



of the Economic Community of West African States (ECOWAS)

English Edition

2011

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

HOLDEN AT ABUJA, NIGERIA

NOTICE OF REGISTRATION OF APPLICATIONS

SUIT NO: ECW/CCJ/APP/02/11

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BETWEEN

MOUKHTAR IBRAHIM AMINU, (*PLAINTIFF*)
(*FOR HIMSELF AND ALL MEMBERS
OF HIS FAMILY BASED IN NIGERIA*)

v.

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 2. JIGAWA STATE JUDICIARY OF JIGAWA STATE OF NIGERIA
 3. INSPECTOR GENERAL OF POLICE OF FEDERAL
REPUBLIC OF NIGERIA
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SUIT NO: ECW/CCJ/APP/03/11

BETWEEN

THE INCORPORATED TRUSTEES OF MIYETTI ALLAH KAUTAL HORE
SOCIO-CULTURAL ASSOCIATION (*PLAINTIFF*)

v.

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SUIT NO. ECW/CCJ/APP/04/11

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SUIT NO: ECW/CCJ/APP/10/11**BETWEEN**

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| <ol style="list-style-type: none"> 1. MR. HARUNA WARKANI 2. DR. GUEYE ABDOU LAT
(Professional Staff Representatives, ECOWAS Commission) | } | (PLAINTIFFS) | |
|---|---|--------------|--|

v.

- | | | | |
|---|---|--------------|----|
| <ol style="list-style-type: none"> 1. PRESIDENT OF THE ECOWAS COMMISSION 2. ECOWAS COMMISSION | } | (DEFENDANTS) | 25 |
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SUIT NO: ECW/CCJ/APP/11/11**BETWEEN**

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|---|---|--------------|--|
| <ol style="list-style-type: none"> 1. MR. JOSHUA IYAMU 2. MS. OLAYINKA ABAYOMI
(General Staff Representatives, ECOWAS Commission) | } | (PLAINTIFFS) | |
|---|---|--------------|--|

v.

- | | | | |
|---|---|--------------|----|
| <ol style="list-style-type: none"> 1. PRESIDENT OF THE ECOWAS COMMISSION 2. ECOWAS COMMISSION | } | (DEFENDANTS) | 28 |
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SUIT NO: ECW/CCJ/APP/12/11**BETWEEN****SA'ADATU UMAR (PLAINTIFF)**
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**IN THE COMMUNITY COURT OF JUSTICE
OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)**

HOLDEN AT ABUJA, NIGERIA

SUIT NO: ECW/CCJ/APP/02/11

BETWEEN

MOUKHTAR IBRAHIM AMINU, _____ PLAINTIFF
(FOR HIMSELF AND ALL MEMBERS
OF HIS FAMILY BASED IN NIGERIA)

AND

- | | | |
|--|---|-------------------|
| <ol style="list-style-type: none"> 1. GOVERNMENT OF JIGAWA STATE OF NIGERIA 2. JIGAWA STATE JUDICIARY OF JIGAWA STATE OF NIGERIA 3. INSPECTOR GENERAL OF POLICE
OF THE FEDERAL REPUBLIC OF NIGERIA 4. ATTORNEY GENERAL OF THE FEDERATION | } | 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 **MOUKHTAR IBRAHIM AMINU, FOR HIMSELF AND ALL MEMBERS OF HIS FAMILY BASED IN NIGERIA (PLAINTIFF)** AND **(1) GOVERNMENT OF JIGAWA STATE OF NIGERIA, (2) JIGAWA STATE JUDICIARY OF JIGAWA STATE OF NIGERIA, (3) INSPECTOR GENERAL OF POLICE OF FEDERAL REPUBLIC OF NIGERIA, (4) ATTORNEY GENERAL OF THE FEDERATION (DEFENDANTS)** was filed by the Plaintiff and Registered by the Court on the 17th day of February, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

Names and addresses of the parties are as follows:

- | | |
|---|--|
| <p>a. MOUKHTAR IBRAHIM AMINU
c/o Nureini Jimoh Esq
Nureini Jimoh Chambers,
16 C Murtala Mohammed Way, Kano, Kano State of Nigeria.
Off Shehu Shagari Way Maitama District, Abuja</p> | <p>PLAINTIFF</p> |
| <p>b. GOVERNMENT OF JIGAWA STATE OF NIGERIA
Government House,
Jigawa State of Nigeria.</p> | <p>1ST DEFENDANT</p> |
| <p>c. JIGAWA STATE JUDICIARY
The Office of the Chief Registrar,
Jigawa State Judiciary,
Jigawa-Nigeria</p> | <p>2ND DEFENDANT</p> |
| <p>d. INSPECTOR GENERAL OF POLICE
Nigerian Police Force Headquarters,
3 Arm Zone, Abuja FCT-Nigeria</p> | <p>3RD DEFENDANT</p> |

- e. **ATTORNEY GENERAL OF THE FEDERATION** 4TH DEFENDANT
Federal Ministry of Justice
Abuja-Nigeria

2. SUBJECT MATTER OF PROCEEDINGS

Violation of the human rights of Moukhtar Ibrahim Aminu and all members of his family based in the Federal Republic of Nigeria.

