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1. THE REPUBLIC OF TOGO *(DEFENDANT)*

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v.
THE REPUBLIC OF TOGO *(DEFENDANT)*

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AFANGBEDJI Evédo, AMOUZOU Better,
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BOBO Atchou, OULOUGBEGNON Ezi Ménassi,
OLOUGBEGNON Gbénagni, EKPO Yoa,
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SOSSOU Sénadé, AKODA Yao,
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2. ATTORNEY-GENERAL OF THE FEDERATION, NIGERIA *(DEFENDANTS)*
3. THE NIGERIAN POLICE FORCE
4. THE NIGERIAN PRISON SERVICE

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2. ALHAJI SULEIMAN AHMED
3. ALHAJI MUHAMMED ZAILANI
4. MALAM SALE WAZIRI
5. WADA BALARABE
6. YAKUBU YUNUSA
(FOR THEMSELVES AND ALL MUSLIM MEMBERS OF SOUTHERN KADUNA, IN KADUNA STATE OF NIGERIA WHOSE LIVES AND PROPERTIES WERE AFFECTED BY THE ETHNO-RELIGIOUS CLEANSING OF 18TH AND 19TH APRIL 2011) } *(PLAINTIFFS)*

v.
1. THE FEDERAL REPUBLIC OF NIGERIA
2. ATTORNEY GENERAL OF THE FEDERATION AND MINISTER OF JUSTICE } *(DEFENDANTS)*

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1. DEYDA HYDARA, JR.
2. ISMAILA HYDARA
3. THE INTERNATIONAL FEDERATION OF JOURNALISTS-AFRICA } *(PLAINTIFFS)*

v.
THE REPUBLIC OF THE GAMBIA *(DEFENDANT)*

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

HOLDEN AT ABUJA, NIGERIA

SUIT N° ECW/CCJ/APP/14/11

BETWEEN

MRS. BATIONO IDA FLEUR PELAGIE ——— **PLAINTIFF**

v.

BURKINA FASO ——— **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 **MRS. BATIONO IDA FLEUR PELAGIE *(Plaintiff)*** v. **BURKINA FASO *(Defendant)*** was filed by the Plaintiff and registered by the Court on 8th August, 2011**.**

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a) **MRS. BATIONO IDA PELAGIE**
She is the President of an NGO which gives support to the development of the Rural Areas (Appui au Developpement du Monde Rural, ADR), a Burkina Faso national, she resides at Secteur 24, Arrondissement de Nongr – Massom, Commune de Ouagadougou. Burkina Faso
} **PLAINTIFF**

b) **BURKINA FASO**
represented by the Ministry of Justice
BP 526 Ouagadougou.
Burkina Faso
} **DEFENDANT**

2. SUBJECT MATTER OF THE PROCEEDINGS.

- Violation of Plaintiff's fundamental human rights due to her arbitrary detention.
- Request for the end of that violation, with her immediate release.

3. PLAINTIFFS' CLAIMS

a) Having been detained since 30 April 2009, Plaintiff claims she has been incarcerated for fraud, following some purchases she made on behalf of her NGO. Since then, all judicial steps taken to seek her release on bail have come to naught, and yet she has not been tried, for the past two years.

b) She further claims that she is a victim of a flagrant violation of her human right owing to this detention, whose duration has gone far beyond that of a committal order.

c) She pleads the Court to note that BURKINA FASO, an ECOWAS Member State, which ratified the African Charter on Human and Peoples' Rights has violated and continues to violate her rights, by refusing through its Courts to adjudicate on her numerous requests for release on bail.

DONE AT ABUJA THIS 22ND DAY OF AUGUST, 2011



Tony Anene-Maidoh
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/15/11

BETWEEN

DR. ROSE MBATOMON AKO - PLAINTIFF

v.

1. WEST AFRICAN MONETARY AGENCY
2. THE DIRECTOR GENERAL, WEST AFRICAN MONETARY AGENCY
3. THE PRESIDENT, ECOWAS COMMISSION
4. THE CHAIRMAN, COMMITTEE OF GOVERNORS OF ECOWAS MEMBER CENTRAL BANKS
5. ATTORNEY GENERAL OF THE REPUBLIC OF SIERRA LEONE
6. THE REPUBLIC OF SIERRA LEONE

} **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 **DR. ROSE MBATOMON AKO *(Plaintiff)*** v. **1. WEST AFRICAN MONETARY AGENCY 2. THE DIRECTOR GENERAL, WEST AFRICAN MONETARY AGENCY 3. THE PRESIDENT, ECOWAS COMMISSION 4. THE CHAIRMAN, COMMITTEE OF GOVERNORS OF ECOWAS MEMBER CENTRAL BANKS 5. ATTORNEY GENERAL OF THE REPUBLIC OF SIERRA LEONE 6. THE REPUBLIC OF SIERRA LEONE *(Defendants)*** was filed by the Plaintiff and Registered by the Court on the 18th day of July, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

Names and addresses of the parties are as follows:

a. DR. ROSE MBATOMON AKO
Mission Guest House,
ECWA, Wuse II,
34 Blantyre Street, Abuja – FCT,
Nigeria.

b. WEST AFRICAN MONETARY AGENCY
No. 11 – 13 ECOWAS Street,
Freetown, Sierra Leone.

c. THE DIRECTOR GENERAL,
WEST AFRICAN MONETARY AGENCY
No. 11 – 13 ECOWAS Street,
Freetown, Sierra Leone.

d. THE PRESIDENT, ECOWAS COMMISSION
No. 101 Yakubu Gowon Crescent,
Asokoro District,
Abuja – FCT, Nigeria.

e. THE CHAIRMAN,
COMMITTEE OF GOVERNORS OF
ECOWAS MEMBER CENTRAL BANKS
West African Monetary Agency Directorate,
No. 11 – 13 ECOWAS Street,
Freetown, Sierra Leone.

f. ATTORNEY GENERAL OF THE REPUBLIC
OF SIERRA LEONE
Attorney General's Office,
Law Officers Department, Guma Building,
Lamina Sankoh Street,
Freetown – Sierra Leone.

g. THE PRESIDENT,
REPUBLIC OF SIERRA LEONE,
State House, State Avenue,
Freetown – Sierra Leone.

2. SUBJECT MATTER OF PROCEEDINGS

The unlawful termination of the Plaintiff's contract of employment with the West African Monetary Agency (WAMA); unlawful eviction of the Plaintiff from her official residence; the gross violation of the Plaintiff's rights to privacy; unlawful holding over of her properties, making her an internally displaced person and the defamation of her character and honour.

3. ORDERS SOUGHT BY THE PLAINTIFF

a. A declaration that the purported termination of the Plaintiff's contract of employment with the 1st Defendant by the Director General of the 1st Defendant and Statutory Appointee of the 3rd Defendant is illegal and of no effect whatsoever, as such an act is a fundamental breach of contract of employment existing between the Plaintiff and 1st Defendant.

b. A declaration that the conduct of the Defendants in this case amounts to a gross violation of the Plaintiff's right to fair hearing; fair treatment; equal protection of the law; respect for her life and the integrity of her person; respect for her dignity and the recognition of her legal status; liberty and the security of her person; property; work under equitable and satisfactory conditions; enjoyment of mental and physical health; and protection against women discrimination.

c. An order compelling the 1st, 2nd,3rd and 4th Defendants herein to immediately pay over to the Plaintiff, jointly and severally as special damages for the injuries suffered as a result of the actions of the Defendants towards the Plaintiff; including her arrears of salaries and allowances of about $5,240.91 (WAUA 3,248) monthly, loss of use of premises, recovery of personal properties, breach of contract, etc from 1st June, 2009 until date of judgment and estimated as at end of June 2011 to total One Million, One Thirty Six Thousand, Five hundred and Ten United States Dollars, Ten Cents ($1,136,510.10)

d. An order compelling the Defendants to jointly and severally pay over to the Plaintiff the sum of Fifty Million United States Dollars ($50,000,000.00) as general damages for the inhumane and degrading treatment the Plaintiff was subjected to by the Defendants.

e. An order compelling the Defendants herein to jointly and severally pay over to the Plaintiff the sum of Five Million United Dollars ($5,000,000.00) as general damages for the defamation of the Plaintiff's character.

f. An order of mandatory injunction compelling the Defendants, their Agents, Servants, Assigns, Privies, or whomsoever to immediately release the entire Plaintiff's properties and those of International Charity – Jewels of God International Ministry held in trust by the Plaintiff at her official residence.

g. An order of perpetual injunction restraining the Defendants, their agents, servants, assigns, privies, or however so called from further harassing, molesting, intimidating, arresting and/or detaining the Plaintiff.

h. An order of mandatory injunction compelling the Defendants to put up a widely read publication in the internet and a newspaper that enjoys wide readership in the Republic of Sierra Leone and the Federal Republic of Nigeria apologizing to the Plaintiff for violating her human rights.

