Defendants failure to protect the lives and security of the Applicants, by virtue of creating and tolerating a state of systemic impunity in Nigeria and for violent attacks against the ENDSARS protesters and other human rights defenders and critics is in contravention of the Articles 1 and 4 of the African Charter.
- d. A DECLARATION that the Defendant 's failure to effectively investigate the unlawful killing of some of the ENDSARS protesters, the attempted murder of the Applicants and the protected witness and other human rights violations submitted in the arguments before this Court is a violation of their rights to life, liberty, security of persons and lives, violation of rights to equality and dignity of persons, violation of the right of the Applicants to inviolability of the lives of their loved ones, violation of their rights not to be subjected to torture, inhuman and degrading treatment, violation of the right to existence, right to international peace and security, right to a general satisfactory environment, violation of the rights not to compromise the security of the state, rights to freedom of association, assembly and expression.
- e. A DECLARATION that the Defendant violated its obligations under the African Charter, the ICCPR and under international law to promote and protect the security of lives of Applicants, the protected witnesses and other citizens who were at the Lekki toll gate on the night of the brutal assault and shooting, and to protect them against arbitrary force of any kind by virtue of creating and tolerating a state of systemic impunity.
- f. A DECLARATION that the failure of the Defendant to provide adequate and qualitative security which led to the indiscriminate shooting, wounding, and killings of citizens of the Respondent including specified persons in the witness statements annexed is illegal, unlawful as same violates the express provisions of Article 4, 6, 20 and 23 of the African Charter on Human and Peoples Rights and Article 3 of the Universal declaration of Human Rights is a dereliction of

duty of the Defendant to investigate human rights violations and violation of the Applicants rights to redress.

- g. AN ORDER of this Honourable Court compelling the Defendant, its agents, assigns, privies and by whatsoever name called to investigate, arrest, arraign and prosecute before a Court of competent jurisdiction, the perpetrators of the unlawful shooting, wounding and killings of the Applicants, witnesses and ENDSARS protesters.
- h. AN ORDER mandating and compelling the Defendant to take all necessary actions to guarantee measures of non-recurrence of these violations occurring in the future such as but not limited to, strict compliance to Section 83(2) of the Police Act 2020; the regular conduct of human rights training for law enforcement, especially on the use of force; provision of tactical tool for the policing of assemblies.
- i. AN ORDER mandating and compelling the Defendant to issue adequate reparations, such as the provision psychological and psycho-social support to the Applicants.
- j. AN ORDER of this Honourable Court compelling the Respondent to pay over to each of the Applicants and protected witnesses the sum of N50, 000, 000.00 (Fifty Million Naira) only as general damages for the untimely violations of their rights as claimed.
- k. AN ORDER of this Honourable Court compelling the Respondent in this suit to immediately pay the sum of N200, 000, 000.00 (Two Hundred Million Naira) to each of the Applicants as aggravated and punitive damages due to the failure of the Respondent to checkmate the illegal and oppressive act of its agents against the Applicants and others at Lekki Toll gate on the evening of 20th October 2020 and morning of 21st of October 2020.
- l. AN ORDER that the Respondent pay the Applicants costs of this action, in accordance with Article 66 of the Court's Rules of Procedure.

4. SUMMARY OF THE PLEAS-IN-LAW

The Applicants states that the Respondent's actions and omissions in causing and authorizing its agents to open fire at peaceful and unarmed protesters, of which they and the protected witnesses in this case are victims, thereby resulting in severe bodily and grievous injury, disability, death, mental and psychological trauma and torture to its unarmed citizens amounts to a violation of their rights to life, arbitrary deprivations of life, endangering the lives and personal integrity, dignity and security of life and person of the Applicants, excessive use of lethal force which amounts to torture and other cruel, inhuman or degrading treatment and a violation of their rights to freedom of association, assembly and expression.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENT

The Applicant states that the right to life is universally recognised as a foundational human right. It is guaranteed by Article 4 of the African Charter and all of the other main global and regional human rights instruments. The right not to be arbitrarily deprived of one's life is recognised as part of customary international law and the general principles of law, and is also recognised as a *jus cogens* norm, universally binding at all times. The right to life is contained in the constitutions and other legal provisions of the vast majority of African and other States. All national legal systems criminalise murder, and arbitrary killings committed or tolerated by the State are a matter of the utmost gravity.

DATED THIS 23rd DAY OF DECEMBER 2021.

SIGNED: 

Mr. Tony ANENE-MAIDOH, (Esq.)
Chief Registrar
 Community Court of Justice, ECOWAS
 Abuja - Nigeria.