1. ORDERS SOUGHT BY THE PLAINTIFF

- i. A Declaration that the action of the Defendants from inception of arrest, trial detention, release and further arrest and banishing of the Plaintiff and his family from Jigawa State of Nigeria, their state of origin is illegal, unlawful, unconstitutional and null and void.
- ii. A Declaration that the Plaintiff and his members are entitled to the protection of their fundamental human rights to life, liberty, dignity, and to hold political opinion etc.
- iii. An Order of injunction restraining the Defendants from further prosecuting, arresting, detaining or in any way affecting the Plaintiff's fundamental human rights.
- iv. An Order for public apology by the 1st Defendant for all the actions committed so far against the Plaintiff and his family members.
- v. An Order of cost and Compensation in the sum of two billion naira only

2. SUMMARY OF PLEAS IN LAW

- a. By section 35(3) of the Nigerian Constitution the Plaintiff is entitled to some constitutional rights.
- b. By virtue of section 35(5) of the 1999 Constitution of the Federal Republic of Nigeria, the Plaintiff has the right to be brought before a court of law within a reasonable time.
- c. By virtue of section 36(6) (a) of the Nigerian Constitution, the Plaintiff has the right to timely notification of charge.
- d. By virtue of the principle of *autrefois acquits* and *autrefois convict*, the Plaintiff has the right not to be tried twice for the same offence.
- e. Section 33 of the Nigerian Constitution guarantees the Plaintiff's right to life.
- f. By virtue of section 34(1) of Nigerian Constitution, the Plaintiff's right to dignity is guaranteed.
- g. Section 40 of the 1999 Constitution provides for the Plaintiff's right to participate in politics
- h. By virtue of section 371 of the Criminal Procedure Code, applicable in the Northern states of Nigeria, the Plaintiff has the right to cost and compensation as well as a Public Apology.

3. SUMMARY OF THE MAIN SUPPORTING ARGUMENT

- a. That the 1st Defendant alleged that the Plaintiff posted a message on *Facebook* said to be an insult to Governor Sule Lamido and calculated towards making Governor Sule Lamido loose election.

- b. That without any attempt towards verification of the author, Governor Sule Lamido effectively forced the Defendants to suppress and subdue, in vain, the Plaintiff's family and the Plaintiff consequently arrested on 21st January, 2011.
- c. That the Defendants jointly or collectively connived and kept the Plaintiff in cell under horrendous and inhuman conditions for eleven days in various cells without being charged at all for any offence.
- d. That the Defendant quietly arraigned the Plaintiff before a Magistrate Court for the offence of insulting Governor Sule Lamido and the court refused the Plaintiff's plea for immediate bail.
- e. That the Plaintiff's father was summoned to appear in Court and he did and the Attorney General stated that he had the directives of the Governor to settle with the Plaintiff's family, and directed the Magistrate to recall the case and immediately entered a *nolle prosequi* and the Magistrate discharged the Plaintiff immediately, on an offer that the Plaintiff and his family will appear before Governor Sule Lamido to declare openly to have moved from his political party, A.C.N to P.D.P.
- f. That the Plaintiff's father refused to go to Governor Sule Lamido but instead took the Plaintiff to the hospital for medical treatment and rehabilitation.
- g. That the Plaintiff was interviewed in the hospital and the matter blew up, the Governor was enraged by the Plaintiff's refusal to apologise and declare his allegiance/support for P.D.P.
- h. That the Governor openly addressed the press and publicly ordered for the arrest of the Plaintiff, his father and all members of his family by Sharia Court and stated openly that the Sharia Court "must" convict and sentence the Plaintiffs and members of his family to several years' imprisonment.
- i. That Plaintiff and his family have been severely battered, harassed, denigrated, degraded, violated and abused with no effective remedies available to them within the laws of Nigeria.

DATED THIS 3RD DAY OF MARCH, 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/03/11

BETWEEN

**THE INCORPORATED TRUSTEES OF
MIYETTI ALLAH KAUTAL HORE
SOCIO-CULTURAL ASSOCIATION** _____ **PLAINTIFF**
(FOR AND ON BEHALF OF THE FULANI
COMMUNITY OF PLATEAU STATE)

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 INCORPORATED TRUSTEES OF MIYETTI ALLAH KAUTAL HORE SOCIO-CULTURAL ASSOCIATION (FOR AND ON BEHALF OF THE FULANI COMMUNITY OF PLATEAU STATE) {PLAINTIFF}** AND **THE FEDERAL REPUBLIC OF NIGERIA {DEFENDANT}** was filed by the Plaintiff and Registered by the Court on the 25th day of February, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

Names and addresses of the parties are as follows:

**a. THE INCORPORATED TRUSTEES OF
MIYETTI ALLAH KAUTAL HORE
SOCIO-CULTURAL ASSOCIATION**

Suite 01, Second Floor
Tuta Plaza, Opposite Central Mosque,
Masaka, Nasarawa State
Nigeria.

} **PLAINTIFFS**

b. THE FEDERAL REPUBLIC OF NIGERIA

c/o The Honourable Attorney-General of the
Federation, Attorney-General's Chambers
Central Business District, Abuja-Nigeria

} **DEFENDANT**

2. SUBJECT MATTER OF PROCEEDINGS

Violation of the Plaintiff's members right to life and property.

1. ORDERS SOUGHT BY THE PLAINTIFF

- i. A Declaration that the Plaintiff's members have a right to life and property as guaranteed by Article 4 of the African Charter on Human and Peoples' Rights.

- ii. A Declaration that by virtue of Article 1 of The African Charter on Human and Peoples' Rights, the Defendant has the duty of protecting the lives and property of all its citizens.
- iii. An Order compelling the Defendant to pay to the Plaintiff the sum of **N481,278,765,770.00(Four hundred and eighty one billion, two hundred and seventy eight million, seven hundred and sixty-five thousand, seven hundred and seventy naira)** as special damages.
- iv. An Order compelling the Defendant to pay the Plaintiff the sum of **N20,000,000,000,00 (Twenty billion naira)** as Damages
- v. An Order compelling the defendant to provide security/ protection to all members of the Plaintiff wherever they may be in Plateau State in discharge of its domestic and international legal obligations.