4. SUMMARY OF PLEAS IN LAW

a. The Plaintiff alleges that her appointment was unlawfully terminated without any notice and without due process via a letter dated 26th February, 2009 from the 2nd Defendant which is contrary to Articles 40 - 44, 47 - 49 of West African Monetary Agency Conditions of Service for Professional Staff and/or Article 69 of the ECOWAS Staff Regulations.

b. The Plaintiff avers that contrary to ECOWAS Staff Regulations that requires staff disputes to be treated speedily, her requests to the 4th Defendant, the Committee of Governors for justice on persistent mal-administration, humiliation and threats of the then Director General were completely ignored for over two (2) years since 2006 without acknowledging receipt thereof. The untreated request for internal justice was cited in paragraph one (1) page two (2) of the termination letter of 26th February 2009.

c. The Plaintiff states that the cited grounds for her termination were a vague and un-established allegation of 'unsatisfactory service" which required a three (3) months notice of termination according to the cited conditions of service, instead, she was traumatized, treated like a common criminal and summarily dismissed from the service of the 1st Defendant.

d. The Plaintiff avers that five (5) months after the unlawful termination of her appointment and without salary in a foreign land, the 2nd Defendant, in June 2009 notified her that selected entitlements mainly her contributory provident fund had been credited to her bank account. That after a few days she was served with a notice to vacate her official residence in bare hours.

e. The Plaintiff states that the 1st and 2nd Defendants on 4th August, 2009, unlawfully locked her out of her official residence with the aid of stout looking thugs while she was waiting for the final payment of her full entitlements.

f. The Plaintiff avers that barely a week after she was locked out of her house, that she was arrested twice based on the false claims filed by the 1st and 2nd Defendant against her at the Criminal Investigation Police Department which stated that she was criminally impersonating a Diplomat in Freetown, Sierra Leone. That the police investigated and found no case against her.

g. The Plaintiff avers that she subsequently obtained series of court judgments and orders, one of such was to have unhindered access to her properties from the High Court of Sierra Leone but they were not successfully executed.

h. The Plaintiff avers that the 2nd, 4th ,5th and 6th Defendants are well aware of the provisions of the signed Headquarters Agreement of the 1st Defendant and that by virtue of Article 33, the 5th and 6th Defendants are liable for not just failing in their responsibilities to uphold the application of Articles 2b and 31 of the said Headquarters agreement but for actively colluding with the 1st, 2nd and 4th Defendants to legitimize their unlawful actions and their gross abuse of the Plaintiff's human rights.

i. The Plaintiff avers that the violations and human rights abuses claimed herein took place in Freetown, the Republic of Sierra Leone with the active connivance of principal officers of the 6th Defendant. The Plaintiff avers that the 6th Defendant employed its officers, agents and assigns on behalf of the 1st and 2nd Defendants to unlawfully arrest and/or detain the Plaintiff and/or her properties thereby manhandling, intimidating, embarrassing and degrading her contrary to the provisions of the Revised Treaty, the African Charter on Human and Peoples' Rights and Article 23 of the Headquarters Agreement between the 6th Defendant and the 1st Defendant. The 6th Defendant also colluded with the other Defendants to frustrate proper administration of justice and failed to ensure respect for the rule of law; thereby fostering the abuse of immunities and privileges of the 1st and 2nd Defendants contrary to Article 31 of the said Headquarters Agreement.

5. SUMMARY OF MAIN SUPPORTING ARGUMENT

a. The Plaintiff contends that the actions of the Defendants constitute gross violations of her fundamental human rights. She contends that the 1st and 2nd Defendants unlawfully terminated her appointment, after which she suffered various violations of human rights by the actions of the Defendants. She further contends that the continuous withholding of her arrears of salaries, allowances and properties have caused her undue hardship.

DATED THIS 1ST DAY OF AUGUST, 2011

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/16/11

BETWEEN

GROUPE RACECO ——— **PLAINTIFF**

V.

THE COMMISSION OF THE ECONOMIC COMMUNITY
OF WEST AFRICAN STATES (ECOWAS) ——— **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 **GROUPE RACECO *(Plaintiff)*** v. **THE COMMISSION OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS) *(Defendant)*** was filed by the Plaintiff and registered by the Court on 21st July, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a) **GROUPE RACECO** -
With Head Quarters in
Dakar (Senegal)
Quartier Fann, BP 16791
} **PLAINTIFF**

b) **THE COMMISSION** -
OF THE ECONOMIC COMMUNITY
OF WEST AFRICAN STATES (ECOWAS)
101, Yakubu Gowon Crescent, Asokoro District
Abuja - Nigeria.
} **DEFENDANT**

2. SUBJECT MATTER OF THE PROCEEDINGS

Default in payment for contract.

3. PLAINTIFF'S CLAIMS

a) Plaintiff claims that it entered into a contract with ECOWAS Commission, for the broadcast and programming of twelve monthly documentaries of thirteen minutes each, on the Activities of the Department of Agriculture, Environment and Water Resources of the Commission.

b) Plaintiff supports its claims with two documents tagged: ***Order for Buying of Broadcast Period***, in which are specified the rights and obligations of each contracting party. These documents were signed, dated and ratified by ECOWAS Commission.

c) Plaintiff further avers that ECOWAS Commission did not carry out its obligations under the contract, which is the payment for the service rendered, a fee which stands at One Hundred and Twenty Million CFA Francs (120,000,000 CFA Frs) (HTVA (HT), whereas Plaintiff has carried out its own obligation.

d) Plaintiff also tenders other documents, among which are copies of correspondence forwarded to ECOWAS Commission, but adds that all its entreaties to the Defendant did not yield the expected results, thus, it was made to be exposed to financial embarrassment.

4. ORDERS SOUGHT BY THE PLAINTIFF

Plaintiff thus pleads that may it please the Court to:

a) note the default in payment by the Defendant, to the tune of one hundred and twenty Million (120,000,000 CFA) HTVA (HT); order Defendant to pay the said sum to Plaintiff

b) order the ECOWAS Commission to pay a further sum of fifty Million (50,000,000 CFA) to Plaintiff as interest to Plaintiff, for all categories of prejudices suffered;

c) declare and adjudge that all the sums claimed, both principal shall be paid together with interest at official rates charged by its banker.

DONE AT ABUJA THIS 4TH DAY OF AUGUST, 2011.

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/17/11

BETWEEN

LAURENT GBAGBO _____ **PLAINTIFF**

v.

1. THE REPUBLIC OF COTE D'IVOIRE
2. ALASSANE OUATTARA _____ **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 **MR. LAURENT GBAGBO *(Plaintiff)*** v. **(1) THE REPUBLIC OF COTE D'IVOIRE *(2)* ALASSANE OUATTARA *(Defendants)*** was filed by the Plaintiff and registered on 25th July 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a) LAURENT GBAGBO
Placed under house arrest at Korhogo, in the north of Côte d'Ivoire, He chooses the Chambers of his Lawyer, Ciré Clédor Ly (Esq.), Lawyer registered with Court in Dakar, Parcelles Assainies, Unités 15, Villa 004/A, Dakar, as address, for the purpose of this case.

} **PLAINTIFF**

b) THE REPUBLIC OF COTE D'IVOIRE
Represented by the State Judicial Agent, in the Public Treasury Office Avenue Terrasson de Fougère – Abidjan – Plateau, Côte d'Ivoire.

c) H. E. ALASSANE OUATARA
In his capacity as Presidential Candidate for the Presidential Elections of Côte d'Ivoire, Hotel du Golfe, Côte d'Ivoire.

} **DEFENDANTS**

2. SUBJECT MATTER OF THE PROCEEDINGS

Non-respect for the rule of Law, and for the fundamental human rights of Plaintiff.

3. PLAINTIFF'S CLAIMS

a. Plaintiff claims that he was declared winner at the Presidential Elections of 28 November 2010, by the Constitutional Council of Côte d'Ivoire, and that he was sacked from power by anti – democratic means, with the use of force and arms. He also avers that, since that date, he was deported and placed under house arrest, in Korhogo, a thousand kilometres away from his usual residence. He further declares that he has been deprived of the most elementary of his human rights, without any justification, and any assurance of access to justice, and the guarantee of any equal protection against the violation of his human and political rights.

b. To further buttress his claims, Plaintiff submits that the State of Côte d'Ivoire has initiated proceedings against him, in total violation of his political rights, owing to his immunity and privileges, as conferred on him, as the Head of State of Côte d'Ivoire. He further adds that H. E. Alassane Ouatara was declared winner of the same Presidential Elections of 28 November 2010, by the Constitutional Council, after he seized power by the use of arms, and as such, he (H. E. Alassane Ouatara) has been effectively directing the affairs of State, since 4 May 2011, the date that he took oath of office.

c. In support of his claims, Plaintiff invokes: i) the African Charter on Human and Peoples' Rights of 1981; ii) the African Charter on Democracy, Elections, and Good Governance, which was adopted by the African Union on 30 January 2007; iii) the Protocol A/SP.1/12/01 on Democracy and Good Governance, which is a Supplementary Protocol to the Protocol on Mechanisms for Conflict Prevention, Management, Resolution Peace - Keeping and Security; iv) the Universal Declaration of Human Rights of 10 December 1948; v) the International Covenant on Civil and Political Rights; vi) the Constitution of the Republic of Côte d'Ivoire, and vii) the Organic Law No. 2001 – 303 of 5 June 2001, relating to the Constitutional Council.