2. SUMMARY OF PLEAS IN LAW

- a. The unlawful killing of Fulani men, women and children by tribal hordes in Plateau state is a complete violation of Article 4 of the African Charter on Human and Peoples' Right.
- b. The ceaseless stealing and killing of Fulani cattle and other animals by tribal hordes in Plateau State who operate with impunity is a violation of Fulani people's Right to property as enshrined in Article 14 of the African Charter on Human and Peoples' Rights, as a result of the Defendant's abdication of its statutory duties of protecting its own citizens.

3. SUMMARY OF THE MAIN SUPPORTING ARGUMENT

- a. The Plaintiff avers that the Fulani people had a population of over 30, 000 people resident in Plateau state prior to the commencement of the crisis, and that the unending violence and attacks on the Fulani people has depleted to about 12,000 Fulani residents in the State.
- b. The Plaintiff further avers that in the January 17th – 20th crises, 2010, 209 Fulani people were killed and several cows and sheep stolen and killed, while several houses belonging to the Fulani community were burnt or destroyed.
- c. The Plaintiff avers that the loss of lives and property resulting from the crisis was due to the Defendant's gross disregard for the security and lives of the Fulani people as well as their property, which is a gross violation of the duty of protecting and providing security to the lives and property of its citizens.

DATED THIS 3RD DAY OF MARCH, 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/04/11

BETWEEN

ORGANIZATION & FORUM INTER SERVICES (O.F.I.S AFRIQUE) _____ PLAINTIFF

AND

ECOWAS COMMISSION _____ 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 ORGANIZATION & FORUM INTER SERVICE (O.F.I.S AFRIQUE) (APPLICANT) v. ECOWAS COMMISSION (DEFENDANT)** was filed by the Plaintiff and Registered by the Court on 1st day of March, 2011

1. NAMES AND ADDRESSES OF PARTIES

The names and addresses of parties are as follows:

- | | | | |
|-----------|---|---|------------------|
| a. | ORGANIZATION & FORUM INTER SERVICE (O.F.I.S AFRIQUE)
01 BP 6368 Ouagadougou;
Burkina Faso. | } | PLAINTIFF |
| b. | ECOWAS COMMISSION
101, Yakubu Gowon Crescent,
Asokoro,
PMB 401, Abuja-Nigeria | } | DEFENDANT |

2. SUBJECT MATTER OF PROCEEDINGS


Case on damage caused by ECOWAS Commission, for non respect for contract agreement.

3. PLAINTIFF'S CLAIMS

The Plaintiff is a corporate body, a Government Approved Organization which is specialized in the training for target audience in Burkina Faso. It claims that is signed a Training Agreement with the ECOWAS Commission, for the training of the latter's seven Members of Staff, in the area of Management of Parastatals, which was billed for Niamey, in Niger Republic. After delegating a three-man team of experts to the venue, for the training, Plaintiff realized that the ECOWAS Commission failed, not only to send its participants there, it also did not deem it to inform the Training outfit on time, for measures to be taken, despite the latter's repeated telephone calls and electronic correspondences to the Administration Department of the Commission in Abuja.

Having exhausted all diplomatic avenues to settle this incident amicably, but to no avail, Plaintiff now brings a case against the ECOWAS Commission, requesting for the payment of its bill of three million, one hundred and fifty thousand CFA Francs, representing the cost of training for seven Members of Staff of the Commission.

DONE AT ABUJA, THIS 11TH DAY OF MARCH, 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/05/11

BETWEEN

SIKIRU ALADE _____ PLAINTIFF

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 SIKIRU ALADE (PLAINTIFF) v. THE FEDERAL REPUBLIC OF NIGERIA (DEFENDANT)** was filed by the Plaintiff and Registered by the Court on the 21st day of March, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a. SIKIRU ALADE

Kirikiri Maximum Prisons
Apapa
Lagos – Nigeria.

} **PLAINTIFF**

b. THE FEDERAL REPUBLIC OF NIGERIA

c/o Attorney General of the Federation
Ministry of Justice
Abuja – Nigeria

} **DEFENDANT**

2. SUBJECT MATTER OF PROCEEDINGS

- a. The violation of the human right of the Plaintiff to liberty by the Defendant resulting from his arrest and continued detention without prosecution.

3. ORDERS SOUGHT BY THE PLAINTIFF

- a. A declaration that the arrest of the Plaintiff on 9th March, 2003 and his continued detention by the agents of the Defendant, its officers, servants, and privies is a gross violation of the Plaintiff's right to personal liberty.
- b. An order compelling and/or directing the Defendant, its officers, servants, agents and privies to release the Plaintiff immediately.
- c. General damages in the sum of N20,000,000 (twenty million naira) against the Defendant for the unlawful detention of the Plaintiff.

4. SUMMARY OF PLEAS IN LAW

- a. The Plaintiff was arrested on his way to work on 9th March, 2003 in Lagos and detained at Ketu Police Station until 15th May, 2003 when he was arraigned before the Magistrate Court Yaba on a charge of armed robbery. He has since then been in detention at the Kirikiri Maximum Prisons, Apapa Lagos under a holding charge issued by the Magistrate Court.
- b. The Magistrate Court does not have jurisdiction over the alleged offence for which he has been detained and therefore does not have judicial powers to order his release after issuing the holding charge for his detention
- c. The holding charge practice of the Magistrate Court constitutes a violation of the Plaintiff's right to have his cause heard by a competent judicial officer as guaranteed by Article (1) (a) of the African Charter on Human and Peoples' Rights and Article 6 of the African Charter on Human and Peoples' Rights which guarantees the prohibition of arbitrary arrest and detention.
- b. The criminal justice authorities remanded the Plaintiff in custody and did not take necessary measures to establish a maximum period of pre-trial detention of the Plaintiff which is a violation of the right to liberty and security of person and the right to be tried within reasonable time as guaranteed by Article 7 (1) (d) of the African Charter on Human and Peoples' Rights.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The detention of the Plaintiff by the criminal justice authorities of the Defendant without the provision of adequate reasons for the detention after the evaluation of the evidence is a violation of the rights to liberty of his person and freedom from arbitrary arrest.
- b. Article 4(g) 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 ECOWAS.

DATED THIS 30TH DAY OF MARCH, 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 NO: ECW/CCJ/APP/06/11

BETWEEN

1. SHAGBAOR JOSEPH YONGO
2. EPHRAIM A. UKPIE
3. SAMUEL I. UKPIE
4. IORKYAAGA TIHI
5. AONDOAVER AOR

(FOR THEMSELVES AND MEMBERS OF THE MBAYENGE COMMUNITY DISTRICT OF BENUE STATE WHOSE LIVES AND PROPERTIES WERE AFFECTED BY THE BEBI INVASION)

} **PLAINTIFFS**

AND

1. THE GOVERNMENT OF BENUE STATE OF NIGERIA
2. THE GOVERNOR OF BENUE STATE OF NIGERIA
3. THE FEDERAL REPUBLIC OF NIGERIA
4. THE GOVERNMENT OF CROSS RIVER STATE OF NIGERIA
5. THE GOVERNOR OF CROSS RIVER STATE OF NIGERIA
6. THE INSPECTOR-GENERAL OF POLICE OF THE FEDERAL GOVERNMENT OF NIGERIA
7. THE COMMISSIONER OF POLICE, BENUE STATE POLICE COMMAND
8. THE POLICE SERVICE COMMISSION OF NIGERIA

} **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. SHAGBAOR JOSEPH YONGO 2. EPHRAIM A. UKPIE 3. SAMUEL I. UKPIE 4. IORKYAAGA TIHI 5. AONDOAVER AOR (PLAINTIFFS) v. 1. THE GOVERNMENT OF BENUE STATE OF NIGERIA 2. THE GOVERNOR OF BENUE STATE OF NIGERIA 3. . THE FEDERAL REPUBLIC OF NIGERIA 4. THE GOVERNMENT OF CROSS RIVER STATE OF NIGERIA 5. THE GOVERNOR OF CROSS RIVER STATE OF NIGERIA 6. THE INSPECTOR-GENERAL OF POLICE OF THE FEDERAL GOVERNMENT OF NIGERIA 7. THE COMMISSIONER OF POLICE, BENUE STATE POLICE COMMAND 8. THE POLICE SERVICE COMMISSION OF NIGERIA (DEFENDANTS)** was filed by the Plaintiffs and registered by the Court on the 23rd day of March, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

a. **SHAGBAOR JOSEPH YONGO**

Ola Olanipekun & Co. (Prime Chambers)
5th Floor, Theodak House,
Opposite National Hospital (2nd Gate)
Central Business District, P. O. Box 17536
Abuja. – Nigeria.

b. **EPHRAIM A. UKPIE**

c/o Ola Olanipekun, Esq
Ola Olanipekun & Co. (Prime Chambers)
5th Floor, Theodak House,
Opposite National Hospital (2nd Gate)
Central Business District, P. O. Box 17536
Abuja. – Nigeria.

c. **SAMUEL I. UKPIE**

c/o Ola Olanipekun, Esq
Ola Olanipekun & Co. (Prime Chambers)
5th Floor, Theodak House,
Opposite National Hospital (2nd Gate)
Central Business District, P. O. Box 17536
Abuja. – Nigeria.

d. **IORKYAAGA TIHI**

c/o Ola Olanipekun, Esq
Ola Olanipekun & Co. (Prime Chambers)
5th Floor, Theodak House,
Opposite National Hospital (2nd Gate)
Central Business District, P. O. Box 17536
Abuja. – Nigeria.

e. **AONDOAVER AOR**

c/o Ola Olanipekun, Esq
Ola Olanipekun & Co. (Prime Chambers)
5th Floor, Theodak House,
Opposite National Hospital (2nd Gate)
Central Business District, P. O. Box 17536
Abuja. – Nigeria.

f. **THE GOVERNMENT OF BENUE STATE OF NIGERIA**

Government House
Makurdi, Benue State, Nigeria.

g. **THE GOVERNOR OF BENUE STATE OF NIGERIA**

Government House
Makurdi, Benue State, Nigeria.

h. **THE FEDERAL REPUBLIC OF NIGERIA**

c/o Attorney General of the Federation
Minister of Justice
Abuja – Nigeria.

PLAINTIFFS

DEFENDANTS

i. THE GOVERNMENT OF CROSS RIVER STATE OF NIGERIA

Government House
Calabar, Cross River, Nigeria.

j. THE GOVERNOR OF CROSS RIVER STATE OF NIGERIA

Government House
Calabar, Cross River, Nigeria.

k. THE INSPECTOR-GENERAL OF POLICE OF THE FEDERAL GOVERNMENT OF NIGERIA

Nigeria Police Headquarters
Louise Edet House
Force Headquarters
Asokoro, Abuja, Nigeria.

l. THE COMMISSIONER OF POLICE

Benue State Police Command
Nigeria Police Headquarters
Louise Edet House
Asokoro, Abuja, Nigeria.

m. THE POLICE SERVICE COMMISSION OF NIGERIA

Federal Secretariat Complex
Three Arms Zone
Abuja, Nigeria.

DEFENDANTS

2. SUBJECT MATTER OF PROCEEDINGS

- a. The violation of the Plaintiffs and entire Mbayenge community's human right to security despite the Defendants knowledge of impending and continued attacks on the Plaintiffs' community.
- b. The violation of the Plaintiffs and entire Mbayenge community's human rights to equal protection before the law by the Defendants when they failed to deploy security operatives to protect the lives and property of the Plaintiffs and the Mbayenge community from the repeated attacks of the Bebi tribe of Cross River State and provided same for the Plaintiffs' next door neighbors, Godilogo farms Nigeria.