4. ORDERS SOUGHT BY THE PLAINTIFF

Plaintiff thus requests that, may it please the Court to:

a) Order the State of Côte d'Ivoire to conform itself with the provisions of its internal legislation, especially its Constitution, its Electoral Code, its Organic Law No. 2001 – 303 of 5 June 2001, relating to the Constitutional Council, and its law No. 2004 – 642 of 14 December 2004 on the National independent Commission, Constitutional Council Decision No. CI – 2010 – EP – 34/ 03 – 12/CC/SG of 3 December 2010, by which Mr. Laurent GBAGBO was declared winner, pursuant to the Ivorian Law, and International Law in force.

b) Order that an International Ad – Hoc Commission of impartial international Experts, whose competence is recognised from their place of origin, be constituted, and saddled with the responsibility of forwarding to the Honourable Court a comprehensive report, which could enable the Court order for the respect for the Rule of Law in Côte d'Ivoire, through the revelation of the true number of votes.

c) Order his final or provisional release, pending the time the Independent Commission constituted by the Court submits its report.

d) Enjoin the State of Côte d'Ivoire not to initiate any judicial process that could lead to the arrest and prosecution of Mr. Laurent Gbagbo, which shall be in total violation of the immunity attached to his status as Head of State of Côte d'Ivoire, and of the relevant constitutional principles in force.

e) Enjoin H. E. Alassane Ouatara to comply with the Ivoirian Electoral Law, and the constitutional Council Decision No. CI – 2010 – EP – 34/03 – 12/CC/SG of 3 December 2010;

f) Order that the State of Côte d'Ivoire and H. E. Alassane Ouatara bear the costs.

DONE AT ABUJA, THIS 8TH DAY OF AUGUST, 2011.

Tony Anene-Maidoh
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/18/11

BETWEEN

1. SIMONE EHIVET GBAGBO
2. MICHEL GBAGBO } **PLAINTIFFS**

v.

THE 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 **(1) MRS. SIMONE EHIVET GBAGBO (2) MR. MICHEL GBAGBO *(Plaintiffs)*** v. **THE REPUBLIC OF COTE D'IVOIRE *(Defendant)*** was filed by the Plaintiff and registered on 25th July 2011**.**

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a. **HON. MRS. SIMONE EHIVET GBAGBO**
Placed under house arrest at Odiénné,
in the north of Côte d'Ivoire

b. **MR. MICHEL GBAGBO**
Placed under house arrest at Bouna (Côte D'Ivoire)
c/o Ciré Clédor Ly (Esq.),
Lawyer registered with the Court in Dakar,
Parcelles Assainies,
Unités 15, Villa 004/A,
Dakar – Senegal as address, for the purpose of this case.
} **PLAINTIFFS**

c. **THE REPUBLIC OF COTE D'IVOIRE**
Represented by the State Judicial Agent,
in the Public Treasury Office
Avenue Terrasson de Fougère – Abidjan – Plateau,
Côte D'Ivoire.
} **DEFENDANT**

2. SUBJECT MATTER OF PROCEEDINGS

The Plaintiffs allege non respect of the rule of Law, and for the fundamental human rights of Plaintiffs.

3. PLAINTIFFS' CLAIMS

a) Plaintiffs' claim that they were arrested and taken to Hotel du Golfe on 11 April 2011. They add that, in the process of being taken there, they were subjected to inhuman and degrading treatment. They were beaten, were subjected to violence and Barbarity by members of the armed forces. Mrs. Simone Ehivet declared that she was forcefully separated from her husband, and that she was whisked away, and sequestrated in Odiénné. Mr. Michel Gbagbo on his part, claims that he was sequestrated at Bouna.

b) Plaintiffs also claim that their freedom of movement has been curtailed; they have been cut off from their families.

4. ORDERS SOUGHT BY PLAINTIFFS

While supporting their claims with relevant judicial instruments, Plaintiffs plead that, may it please the Court to:

a) Note that the arrest and detention of Hon. Mrs. Simone Ehivet Gbagbo is arbitrary;

b) Order the State of Côte d'Ivoire to respect the immunity and privileges of Hon. Mrs. Simone Ehivet Gbagbo, as a Member of the House of Assembly of Côte d'Ivoire;

c) Order the immediate release of Hon. Mrs. Simone Ehivet Gbagbo and Mr. Michel Gbagbo, as well as all the collaborators, friends of the Plaintiffs, who have been put under house arrest, without any administrative or judicial justification;

d) Enjoin the State of Côte d'Ivoire not to initiate any judicial process that could lead to the arrest of Mrs. Simone Ehivet Gbagbo, which shall be in total violation of the immunity attached to her status as Member of the House of Assembly of Côte d'Ivoire.

e) As to costs, order that the State of Côte d'Ivoire bears the costs.

DONE AT ABUJA THIS 8TH DAY OF AUGUST, 2011.



Tony Anene-Maidoh
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/19/11

BETWEEN

1. GNASSINGBE KPATCHA,
2. ADJINON KOSSI LAMBERT,
3. AGNAM MAZALO,
4. AMAH POKO OLIVIER,
5. ATCHOLI KAO MANZOLOUWÉ,
6. ATTI ABI,
7. BALI AGÉIGUIDOU,
8. BAOUMA MANDABOUWÈ,
9. DONTEMA CASIMIR,
10. GNASSINGBE BAGOUBADI,
11. GNASSINGBE ESSOLIZAN,
12. GNASSINGBE ESSOZIMMA,
13. KAMOUKI MENVEIDOM,
14. KAROUE P. PYABALOU,
15. KEBERA KOSSI,
16. LARE BITIÉ,
17. NAYO EYADÉMA,
18. PADARO PALABAMZEINANI,
19. PAPALI ABALO,
20. SEIDOU OUGBAKITI,
21. SIZING ESSODOZOU,
22. TCHARA ATAMMÉDEC-ATCHOLO,
23. TCHINGUILOU SOUDOU,
24. TOKSALA ASSÉTINA,
25. TOWBELI KOUMA,
26. TCHEOU JAURÈS.

} **PLAINTIFFS**

v.

THE 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 **GNASSINGBE KPATCHA & 25 ORS *(Plaintiffs)*** v. **THE REPUBLIC OF TOGO *(Defendant)*** was filed by the Plaintiff and registered on 8th August 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a) GNASSINGBE KPATCHA AND 25 ORS
Having as Lawyer Mr Ajavon Ata Messan ZEUS,
Attorney at Law Lome, 113, Rue Logossame,
Hanoukpe, Lome-TOGO.

} **PLAINTIFFS**

b) REPUBLIC OF TOGO
At the Seat of Government,
the Palais de la Presidence, 2,
Avenue du General DE GAULLE Lome-Togo

} **DEFENDANT**

2. SUBJECT MATTER OF THE PROCEEDINGS

The arrest of Honourable Kpatcha Gnassingbe despite his parliamentary immunity. The violation of the rights of the Plaintiffs to defence, to visitation, to health and to fair trial within a reasonable time. The Plaintiffs' freedom from acts of torture, confession obtained under coercion, arbitrary detention and the delay in preventive detention.

3. PLAINTIFFS' CLAIM

a) The Plaintiffs' claim is mainly to adjudge and declare; that the arrest of Kpatcha GNASSINGBE, member of National Assembly was to be preceded by the lifting of parliamentary immunity; that the actions of the officer of the National Intelligence Agency (ANR), the EYADEMA Gnassingbe camp of Lome (RIT) and the Gendarmerie camp in Lomé, constitute acts of torture and other cruel, inhuman or degrading treatment, that the denial of visitation rights, the right to defence and the right to health is mental torture, that to compel the Plaintiffs to confess, through torture or other cruel, inhuman or degrading treatment constitute confessions extracted under duress; that the detention of the Plaintiffs at the ANR, for more than two (2) years is not reasonable and in addition the place is far from being a place of detention, but an intelligence agency.

For all their claims above, the Plaintiffs relied on the following:

b) Article 53 paragraph 1, 2 and 3 of the Togolese Constitution of 14 October 1992, Articles 16, 19 and 21 of the Togolese Constitution of 14 October 1992, Article 4, 5, 6 in fine and 7.1d of the African Charter on Human and Peoples Rights of June 27, 1981, Articles 5, 9 and 10/1 of the Universal Declaration of Human Rights of 10 December 1948, Articles 7, 9, 9/3 , 10/1 and 14/ 3 c of the International Covenant on Civil and Political Rights of 16 December 1966, the Convention of 10 December 1948 against Torture and other Cruel, inhuman or degrading treatment, point 1 of the Basic Principles the Treatment of Prisoners of 14 December 1990 and principles 1, 6, 21 and 38 of the set of principles for the Protection of All Persons under any form of detention or imprisonment of 19 December 1988, Article 52 of the Togolese Code of Criminal Procedure of 2 March 1983 and finally paragraphs 22 and 23 of the guidelines on Robben Island on 23 October 2002.