3. ORDERS SOUGHT BY THE PLAINTIFF

- a. An order directing the Defendants to establish forthwith in the Plaintiffs' community a modern police station fully equipped with sufficient service personnel to forestall the occurrence of any similar wanton destruction of lives and property in the community.
- b. An order directing the 3rd Defendant to carry out immediate demarcation of the border between Kwande Local Government of Benue State and Obanliku Local Government of Cross River State to forestall any further crisis between the people of two Local Governments.
- c. An order directing the Defendants to pay to the Plaintiffs damages in the sum of N1 billion (one billion naira) only.
- d. An order directing the Defendants to publish apologies to the Plaintiff's in two national daily newspapers operating and circulating in Nigeria, to wit: This Day Newspapers and The Guardian Newspaper for the gross breaches of the Plaintiffs' fundamental rights.
- e. An order directing the 1st and 4th Defendants to publish forthwith the report and white paper on the Joint Committee on peace set up by them and inaugurated on 7th September, 2007 in the wake of the Bebi invasion of July, 2007.

- f. Award Cost of N25 million (Twenty Five Million Naira).

4. SUMMARY OF PLEAS IN LAW

- a. The Plaintiffs and the Mbayenge community suffered an unprovoked attack from the Bebi tribe on 1st July, 2007 who destroyed and looted their properties and murdered some members of the community. The attacks were repeated on the 2nd and 3rd of July 2007 and as a result they have been devastated from the destruction of their properties and lives.
- b. The Plaintiffs allege that the Bebi tribe had been involved in a land dispute with a neighbouring community of the Mbayenge community with both sides carrying out attacks. The Mbayenge community had reported these attacks to the Defendants, informing the Defendants of the eventual attacks on their community and had therefore requested for security. However, the Defendants did not provide any security for the Plaintiffs and the Mbayenge community from the impending attacks.
- c. The Defendants particularly the 1st, 2nd and 3rd Defendants refused to offer compensation or any form of relief to the Plaintiffs and other victims of the Bebi attacks of July 2007 which has caused the Plaintiffs hardship, deprivation of basic necessities of life and an austere environment incompatible with their right to a general satisfactory environment favourable to their development as guaranteed by Article 24 of the African Charter on Human and People's Rights.
- d. The Plaintiffs' right to life imposes upon the Defendants an obligation to provide security to protect the Plaintiffs, their murdered kin and the entire Mbayenge Community and the continued refusal of the Defendants to provide security for them contravenes Article 4 of the African Charter on Human and Peoples' Rights.
- e. The Defendants have an obligation to take pre-emptive operational measures to protect the Plaintiffs, their murdered kin and the entire Mbayenge Community from the criminal acts of the Bebi tribe and their failure to do so is a violation of the Plaintiffs' rights to liberty and to security of their persons as enshrined in Article 6 of the African Charter on Human and Peoples' Rights.
- f. The actions and inactions of the Defendants constitute a violation of the Plaintiff's rights as guaranteed by the African Charter on Human and Peoples' Rights.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENT

- a. The Plaintiffs have made several oral and written representations to the Defendants particularly the 1st Defendant to secure compensation and security for the victims of the attacks but the Defendants have ignored the representations.
- b. Article 4(g) 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 ECOWAS.

DATED THIS 7TH DAY OF APRIL, 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 NO: ECW/CCJ/APP/07/11

BETWEEN

MR VALENTINE AYIKA _____ PLAINTIFF

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 **MR VALENTINE AYIKA (PLAINTIFF) AND REPUBLIC OF LIBERIA (DEFENDANT)** was filed by the Plaintiff and Registered by the Court on the 8th day of April, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

Names and addresses of the parties are as follows:

- a. **MR VALENTINE AYIKA**
c/o Captino Global Concept Limited,
Shop A041 – 042/A08 Enugu Plaza,
International Trade Fair Complex,
Lagos-Badagry Expressway Ojo,
Lagos State, Nigeria
- b. **REPUBLIC OF LIBERIA**
The Republic of Liberia
c/o Minister of Justice and Attorney General
Ashmun & Centre Streets Monrovia,
Liberia.

2. SUBJECT MATTER OF PROCEEDINGS

- a) Confiscation of the property of the Plaintiff (USD508, 200.00) by the Defendant on the grounds of being proceeds of drug related offences and money laundering.
- b) Refusal of the Defendant to release the said sum of money to the Plaintiff, even after being vindicated by the police report, and the AG's recommendation to the Governor of the Central Bank that the said sum be released.
- c) Violation of Plaintiff's right to possession and enjoyment of property among others guaranteed by both the Constitution of Liberia and the African Charter on Human and Peoples' Right.

3. ORDERS SOUGHT BY THE PLAINTIFF

- a) Declaration that the confiscation of the sum of USD508, 200. 00 property of the Plaintiff as proceeds of criminal conduct and seizure of his ECOWAS passport is unconstitutional, null and void.
- b) An order directing the Defendant to release forthwith to the Plaintiff the sum of USD508, 200. 00 with interest at the rate of 21% from 9/9/06 till date of final liquidation.

- c) An order directing the Defendant to release forthwith to the Plaintiff his ECOWAS passport
- d) Cost of twenty thousand Liberian Dollars to the Plaintiff.

4. SUMMARY OF PLEAS IN LAW

- a) The Plaintiff is entitled to a refund from the Defendant of the sum of USD508, 200.00 with accrued interest and to the return of his ECOWAS passport.
- b) The Constitution of the Republic of Liberia 1986 by its Article 2 is the Supreme and fundamental law of Liberia and its provisions have binding force and effect on all authorities and persons throughout the country. The said constitution has ample provisions guaranteeing the right of persons to own and enjoy property and further protects same from being seized or interfered with by other persons or authorities without the observance of due process of law.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENT

- a) The Plaintiff avers that he has businesses both in Liberia and Nigeria, dealing on cosmetics in Nigeria and owns a private depot in Pleebo, Maryland County, Liberia. On or about September 9, 2006, the Plaintiff travelled to Liberia from Nigeria and arrived at about 1815hr, and not seeing any official of the Central Bank of Liberia on duty to declare the sum of money in his possession, decided to leave the airport to meet with his business partners.
- b) He further stated that as he was about to leave, he was accosted by security personnel at the airport who inquired to know the sum with him, in response he declared the sum of **USD508, 200.00** in his possession intended for investment in his business in Liberia.
- c) That he was promptly arrested by the Airport Security Personnel, who collected the money and his ECOWAS Passport from him, and subsequently turned him over to the Defendant's National Police for investigation. The Defendant's Police neither gave the Plaintiff the opportunity to retain the services of a counsel, nor arraigned him before any court on criminal charges before he was deported to Nigeria two weeks after his arrest.
- d) That a confiscation order was made by the First Judicial Circuit directing the Central Bank of Liberia to keep custody of the Plaintiff's said money pending the conclusion of the investigation.
- e) That after he had waited for two years for the conclusion of the investigations to no avail, he instructed a solicitor to find out the outcome of the said investigation and demand for the release of his money and ECOWAS passport.
- f) The Plaintiff avers that the Defendant's Police, in a report to the Defendant, disassociated the Plaintiff and his money from alleged Money Laundering and drugs related offences, and the Attorney General (Minister of Justice) also wrote to the Executive Governor of the Central Bank of Liberia disassociating him from the aforementioned allegations, and directed the Defendant's Central Bank to release the said funds, less 25% penalty for non-declaration to the Plaintiff.
- g) That the Defendant's Central Bank has failed to release the said funds to him and still detains same.

DATED THIS 20TH DAY OF APRIL, 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/08/11

BETWEEN

1. MR. AZIABLEVI YOVO
2. MR. AYAO DOSSOU
3. MR. SAMA NINAKABOU
4. MR. SOWOANOU ANATO
5. MR. BRUNO O. HOUNNAKE
6. MR. JULIEN AMEGBLE
7. MR. KOUDEKOUTO LAWSON LATE
8. SIMEKPE LAWSON
9. MR. MASSAMESSO BOUHEWA
10. MR. COMLAN AMOUSSOU
11. MR. KOKOU SEKLE
12. MSS KOKU ADJOWOAVI ALLAH
13. MISS BEATRICE KAYI LASSEY
14. KANKOE ANTOINE FOLICOUE
15. KOFFI MAWUENA AKOUTOU
16. KOMLAN AMETEPE AHOLOU
17. YAOVI DOSSOU
18. KOFFI PAUL AMEDODJI
19. GERSON AMEDODJI (DIED)
represented by KOFFI PAUL AMEDODJI
20. KOFFI AGBESSINYALE ADEKO
21. FOLLY CIKA SENAM (WIFE) AHYEH
22. MISS LALAGNIDOU BAKA
23. KODJI GAFA
24. EKOUE HANVI
25. KOSS AGBONKOU
26. EFOE TAMEKLOE
27. KOUASSIVI QUASHIE
28. KOFFI DOSSOU
29. KPOGO KPETIGO
30. ANANI ADJOH
31. MESSAN THEOPHILE KAVEGE
32. KPATCHA BATOR

} **PLAINTIFFS**

v.

1. TOGO TELECOM COMPANY
2. REPUBLIC OF TOGO

} **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. AZIABLEVI YOVO (PLAINTIFFS) AND 1) TOGO TELECOM COMPANY 2) REPUBLIC OF TOGO (DEFENDANTS)** was filed by the Plaintiff and Registered by the Court on the 17th day of May, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

Names and addresses of the parties are as follows:

- a. **MR. AZIABLEVI YOVO & 31 ORS**
c/o Odadjé Hounnahe (Esq)
22 Rue du Chemin de Fer
Lomé, Togo
- b. **TOGO TELECOM COMPANY**
Avenue Nicolas GRUNITZKY
BP 333 Lomé
Togo
- c. **REPUBLIC OF TOGO**
State House of Togo (PRESIDENCE)
BP 382 Lomé
Togo

2. **SUBJECT MATTER OF PROCEEDINGS**

Violation of Article 3 of the African Charter on Human and Peoples' Rights, relating to the Plaintiffs' right equality before the law, and their right to equal protection by the law.

3. **PLAINTIFFS' CLAIM**

Plaintiffs are all former members of staff of TOGO TELECOM Company. When they were retired from the company, they claimed from their former employer, the payment of some bonuses, such as seniority bonus and retirement bonus. These bonuses were calculated by a Retirement Benefits Firm, and were approved by the management of TOGO TELECOM, which though refuses to pay them. Despite a final judgment by the Industrial Court in Lomé, which was later on upheld by the Supreme Court of Togo, TOGO TELECOM still refuses to effect payment of the said benefits.

Having exhausted all local remedies, and having solicited the intervention of both the Prime Minister and the President of Togo in vain, Plaintiffs now bring the case before the Community Court of Justice, ECOWAS, and plead that the Court orders the Republic of Togo, to respect Article 3 of the African Charter on Human and Peoples' Rights, and, in the same breath, TOGO TELECOM Company to enforce the Judgment on the case.

DONE AT ABUJA, THIS 20TH DAY OF MARCH, 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/09/11

BETWEEN

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

} **PLAINTIFF**

AND

- 1. THE FEDERAL REPUBLIC OF NIGERIA**
- 2. ATTORNEY GENERAL OF THE FEDERATION
& 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 THE REGISTERED TRUSTEES OF THE SOCIO-ECONOMIC RIGHTS & ACCOUNTABILITY PROJECT (SERAP) (PLAINTIFF) v. 1. THE FEDERAL REPUBLIC OF NIGERIA 2. ATTORNEY GENERAL OF THE FEDERATION & MINISTER OF JUSTICE (DEFENDANTS)** was filed by the Plaintiff and Registered by the Court on the 17th day of May, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

The 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.