4. ORDERS SOUGHT BY THE PLAINTIFFS

a) To order the Government of Togo to ensure that the legal procedures for arrest and detention is respected and that all the Plaintiffs' statements obtained by torture are excluded as evidence

b) To order the Government of Togo to discontinue all forms of detention and immediately release the Plaintiffs still in detention.

FAILING WHICH

c) Adjudge that the Plaintiffs were kept in custody, in a timeframe that cannot be described as reasonable.

ACCORDINGLY

d) Order: The Government of Togo to allow the Plaintiffs to exercise their right to a fair trial, that the exercise of this right should be effective in the shortest possible time;

e) Find the Togolese Government guilty

DATED ON THE 22ND OF AUGUST 2011



Mr. Tony Anene- Maidoh
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/20/11

BETWEEN

1. DA-SILVEIRA HERMES,
2. KPAKPO KODZO TUNU,
3. TUDZI KOSSI DOVI,
4. AKAKPO KOMI ADJÉTÉ DJIFA,
5. FOLY KODZO ZUWUZÉ,
6. AMETEPE YAOVI MAWULIKPLIMI

} **PLAINTIFFS**

v.

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 **(1) MR. DA-SILVEIRA HERMES, (2) MR. KPAKPO KODZO TUNU (3) TUDZI KOSSI DOVI (4) AKAKPO KOMI ADJETE DJIFA (5) FOLY KODZO ZUWUZE (6) AMETEPE YAOVI MAWULIKPLIMI *(Plaintiffs)*** v. **THE REPUBLIC OF TOGO *(Defendant)*** was filed by the Plaintiffs and registered by the Court on 8th August 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a) DA-SILVEIRA HERMES
b) KPAKPO KODZO TUNU
c) TUDZI KOSSI DOVI
d) AKAKPO KOMI ADJETE DJIFA
e) FOLY KODZO ZUWUZE
f) AMETEPE YAOVI MAWULIKPLIMI
C/o AJAVON Ata Messan Zeus ,
Lawyer registered with the Court of Appeal in Lomé,
Rue Logossame, Hanoukope,
Lome - Togo

} **PLAINTIFFS**

g) REPUBLIC OF TOGO
At the Seat of Government,
State House, 2, Avenue du General De GAULE,
Lome – Togo.

} **DEFENDANT**

2. SUBJECT MATTER OF THE PROCEEDINGS

Violation of their rights to fair hearing, health care delivery, freedom from acts of torture, statements made under duress and non-observance of legal time-limit for preventive detention).

3. PLAINTIFFS' CLAIMS

a) Without mentioning the precise date of their arrest, Plaintiffs claim that they were arrested, and that as such, their human rights were infringed upon by the State of Togo, through acts committed by its security forces. They aver in their Application that the violation of human rights, for which they are victims relate to: acts of torture, statements made under duress, infringement upon their right to health care delivery, the non observance of legal time – limit for preventive detention, and infringement upon their rights to fair hearing.

b) In support of their claims, Plaintiffs invoke Articles 9 (4), and 10 of the Supplementary Protocol, the provisions of the Togolese Constitution, the African Charter on Human and Peoples' Rights, the International Covenant on Civil and Political Rights, the Universal Declaration of Human Rights, and the UN Convention against Torture and other Cruel, Inhuman and Degrading Treatments.

4. ORDERS SOUGHT BY THE PLAINTIFFS

Thus, they plead that may it please the Court to:

a) Order the State of Togo to ensure that all the statements that they were forced to make under duress, should be nullified; that measures should be taken, to protect them from suffering further ill- treatments from the hands of its security forces; that the State of Togo pay to them as reparation such an amount of money that the Court may deem befitting, for the prejudice that they suffered

b) Order their temporary release; ensure that they have a fair hearing within the shortest time possible,

All claims hereby made severally or jointly.

DONE AT ABUJA THIS 22ND DAY OF AUGUST, 2011.



Tony Anene-Maidoh
Chief Registrar
Community Court of Justice, 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/21/11

BETWEEN

1. AZIAGBEDE KOKOU
2. NOUWATI AYAO AGOSSOU
3. ATIMEKPO A. KOMI
4. FOLY LAWOÈ
5. ADIGO V. KOFFI
6. KOWU KOMI
7. MATREVI-KALIPE AKPENE
8. EFANVI FOFO
9. AFIANKE KOSSI TOHOEGNON
10. AMOUZOU EKOUE ATTAH
11. AGBEWONOU KOMLANVI
12. TENGUEY KODJO EDEM
13. AZIAGUE KOKOU
14. AMEDEGNATO ADJIWOANOU MARCELIN
15. AGBODJAN SÉWA
16. AKPALO KOMLAN
17. KITIKPO KOMLA,
18. AKPAGLO KOMLAN
19. WOATCHINOU KOSSI
20. EKOUE ADJOA EDZODZIMAN
21. NOVIGNON KOFFI LUCAS
22. EKOUE AMAVI
23. FANOU PATRICE
24. AZIAMBLE YOA ALEX
25. KOSSIVI KOMI NORBERT
26. SEMANOU ERIC
27. AGBOLI FRANÇOIS
28. KESSOIGNI EFOE
29. ZAMBA AKOUETE
30. VEUVE JACKSON ADZO HOMENYA
31. MIVEGBO KPOSSOU GREGOIRE
32. EKOUE EKOUEVI
33. AGNINEFA KODJO
34. JONDOH COMLAVI DZIGBODI
35. HOUNDJO MAHOUGNON

PLAINTIFFS

v.

THE 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 **TOMEKPE Abra Lanou & 34 Ors *(Plaintiffs)*** v. **THE REPUBLIC OF TOGO *(Defendant)*** was filed by the Plaintiffs and registered by the Court on 8th August, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a) AZIAGBEDE KOKOU & 34 ORS
C/o AJAVON Ata Messan Zeus (Esq.),
Lawyer registered with the Court of Appeal in Lomé,
Rue Logossame, Hanoukope,
Lome – Togo
} **PLAINTIFFS**

b) THE REPUBLIC OF TOGO
At the Seat of Government,
State House, 2, Avenue du General De GAULE,
Lome – Togo.
} **DEFENDANT**

2. SUBJECT MATTER OF THE PROCEEDINGS

Violation of fundamental human rights (their right to life, the right to safety of the human person, acts of torture and the right to fair hearing within a reasonable time – limit)

3. PLAINTIFFS' CLAIMS

a) With the help from Civil Society Organisation in the Fight against Impunity in Togo (Collectif des Associations contre l'Impunite) (CACET), Plaintiffs filed a complaint before the Dean of Trial Judges at the Tribunal of First Instance in Lome, on 13 October 2006, and on 26 October 2011.

b) Plaintiffs claim that the Republic of Togo, through acts committed by its Security Forces, imposed human rights violations on their persons, such as stated in the subject – matter above.

c) In support of their claims, Plaintiffs invoke: 1) Articles 19 and 21 (1), (2) of the Togolese Constitution, the provisions of Articles 4, 5 and 7 (1) of the African Charter on Human and Peoples' Rights, Articles 3 and 5 of the Universal Declaration of Human Rights, Article 7 of the International Covenant on Civil and Political Rights the UN Convention against Torture and other Cruel, Inhuman and Degrading Treatments.

4. ORDERS SOUGHT BY THE PLAINTIFFS

Plaintiffs thus plead that, may it please the Court to:

a) find the Republic of Togo guilty of infringement of their fundamental human rights, notably the right to life, the right to the protection of the life of the human person, and consecutively, to acts of torture, which were perpetrated by its security forces.

b) Order the Republic of Togo to allow Applicants enforce their right to fair hearing, within reasonable time-limit; "to elucidate on the incriminated acts relating to torture, to establish and recognize the responsibility of their perpetrators, as well as that of the State of Togo, towards the victims

and their families", by way of opening promptly, a deep investigation into the matter; to fight impunity, by effectively prosecuting the perpetrators of acts of torture, or of inhuman treatments; that the reparation for the prejudice suffered be quick, while avoiding unnecessary delay in the settlement of the cases, and in the enforcement of the decisions or judgments, and order costs for the reparations to the victims".

DONE AT ABUJA THIS 22ND DAY OF AUGUST, 2011.



Tony Anene-Maidoh
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/22/11

BETWEEN

1. ATSOU KOMLAVI,
2. ABOUGAH KOMLAVI,
3. BOKO KOKOU ENABO,
4. BOUKA KOAMI THÉODORE,
5. KOUDODJI KOAUKOU YINSSE

} **PLAINTIFFS**

v.

THE 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 **(1) MR. ATSOU KOMLAVI (2) ABOUGAH KOMLAVI (3) BOKO KOKOU ENABO (4) BOUKA KOAMI THÉODORE (5) KOUDODJI KOAUKOU YINSSE *(Plaintiffs)*** v. **THE REPUBLIC OF TOGO *(Defendant)*** was filed by the Plaintiffs and registered by the Court on 8th August, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a) ATSOU KOMLAVI
b) ABOUGAH KOMLAVI
c) BOKO KOKOU ENABO
d) BOUKA KOAMI THÉODORE
e) KOUDODJI KOAUKOU YINSSE
c/o AJAVON Ata Messan Zeus (Esq.),
Lawyer registered with the Court of Appeal in Lomé,
Rue Logossame, Hanoukope,
Lome – Togo

} **PLAINTIFFS**

f) REPUBLIC OF TOGO
At the Seat of Government,
State House, 2, Avenue du General De GAULE,
Lome – Togo.

} **DEFENDANT**

2. SUBJECT MATTER OF THE PROCEEDINGS

Violation of the right to safety of the human person, acts of torture and the right to fair hearing within a reasonable time-limit.

3. PLAINTIFFS' CLAIMS

a) Plaintiffs claim that they and members of their families suffered human rights violation, and they lost their properties; that some of the victims are keeping life long scars, resulting from the fact that parts of their bodies were mutilated.

b) In support of their claims, Plaintiffs invoke: 1) Articles 19 and 21 (1), (2) of the Togolese Constitution of 14 October 1992; 2) Articles 5 and 7 (1) the African Charter on Human and Peoples' Rights of 27 June 1981; 3) Articles 7 and 9 (3) and 14c of the International Covenant on Civil and Political Rights of 16 December 1966; 4) Articles 3 and 5 of the Universal Declaration of Human Rights of 10 December 1948; 5) the UN Convention against Torture and other Cruel, Inhuman and Degrading Treatments of 10 December 1984.

4. ORDERS SOUGHT BY THE PLAINTIFFS

Plaintiffs plead that, may it please the Court to:

a) Order the Republic of Togo to allow Plaintiffs enforce their right to fair hearing, within reasonable time-limit; to investigate the incriminated acts relating to torture, to establish and recognize responsibility of their perpetrators, as well as that of the State of Togo, towards the victims and their families, by way of opening promptly, a deep investigation into the matter; to fight impunity, by effectively prosecuting the perpetrators of acts of torture, or of inhuman treatments.

DONE AT ABUJA THIS 22ND DAY OF AUGUST, 2011.

Tony Anene-Maidoh
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/23/11

1. **TOMEKPE ABRA LANOU**
2. **AFANGBEDJI EVÉDO**
3. **AMOUZOU BETTER**
4. **ADJANOUHOUN KOSSI**
5. **EZIN MOLOUGBE**
6. **NUTCHOU AYELE BEATRICE**
7. **KPATI KOFFI, VENUNYE**
8. **BOBO ATCHOU**
9. **OULOUGBEGNON EZI MENASSI**
10. **OLOUGBEGNON GBENAGNI**
11. **EKPO YOA**
12. **AKAKPO AMAH**
13. **BESSOU DOVI**
14. **NAGBE AKODA FERDINAND**
15. **YAOU MESSAN AFADJA**
16. **YAOU ABLA, NEE SOHOU**
17. **DAGAN EZIH**
18. **SOSSOU SENADE**
19. **AKODA YAO**
20. **KOUTCHE TCHALLASSI**
21. **VEUVE KOUGLENOU**
22. **YOVO KODJO**
23. **AKLOBESSI KOKOU MAWUENA**
24. **AKLOBESSI KOFFI**
25. **AKLOBESSI KODJO**
26. **EKPO YAO**
27. **DONI KOFFI**
28. **VEUVE ADENIRAN SIKIRA**
29. **YAWOU KOMI**

} **PLAINTIFFS**

v.

THE 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 **TOMEKPE ABRA LANOU & 28 ORS *(Plaintiffs)* v. THE REPUBLIC OF TOGO *(Defendant)*** was filed by the Plaintiffs and registered by the Court on the 8th day of August 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a) TOMEKPE ABRA LANOU & 28 ORS
C/o AJAVON Ata Messan Zeus (Esq.),
Lawyer registered with the Court of Appeal in Lomé,
Rue Logossame,
Hanoukope,
Lome - Togo

PLAINTIFFS

b) THE REPUBLIC OF TOGO
At the Seat of Government,
State House,
2, Avenue du General De GAULE,
Lome - Togo

DEFENDANT

2. SUBJECT MATTER OF THE PROCEEDINGS

Violation of fundamental human rights (the right to life, the right to safety of the human person, acts of torture and the right to fair hearing within a reasonable time-limit)

3. PLAINTIFFS' CLAIMS

a) Plaintiffs claim that they were arrested arbitrarily and detained, and were subjected to torture, which led to the death of some of them.

b) In support of their claims, Plaintiffs invoke:

1) Articles 19 and 21 (1), (2) of the Togolese Constitution of 14 October 1992;

2) Articles 5 and 7 (1) the African Charter on Human and Peoples' Rights of 27 June 1981;

3) Articles 7 and 9 (3) and 14(c) of the International Covenant on Civil and Political Rights of 16 December 1966;

4) Articles 3 and 5 of the Universal Declaration of Human Rights of 10 December 1948;

5) the UN Convention against Torture and other Cruel, Inhuman and Degrading Treatments of 10 December 1984.

They thus request the Court to note that:

c) the beating, which in some cases led to fainting, the scars from the grave physical assaults inflicted upon them, and the death of some of the victims, constitute flagrant and manifest violations of fundamental human rights, with regards to the right to life, the right to the protection of the life of the human person, and that these are also acts of torture;

d) the manifest wish of the Togolese Justice in refusing to investigate the complaints of Plaintiffs, which were lodged between **13 October 2006 and 26 October 2010** constitutes a violation of the aforementioned legal instruments;

e) the Republic of Togo encourages impunity by refusing to investigate the complaints lodged by Plaintiffs.

4. ORDERS SOUGHT BY THE PLAINTIFFS

Plaintiffs plead that, may it please the Court to:

a) find the Republic of Togo guilty of infringement of their fundamental human rights of Plaintiffs, notably the right to life, the right to the protection of the life of the human person, and consecutively, to acts of torture, which were perpetrated by its security forces.

b) Order the Republic of Togo to allow Plaintiffs enforce their right to fair hearing, within reasonable time-limit; to investigate the incriminated acts relating to torture, to establish and recognize responsibility of their perpetrators, as well as that of the State of Togo, towards the victims and their families, by way of opening promptly, a deep investigation into the matter; to fight impunity, by effectively prosecuting the perpetrators of acts of torture or of inhuman treatments;

c) Order that the reparation for the prejudice suffered be quick, while avoiding unnecessary delay in the settlement of the cases, and in the enforcement of the decisions or judgments and order costs for the reparations to the victims.

DONE AT ABUJA THIS 22ND DAY OF AUGUST, 2011.

Tony Anene-Maidoh)
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/24/11

BETWEEN

1. ASSIMA KOKOU INNOCENT
2. AZANLEKO DOSSEH KPANOU NARCISSE } **PLAINTIFFS**

v.

THE 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 **(1) MR. ASSIMA KOKOU INNONCENT (2) AZANLEKO DOSSEH KPANOU NARCISSE *(Plaintiffs)*** v. **THE REPUBLIC OF TOGO *(Defendant)*** was filed by the Plaintiffs and registered by the Court on 8th August, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a) ASSIMA KOKOU INNOCENT
C/o AJAVON Ata Messan Zeus (Esq.),
Lawyer registered with the Court of Appeal in Lomé,
Rue Logossame, Hanoukope,
Lome-Togo

b) AZANLEKO DOSSEH KPANOU NARCISSE
C/o AJAVON Ata Messan Zeus (Esq.),
Lawyer registered with the Court of Appeal in Lomé,
Rue Logossame, Hanoukope,
Lome-Togo

} **PLAINTIFFS**

c) REPUBLIC OF TOGO
At the Seat of Government,
State House, 2, Avenue du General De GAULE,
Lome-Togo.

} **DEFENDANT**

2. SUBJECT MATTER OF THE PROCEEDINGS

Violation of fundamental human rights (their right to life, the right to safety of the human person, acts of torture and the right to fair hearing within a reasonable time – limit)

3. PLAINTIFFS' CLAIMS

a. Plaintiffs claim that they were arrested arbitrarily and detained since 1st July 2010 and were subjected to acts of torture.

b. In support of their claims, Plaintiffs invoke:

1) Articles 19 and 21 (1), (2) of the Togolese Constitution of 14 October 1992;

2) Articles 52 of the Code of criminal procedure of Togo, of 2nd March 1983;

3) Articles 4, 5 & 6 in line with the African Charter on Human and Peoples' Rights of 27 June 1981;

4) Articles of the Universal Declaration of Human Rights of 10 December 1948;

5) Articles 5, 9 (1) and 10 (1) of the International Covenant on Civil and Political Rights of 16 December 1966;

6) the UN Convention against Torture and other Cruel, Inhuman and Degrading Treatments of 10 December 1984;

7) Section 1 of the Fundamental Principles on the Treatment of Detainees;

8) Principles 1 and 6 of all the Principles relating to the Protection of all Persons who are subjected to any form of detention or Imprisonment whatsoever.