} **DEFENDANTS**

- c. ATTORNEY GENERAL OF THE FEDERATION**

Federal Ministry of Justice
Abuja – Nigeria.

2. SUBJECT MATTER OF PROCEEDINGS

- a. The violation of human rights of members of the National Youth Service Corps (NYSC) and their families, to life; to sanctity and integrity of human person; to equal protection of the law; and violations of the families' right to basic enjoyment of economic and social rights.

3. ORDERS SOUGHT BY THE PLAINTIFF

- a. A declaration that the failure by the Defendants and/or their agents to provide protection and to exercise due diligence to prevent the post election violence that claimed the lives of many NYSC members serving their country is unlawful as it constitutes a violation of Nigeria's international human rights obligations.
- b. A declaration that the failure by the Defendants and/or their agents to promptly and effectively investigate and bring to justice those suspected to be responsible for the unlawful killing of the NYSC members serving their country during the post election violence is unlawful.
- c. A declaration that the failure by the Defendants and/or their agents to promptly and effectively investigate the unlawful killing of the NYSC members serving their country during the post election violence, and bring to justice those suspected to be responsible is unlawful.
- d. An order directing the Defendants and/or their agents to respect, protect, promote, fulfill and ensure the rights of all NYSC members serving in all parts of the country to life and sanctity of the human person; to the dignity and security of the human person; and other internationally recognized human rights.
- e. An order directing the Defendants and/or their agents to pay adequate monetary compensation of \$500 million US Dollars (**five hundred million US dollars**) to the family of the NYSC members unlawfully killed during the post election violence, for the violation of their human rights.

4. SUMMARY OF PLEAS IN LAW.

- a. The Plaintiff asserts that at least ten (10) members of the National Youth Service Corps (NYSC) that served as adhoc staff to the Independent Electoral Commission (INEC) during the 2011 general elections lost their lives and several others were injured during the post election violence in some states in the northern part of Nigeria.
- b. Following the post election violence, the Defendants have reportedly compensated each of the deceased NYSC members families with the sum of N5,000,000.00 million naira (five million naira). However, this amount is grossly inadequate and is far below the requirements of international human rights law.
- c. The failure of the Defendants to promptly, transparently and effectively investigate the death of the NYSC members and to bring the suspected perpetrators to justice amounts to a denial of the victims' access to a fair, effective and prompt system of justice.
- d. The Defendants have setup a commission of inquiry to look into the causes of the post election violence but the Plaintiff's fear that this commission may not generate success, implementation or follow-up like previous commissions of inquiry set up to address out breaks of violence in the Country.
- e. The failure of the Defendants to exercise due diligence to prevent the post election violence that resulted in the unlawful killing of the NYSC members and others amount to violations of the right to life as enshrined under Article 4 of the African Charter on Human and Peoples' Rights and right to equal protection of the law as enshrined under Article 3 of the African Charter on Human and Peoples' Rights.
- f. The Defendants failed to discharge its obligation to take preventive operational measures to protect individuals whose lives were at risk and as such resulted in the preventable death of the NYSC members which has denied their families of important sources of financial, social and economic support which is a violation of the families' right to family life and right to basic enjoyment of economic and social rights as enshrined under Article 17 & 23 of the International Covenant on Civil and Political Rights.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENTS

- a. The compensation for the arbitrary killings of the NYSC members must be sufficient and does not substitute the responsibility of the Defendant from conducting prompt, transparent and effective investigations with a view of punishing perpetrators.
- b. Article 4(g) 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 ECOWAS.

DATED THIS 27TH DAY OF MAY, 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 NO: ECW/CCJ/APP/10/11

BETWEEN

- 1. MR. HARUNA WARKANI**
(Professional Staff Representative,
ECOWAS Commission)
- 2. DR. GUEYE ABDOU LAT**
(Professional Staff Representative,
ECOWAS Commission)

} **PLAINTIFFS**

AND

- 1. PRESIDENT OF THE ECOWAS COMMISSION**
- 2. ECOWAS COMMISSION**

} **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) MR. HARUNA WARKANI (PROFESSIONAL STAFF REPRESENTATIVE) (2) DR. GUEYE ABDOU LAT (PROFESSIONAL STAFF REPRESENTATIVE, ECOWAS COMMISSION) (PLAINTIFFS)** and **(1) PRESIDENT OF THE ECOWAS COMMISSION (2) ECOWAS COMMISSION (DEFENDANTS)** was filed by the Plaintiffs and Registered by the Court on 27th day of May, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

- 1) MR. HARUNA WARKANI**
House 18, 69 Road Abuja Model City
Gwarimpa, Abuja, FCT, Nigeria.
- 2) GUEYE ABDOU LAT**
House 9, 8th Avenue, 2nd Gate, Prince
& Princess Estate,
Abuja, FCT, Nigeria.
- 3) PRESIDENT OF THE ECOWAS COMMISSION**
C/o ECOWAS Commission
101, Yakubu Gowon Crescent Asokoro
Abuja FCT, Nigeria.
- 4) ECOWAS COMMISSION**
101, Yakubu Gowon Crescent Asokoro,
Abuja, FCT, Nigeria.