4. ORDERS SOUGHT BY THE PLAINTIFFS

Thus, they plead that, may it please the Court to:

a. Order the State of Togo to investigate the case with a view to bringing the perpetrators of the incriminated acts to book;

b. Order the State of Togo to pay each of the victims, an amount that the Court may deem fit as reparation for the prejudice suffered.

DONE AT ABUJA THIS 22ND DAY OF AUGUST, 2011.



Tony Anene-Maidoh
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/25/11

BETWEEN
UZORDIMA AMAKA _____ **PLAINTIFF**

v.

1. THE FEDERAL GOVERNMENT OF NIGERIA
2. ATTORNEY-GENERAL OF THE FEDERATION, NIGERIA
3. THE NIGERIAN POLICE FORCE
4. THE NIGERIAN PRISON SERVICE
} **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 **UZORDIMA AMAKA *(Plaintiff)*** v. **1. THE FEDERAL GOVERNMENT OF NIGERIA, 2. ATTORNEY-GENERAL OF THE FEDERATION, NIGERIA, 3. THE NIGERIAN POLICE FORCE, 4.THE NIGERIAN PRISONS SERVICE *(Defendants)*** was filed by the Plaintiff and Registered by the Court on the 8th day of August, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

Names and addresses of the parties are as follows:

a. UZORDIMA AMAKA
Currently in detention at the Nigerian Prisons,
c/o Israel A Usman, Esq.
No. 1, 53 Road, 5th Avenue
Gwarinpa, Abuja-Nigeria
} **PLAINTIFF**

b. THE FEDERAL GOVERNMENT OF NIGERIA
c/o Attorney-General's Chamber
Federal Ministry of Justice,
Abuja-Nigeria 2

c. THE ATTORNEY-GENERAL OF THE FEDERATION
Attorney-General's Chamber
Federal Ministry of Justice,
Abuja-Nigeria

d. THE NIGERIAN POLICE FORCE
Legal Department,
Police Force Headquarters
Louis Edet House
Abuja-Nigeria.
} ***DEFENDANTS***

e. THE NIGERIA PRISONS SERVICE
Legal Department
Prisons Service Headquarters
Block G, Federal Secretariat
Area 1, Abuja-Nigeria

} **DEFENDANTS**

2. SUBJECT MATTER OF PROCEEDINGS

a) Violation of the Plaintiff's right to life and dignity, right against arbitrary deprivation of his right, right to liberty, right to have his case heard within reasonable time, right to be presumed innocent.

3. ORDERS SOUGHT BY THE PLAINTIFF

a) Declaration that the Defendants are in violation of the Plaintiff's right to life and dignity, right against arbitrary deprivation of his right, right to liberty, right to have his case heard within reasonable time and right to be presumed innocent.

b) An order of Court directing the immediate and unconditional release of Uzordima Amaka from prisons or police detention forthwith.

c) An order of injunction perpetually restraining the Defendants from further arresting or detaining Uzordima Amaka.

d) Damages in favour of the Plaintiff in the sum of **N100,000,000:00** (One hundred million naira) for unlawful and illegal detention of the Plaintiff.

4. SUMMARY OF PLEAS IN LAW

The Community Court would be called upon to determine the following:

a) Whether or not in the light of the detention without trial for 18 years, the Defendants are not in violation of the African Charter on Human and Peoples Rights as well as the 1999 Constitution of the Federal Republic of Nigeria.

b) Whether or not in the circumstances, the Plaintiff is entitled to damages for the long detention without trial.

c) Whether or not the Plaintiff is entitled to damages and or compensation for loss of earning and future livelihood arising from the shooting and brutality that led to his amputation.

d) The Plaintiff contends that this court has jurisdiction to adjudicate on application concerning the violation of Human Rights that occur in any member state pursuant to Article 9(4) of the Supplementary Protocol to the Treaty of ECOWAS. He further contends that Article 22(2) of the Protocol on Democracy and Good Governance guarantees the protection of human dignity while Articles 35 thereof enjoins Member States and the Executive Secretariat to adapt at national and regional levels, practical modalities for the enforcement of the rule of law, human rights, justice and good governance.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENT

a) The Plaintiff is a 52-year old farmer, married and with 6 children.

b) The Plaintiff avers that he was arrested in April 1993, shot in the leg by policemen while on his bicycle on his way to the farm, for failing to stop.

c) That he was in the hospital for 4 months where he had a leg amputated from the knee.

d) That he was thereafter charged to Magistrate Court, Isiala Mbano in Imo State of Nigeria, for what he later understood to be allegation of armed robbery.

e) That the magistrate held that he had no jurisdiction to try robbery cases, and then adjourned the case sine die after making an order remanding him in prison custody.

f) That he has remained in detention since then without trial.

g) The Plaintiff further states that he is now 53 years old and was arrested when he was a young man of only 35 years, that he has lost his family and human contact, his source of livelihood, his health and dignity.

h) That he is now disabled on account of the amputation following the unwarranted police brutality.

i) That upon release, he will be unable to farm, owing to his disability.

j) The Plaintiff further avers that he is entitled to damages and compensation for the brutality, unlawful detention as well as loss of means of livelihood since he would be unable to pursue farming or any other form of occupation.

DATED THIS 15TH DAY OF AUGUST, 2011

TONY ANENE-MAIDOH
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/26/11

BETWEEN

THE REGISTERED TRUSTEES OF THE SOCIO-ECONOMIC RIGHTS & ACCOUNTABILITY - PROJECT (SERAP) ——— **PLAINTIFF**

v.

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 THE SOCIO-ECONOMIC RIGHTS & ACCOUNTABILITY PROJECT (SERAP)** ***(Plaintiff)*** v. **THE FEDERAL REPUBLIC OF NIGERIA** ***(Defendant)*** was filed by the Applicant and Registered by the Court on the 29th day of August, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

Names and addresses of the parties are as follows:

a. **THE REGISTERED TRUSTEES OF THE SOCIO-ECONOMIC RIGHTS & ACCOUNTABILITY PROJECT (SERAP)**
No. 4 Akintoye Shogunle Street,
Off John Olugbo Street,
Off Toyin Street,
Ikeja, Lagos
Nigeria
} **PLAINTIFF**

b. **THE FEDERAL REPUBLIC OF NIGERIA**
c/o Attorney-General of the Federation
Federal Ministry of Justice,
Abuja-Nigeria 2
} **DEFENDANT**

2. SUBJECT MATTER OF PROCEEDINGS

a) Violation of the human rights to due process of law; to access to justice and judicial independence; to a fair hearing; and to an effective remedy in the suspension of Honourable Justice Ayo Salami, as President Court of Appeal (PCA) by the Defendant.

3. ORDERS SOUGHT BY THE PLAINTIFF

a) A Declaration that the suspension of Honourable Justice Isa Ayo Salami, as President Court of Appeal (PCA) by the Defendant on 18th day of August 2011 without due process is null, void and unconstitutional.

b) A Declaration that the suspension of Honourable Justice Isa Ayo Salami, as President Court of Appeal (PCA) by the Defendant while his case is pending before a court of competent jurisdiction in Nigeria is null, void and unconstitutional.

c) A Declaration that the suspension of Honourable Justice Isa Ayo Salami, as President Court of Appeal (PCA) by the Defendant while his case is pending in court constitutes a denial of access to justice and an effective remedy.

d) An Order mandating the Defendant to reinstate Justice Isa Ayo Salami as President of the Court of Appeal forthwith.

e) An Order of perpetual injunction restraining the Defendant whether by itself and/or its agents from further interfering in the Judicial process and the rule of law in any manner in Nigeria whatsoever and however.

4. SUMMARY OF PLEAS IN LAW

a) The Plaintiff contends that the action of the Defendant in suspending the President of the Court of Appeal on 21st August, 2011 is in violation of section 292 of the Nigerian Constitution (As Amended), Article 7 and 26 of the African Charter on Human and Peoples' Rights, Article 1 of the ECOWAS Protocol on Democracy and Good Governance, and Article 3 of the African Charter on Democracy, Elections and Governance.

b) The Plaintiff further contends that pursuant to the Constitution of Nigeria and in line with the ECOWAS Protocol on Democracy and Good Governance, there is separation of powers between the Executive, Legislature and Judiciary.

c) The Plaintiff contends that Section 238 of the Nigerian Constitution (as amended) provides for judicial independence through the appointment and removal of the Chief Justice of Nigeria, the President Court of Appeal and other heads of courts.

d) The Plaintiff contends that before the said suspension, The President Court of Appeal had filed a suit at the Federal High Court challenging his purported suspension from office and the recommendation for his removal.

e) The Plaintiff also contends that before the suspension of the President Court of Appeal, the President of Nigeria did not give him a fair hearing, contrary to section 36 of the Nigeria Constitution (as amended) and Article 7 of the African Charter on Human and Peoples' Rights.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENT

a) This suit is brought by SERAP on behalf of Justice Ayo Salami, against the Defendant, a member of ECOWAS.

b) SERAP is a human right non-governmental organization registered under Nigerian laws and whose mandate include the promotion of respect for socio-economic rights of Nigerians, through litigation, research and publications, advocacy and monitoring.

c) The Plaintiff avers that on Wednesday August 10, 2011, the National Judicial Council (NJC) publicly released the report of its investigation over the feud between the Chief Justice of Nigeria Honourable Justice Aloysius Katsina-Alu and President of the Court of Appeal Honourable Justice Ayo Salami.

d) That in the National Judicial Council report, the council generally absolved all the parties, including judges of the appeal tribunal of blame regarding allegations of impropriety against them. That in particular, it found that allegations of improper communication between Justice Salami and some politicians involved in election were unfounded.

e) That the National Judicial Council declared the Justice Salami lied on oath, and directed him to apologize when the National Judicial Council knew that it had no powers to try alleged criminal offences.

f) That the National Judicial Council indicted Justice Salami of having engaged in a misconduct, warned him against "such unethical conduct which eroded the public confidence in the integrity and impartiality of the judicial process," and finally asked him to apologize in writing to both the CJN and the NJC within a week from August 10, 2011.

g) The Plaintiff avers that subsequently, Justice Salami filed a suit in court challenging the decision of the National Judicial Council.

h) That while the court case instituted by Justice Salami is still pending, the Defendant acting on the recommendations of the NJC suspended Justice Salami and replaced him with Honourable Justice Dalhatu Aminu as the acting President of the Court of Appeal (PCA).

DATED THIS 5TH DAY OF SEPTEMBER, 2011



TONY ANENE-MAIDOH
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/27/11

BETWEEN

1. THE REGISTERED TRUSTEES OF JAMA'A FOUNDATION
2. ALHAJI SULEIMAN AHMED
3. ALHAJI MUHAMMED ZAILANI
4. MALAM SALE WAZIRI
5. WADA BALARABE
6. YAKUBU YUNUSA

PLAINTIFFS

(FOR THEMSELVES AND ALL MUSLIM MEMBERS OF SOUTHERN KADUNA, IN KADUNA STATE OF NIGERIA WHOSE LIVES AND PROPERTIES WERE AFFECTED BY THE ETHNO-RELIGIOUS CLEANSING OF 18TH AND 19TH APRIL 2011)

v.

1. THE FEDERAL REPUBLIC OF NIGERIA
2. ATTORNEY GENERAL OF THE FEDERATION AND MINISTER 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 **1. THE REGISTERED TRUSTEES OF JAMA'A FOUNDATION 2. ALHAJI SULEIMAN AHMED 3. ALHAJI MUHAMMED ZAILANI 4. MALAM SALE WAZIRI 5. WADA BALARABE 6. YAKUBU YUNUSA *(Plaintiffs)*** v. **1. THE FEDERAL REPUBLIC OF NIGERIA 2. ATTORNEY GENERAL OF THE FEDERATION AND MINISTER OF JUSTICE *(Defendants)*** was filed by the Plaintiff and Registered by the Court on the 1st day of September, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

Names and addresses of the parties are as follows:

a. THE REGISTERED TRUSTEES OF JAMA'A FOUNDATION & 5 ORS
c/o Their Counsel, Abulfatah A. Bello Esq.
Shaka, Bello & Co,
Suite 109, Plot 855 Tafawa Balewa Way
Danyadado House, Area 11, Garki
Abuja – Nigeria.

PLAINTIFFS

b. THE FEDERAL REPUBLIC OF NIGERIA
c/o Attorney General of the Federation and
Minister of Justice
Federal Ministry of Justice
Shehu Shagari Street,
Central Area
Abuja – Nigeria

c. ATTORNEY GENERAL OF THE FEDERATION AND MINISTER OF JUSTICE
Federal Ministry of Justice
Shehu Shagari Street,
Central Area
Abuja – Nigeria.

} **DEFENDANTS**

2. SUBJECT MATTER OF PROCEEDINGS

The sustained violations of the right to life; to sanctity and integrity of the human person; to equal protection of the law, and right to basic enjoyment of economic and social rights of the Plaintiffs' and Muslim members of Southern Kaduna.

3. ORDERS SOUGHT BY THE PLAINTIFFS

a. A declaration that the failure of the Defendants, their servants, agents and privies to provide timely security for the Plaintiffs' lives and properties before, during and after the April 2011 Presidential Election is unlawful.

b. A declaration that the failure by the Defendants, their servants agents and privies to promptly and effectively investigate and bring to justice those suspected to have been responsible for the mayhem that led to the brutal killing of over 800 (Eight Hundred) members of their community and displacement of over 60,000 (Sixty Thousand) others is unlawful.

c. An order directing the Defendants, their servants, agents and privies to respect, protect, promote, fulfill and ensure the right of the Plaintiffs and all the members of their community to life and sanctity of human person; and other internationally recognized human rights.

d. An order directing the Defendants to establish forthwith within the Kafanchan / Zonkwa Area a military base to complement a well and fully equipped police base with sufficient service personnel to forestall further occurrence of similar wanton destruction of lives and properties in the community.

e. An order directing the Defendants and/or their servants, agents or privies to pay adequate monetary compensation for lives lost; persons injured; houses looted, vandalized and burnt; office structures and assets looted and destroyed; motor vehicles and motor cycles burnt; mosques and Islamic schools vandalized; destruction of over 300 market stalls and sources of livelihood and general damages amounting to N105,066,204,016.00 (One Hundred and Five Billion, Sixty Six Million, Two Hundred and Four Thousand, Sixteen Naira).

3. SUMMARY OF PLEAS IN LAW

a. The Plaintiffs allege that from 18th to 19th April 2011, the indigenous youth in Zonkwa town and some other towns in Southern Kaduna State mounted road blocks, looted shops, burnt houses and property while they raped women and killed over 800 Muslim men.

b. The Plaintiffs allege that security officers did not prevent the actions of the indigenous youth during this period and that the failure or refusal of the Defendants to exercise due diligence to protect the Muslims from the post election violence in Southern Kaduna is a violation of their right to life, to sanctity and integrity of human person, to equal protection of the law.

c. The Plaintiffs allege that the killing of the Muslims in Southern Kaduna is a violation of their rights to equality before the law and equal protection of the law as guaranteed by Article 3 of the African Charter on Human and Peoples' Rights.

d. Article 4 of the Charter guarantees that the Muslims in Southern Kaduna shall be entitled to respect for their lives and the integrity of their persons and that no one may be arbitrarily deprived of this right.

e. The Plaintiffs state that the Muslims in Southern Kaduna have a right to national and international peace and security as enshrined in Article 23 of the African Charter of Human and Peoples' Rights.

f. The failure of the Defendants to provide security for the Muslims in Southern Kaduna and their continued refusal to provide same is in contravention of Article 23 of the International Covenant on Civil and Political Rights which recognizes the family to be the natural and fundamental group unit of society and is entitled to protection by the Defendants. Article 17 prohibits arbitrary or unlawful interference with the family.

4. SUMMARY OF MAIN SUPPORTING ARGUMENT

a. The Plaintiffs contend that the failure of the Defendants to fulfill their obligation to take preemptive measures to prevent the violation of the right to life of the Muslims in Southern Nigeria is a violation of Article 4 of the Revised Treaty of ECOWAS.

b. The Plaintiffs also contend that the inaction and continued inaction of the Defendants to the violation of Plaintiffs right to life is a breach of their right to security.

c. The Plaintiffs contend that the 1st Defendant must take action to prevent human rights violations; to investigate, prosecute and punish perpetrators when they occur as was held by the Inter American Court of Human Rights in *Valasquez Rodriquez v. Honduras.* Therefore, the Defendants' failure or omission to take preventive or proactive action is a violation of basic rights on the 1st Defendant's part.

DATED THIS 15TH SEPTEMBER, 2011



Tony Anene-Maidoh
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 No ECW/CCJ/APP/28/11

BETWEEN

EL HADJ MAME ABDOU GAYE - PLAINTIFF

v.

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 EL HADJ MAME ABDOU GAYE *(Plaintiff)*** v. **THE REPUBLIC OF SENEGAL *(Defendant)*** was filed by the Plaintiff and registered by the Court on the 31st day of October, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

a) **El Hadj Mame Abdou GAYE**
a Senegalese national residing at Yoff APECSY, in his sister Aicha FALL's house } **PLAINTIFF**

b) **THE REPUBLIC OF SENEGAL**
Represented by the State Judiciary Agent Dakar – Senegal } **DEFENDANT**

2. SUBJECT MATTER OF THE PROCEEDINGS

Violation of fundamental human rights of Plaintiff through arbitrary detention.

3. PLAINTIFF'S CLAIMS

a) The Plaintiff claims that he has been detained since May 2011 and that he was accused of conspiring with terrorist groups, because between February and March of the same year, he had numerous telephone conversations with Mr. Abu Diaz, a customer for whom he carried out container clearing services. Mr. Abu Diaz was said to have been identified by State Investigations Department as belonging to both the Shebab and Aqmi terrorist groups in Somalia and the northern part of Mali respectively.

b) The Plaintiff avers that the fact that he has communicated with persons purported to be a member of terrorist groups does not justify his detention because such communication was based on a business relationship. Therefore, it should not constitute a ground for identifying him as a terrorist.

4. ORDERS SOUGHT BY THE PLAINTIFF

a) A declaration that the Plaintiff does not have any link whatsoever with acts committed by terrorist groups as stated by the State Prosecutor of the Republic of Senegal. An Order for his immediate release from custody because the allegations against him have not been proved and therefore he is illegally detained.

c) Order for his release while the case is being heard and for cost for the prejudice suffered.

DONE AT ABUJA THIS 14TH DAY OF NOVEMBER, 2011



Tony Anene-Maidoh
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/29/11

BETWEEN

R.S.M. AUDU DAFFI (RTD) _____ PLAINTIFF

v.

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 **R.S.M. AUDU DAFFI (RTD)** ***(Plaintiff)*** v. **THE FEDERAL REPUBLIC OF NIGERIA** ***(Defendant)*** was filed by the Plaintiff and registered by the Court on the 14th day of November, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES:

a. R. S. M. AUDU DAFFI (RTD)
Eliztor Country Motel Wereh
Barakin Ladi Local Government Area
Plateau State – Nigeria.
} **PLAINTIFF**

b. THE FEDERAL REPUBLIC OF NIGERIA
C/o Attorney General & Minister of Justice
Federal Ministry of Justice,
Abuja - Nigeria.
} **DEFENDANT**

2. SUBJECT MATTER OF THE PROCEEDINGS

a. The Defendant's failure to protect the Plaintiff from the violation of his right to life and dignity of person and prevent his personal degradation, torture, cruel and inhuman treatment by the Fulanis in Plateau State of Nigeria.

3. ORDERS SOUGHT BY THE PLAINTIFF

a. A declaration that the stabbings and gunshots to the Plaintiff in the ethnic cleansing by the Fulanis in Plateau State of Nigeria is a gross violation of his right to life.

b. A declaration that the Defendant has a duty to protect the life and property of all citizens including the Plaintiff.

c. An order compelling the Defendant to pay to the Plaintiff the sum of N7,000,000,000.00 (Seven Billion Naira Only) being compensation and special damages for grave bodily injury, emotional trauma and partial disability together with loss of earnings.

d. An order compelling the Defendant to pay the Plaintiff N3,000,000,000.00 (Three Billion Naira) as Exemplary and aggravated damages.

4. SUMMARY OF PLEAS IN LAW

a. The Plaintiff alleges that the Defendant violated his right to life as enshrined under Articles 4, 5 and 6 of the African Charter on Human and Peoples' Rights, when it neglected in its duty to protect the life of the Plaintiff from certain Fulani men who invaded Wereh community.

b. The Plaintiff avers that he was brutally stabbed, injured and shot in the head and neck which caused partial disability to his body and resulted in perpetual trauma, impaired hearing, pain and discomfort.

c. The Plaintiff also alleges that the massacre of innocent villagers around Jos, Plateau State by the said Fulani people for a period of about five years continuing and his brutal injury is as a result of the Defendant's neglect of its duty to protect and safeguard his life as enshrined under Articles 4, 5, 6 & 16 of the African Charter on Human and Peoples' Rights.

d. Article 4(g) of the Revised Treaty of the Economic Community of West African States (ECOWAS) provides for the applicability of the African Charter on Human and Peoples' Rights to Member States.

5. MAIN SUPPORTING ARGUMENT

a. The Plaintiff alleges that the Defendant failed to fulfill its national and international obligations to protect the Plaintiff under National and International Laws due to its tolerance and inaction against the Fulani people who have killed villagers around Jos, Plateau State and eventually his brutal injury and resultant disability.

DONE AT ABUJA THIS 27TH DAY OF NOVEMBER, 2011



Tony Anene-Maidoh
Chief Registrar
Community Court of Justice, ECOWAS
Abuja – Nigeria.

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

HOLDEN AT ABUJA, NIGERIA

SUIT N°: ECW/CCJ/APP/30/11

BETWEEN

1. DEYDA HYDARA, JR.
2. ISMAILA HYDARA
3. THE INTERNATIONAL FEDERATION OF JOURNALISTS-AFRICA

} **PLAINTIFFS**

v.

THE 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 **(1) DEYDA HYDARA, JR. (2) ISMAILA HYDARA (3) THE INTERNATIONAL FEDERATION OF JOURNALISTS-AFRICA *(Plaintiffs)*** v. **THE REPUBLIC OF THE GAMBIA *(Defendant)*** was filed by the Plaintiff and registered by the Court on the 23rd day of November, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES:

Names and addresses of the parties are as follows:

a. DEYDA HYDARA, JR.
31 A Hampstead Lane,
Highgate, London N6 4RT,
United Kingdom.

b. ISMAILA HYDARA
502 Eastview Terrace, Apt 8
Abingdon MD 21009,
United States

c. THE INTERNATIONAL FEDERATION OF JOURNALISTS, AFRICA
Dakar – Senegal.

} **PLAINTIFFS**

d. THE REPUBLIC OF THE GAMBIA
C/o Attorney General & Minister of Justice
Minister of The Gambia
Banjul – The Gambia.

} **DEFENDANT**

2. SUBJECT MATTER OF THE PROCEEDINGS

a. The violation of the Plaintiff's right to life, freedom of expression and press freedom.

b. The continued failure of the Defendant to conduct an effective investigation into the killing of Mr. Deyda Hydara in Banjul since December, 2004.

.

3. ORDERS SOUGHT BY THE PLAINTIFFS

a. A declaration that the Defendant's failure to investigate, and hold accountable those responsible for the 16th December, 2004 assassination of Deyda Hydara, father of the first two Plaintiffs, is in violation of his right to life.

b. A declaration that the Defendant is in contravention of Articles 1 and 4 of the African Charter on Human and Peoples' Rights, by virtue of creating and tolerating a state of systematic impunity in The Gambia for violent attacks against media practitioners and other government critics.

c. A declaration that the Defendant's failure to effectively investigate the unlawful killing of Mr. Hydara is in violation of his rights to freedom of expression and the press.

d. General and special damages for pecuniary and non-pecuniary loss to be paid to the first two Applicants, and other heirs to Mr. Hydara, as compensation for the violation of their father's human rights to life and freedom of expression, to be quantified at the appropriate stage in the proceedings.

e. An order that the Defendant pays the Plaintiffs' cost of this action.

4. SUMMARY OF PLEAS IN LAW

a. The Plaintiffs allege that the failure of the Defendant to effectively investigate the murder of Mr. Deyda Hydara is a violation of the deceased right to life, freedom of expression and freedom of press as guaranteed by Articles 1, 4 and 9 of the African Charter of Human and Peoples' Rights and Article 66 of the Revised Treaty of ECOWAS.

b. The Plaintiffs declare that the right to life includes the duty of the Defendant to provide a remedy by investigating suspicious deaths as guaranteed by Articles 1 and 4 of the African Charter on Human and Peoples' Rights.

c. By virtue of Article 23 of the International Covenant on Civil and Political Rights (ICCPR) and Article 8 of the Universal Declaration on Human Rights (UDHR), the investigation into the death of Late Mr. Hydara has been imposed on the Defendant as a positive obligation. Therefore, the Plaintiffs maintain that the Defendant must provide an effective remedy for the violation of his human rights.

d. By virtue of Article 9 (2) of the African Charter on Human and Peoples' Rights late Mr. Hydara and other journalists have the right to express and disseminate their opinions within the law. In addition, Article 66 of the Revised Treaty of ECOWAS provides that Member States undertake to promote and foster effective dissemination of information within the Community and ensure respect for the rights of journalists.

e. Article 4(g) of the Revised Treaty of the Economic Community of West African States (ECOWAS) provides for the applicability of the African Charter on Human and Peoples' Rights to Member States.

5. MAIN SUPPORTING ARGUMENT

a. That the late Mr. Hydara was the co-founder, publisher, editor of *The Point* newspaper in The Gambia and a distinguished journalist. The Plaintiffs aver that the deceased vowed to challenge the legal restrictions through all constitutional means and that in the weeks preceding his murder, he received death threats and was under surveillance by security agents.

b. The Plaintiffs further aver that despite continued requests for the effective investigation into the murder of Mr. Hydara by various international organizations, the Defendant has failed to do so. The Plaintiffs also avers that there have been various attacks on journalists and other independent figures in the past few years and that independent newspapers have been closed.

c. The Plaintiffs contend that the failure to investigate the murder of Mr. Hydara and the toleration of a culture of impunity have profound effect on freedom of expression, resulting in additional violation of the human rights of Mr. Hydara and all journalists in The Gambia.

DONE AT ABUJA THIS 7TH DAY OF DECEMBER, 2011



Tony Anene-Maidoh
Chief Registrar
Community Court of Justice, ECOWAS
Abuja – Nigeria.