} **PLAINTIFFS**

} **DEFENDANTS**

2. SUBJECT MATTER OF PROCEEDINGS

- a. Violation of the Plaintiffs' Right of association, assembly and representation by the Defendants by interfering, usurping, abridging, restricting and purporting to suspend the Plaintiffs' right to convene and conduct the meeting of Professional Staff members and to present to the Defendants the decision of the Professional Staff members without fear of negative personal repercussions.
- b. Violation of the Plaintiffs Right of protection by the Defendants against condemnation or punishment for an act or omission not constituting an offence.
- c. Exhaustion of all appeal processes available to the Plaintiffs.

3. ORDERS SOUGHT BY THE PLAINTIFFS

- a. A Declaration that the purported query, suspension from employment and full salary, summons before the Joint Disciplinary Board and other measures taken against the Plaintiff is an abuse of the disciplinary process, is irregular, unlawful and null and void ab initio.
- b. An Order of perpetual injunction restraining the Defendants from imposing upon the Plaintiff any disciplinary procedure for alleged offences neither arising from the performance of the tasks assigned to the Plaintiffs as Staff of the Community nor a breach of their obligations as Staff of the Community.
- c. An order of mandatory injunction compelling the Defendants to enforce and maintain Staff Representatives' right to statutory consultations with the 1st Defendant and management of the 2nd Defendant on behalf of the Staff employed in the 2nd Defendant's Institution.
- d. An order of mandatory injunction compelling the Defendants to withdraw or cause a withdrawal of the purported query, suspension from employment and full salary.
- e. An order of injunction restraining the Defendants from continuing with any disciplinary process against the Plaintiffs.
- f. An order of mandatory injunction compelling the 1st Defendant to pay salaries and other emoluments of office to the Plaintiffs.
- g. Reparations of 1 Million UA to each Plaintiff for the prejudice suffered by the Plaintiffs as Staff Representative in the course of carrying out their duties.
- h. Costs of the case as assessed by the honourable Court.

4. SUMMARY OF THE PLEAS IN LAW

- a. The failure and refusal of the 1st Defendant to hold statutory consultations with Plaintiffs in spite of repeated requests on behalf of the Staff of the 2nd Defendant is unlawful and contrary to the provision of the ECOWAS principle of Staff Employment and Staff Regulations.
- b. The refusal or failure of Defendants to acknowledge and respect the right of Staff to association, assembly and representation is unlawful and contrary to the ECOWAS principles of Staff Employment and Staff Regulations.
- c. The imposition by the Defendants of an unlawful disciplinary process on the Plaintiffs for an act or omission not constituting an offence is unlawful and contrary to Articles 7 (2), 10, 11 and 15 of the African Charter on Human and Peoples' Rights, Articles 2 and 10 of the ECOWAS Principles of Staff Employment, Articles 63, 67 and 73(b) of ECOWAS Staff Regulations.

- d. The suspension from work and seizure by the 1st Defendant of the Plaintiffs' half salaries and emoluments is unlawful and contrary to ECOWAS Staff Regulations.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENT

- a. That the violation of the Plaintiffs' Rights of association, assembly and representation by the Defendants is unlawful and contrary to the provisions of the African Charter on Human and Peoples' Rights, ECOWAS Principles of Staff Employment and ECOWAS Staff Regulations.
- b. That the violation of the Plaintiffs' Right to protection by the Defendants against condemnation or punishment for an act or omission not constituting an offence is unlawful and contrary to the provisions of the African Charter, ECOWAS Principles of Staff Employment and ECOWAS Staff Regulations.

DATED THIS 10TH DAY OF JUNE, 2011



Tony Anene – Maidoh

Chief Registrar

Community Court of Justice, ECOWAS

Abuja - Nigeria.

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

HOLDEN AT ABUJA NIGERIA.

SUIT NO: ECW/CCJ/APP/11/11

BETWEEN

- 1. MR. JOSHUA IYAMU**
(General Staff Representative,
ECOWAS Commission)
- 2. MS. OLAYINKA ABAYOMI**
(General Staff Representative,
ECOWAS Commission)

} **PLAINTIFFS**

AND

- 1. PRESIDENT OF THE ECOWAS COMMISSION**
- 2. ECOWAS COMMISSION**

} **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) MR. JOSHUA IYAMU (GENERAL STAFF REPRESENTATIVE) (2) MS OLAYINKA ABAYOMI (GENERAL STAFF REPRESENTATIVE) (PLAINTIFFS)** and **(1) PRESIDENT OF THE ECOWAS COMMISSION (2) ECOWAS COMMISSION (DEFENDANTS)** was filed by the Plaintiffs and Registered by the Court on 27th day of May, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

The names and addresses of the parties are as follows:

- 1) Mr. Joshua Iyamu**
House 6, Faith Street, Phase II, Ado,
Nassarawa State, Nigeria.
- 2) Ms. Olayinka Abayomi**
House 9, 8th Avenue, 2nd Gate, Prince
& Princess Estate,
Abuja, FCT, Nigeria.
- 3) President of the ECOWAS Commission**
C/o ECOWAS Commission 101, Yakubu
Gowon Crescent Asokoro
Abuja, FCT, Nigeria.
- 4) ECOWAS Commission**
101, Yakubu Gowon Crescent Asokoro,
Abuja, FCT, Nigeria.

} **PLAINTIFFS**

} **DEFENDANTS**

2. SUBJECT MATTER OF PROCEEDINGS

- a. Violation of the Plaintiffs' right of association, assembly and representation by the Defendants by interfering, usurping, abridging, restricting and purporting to suspend the Plaintiffs' right to convene and conduct the meeting of General Staff members and to present to the Defendants the decision of the General Staff members without fear of negative personal repercussions.
- b. Violation of the Plaintiffs' right of protection by the Defendants against condemnation or punishment for an act or omission not constituting an offence.
- c. Violation of Staff Representatives right to statutory consultations on behalf of the staff employed in the 2nd Defendant Institution.
- d. Exhaustion of all appeal processes available to the Plaintiffs.

3. ORDERS SOUGHT BY THE PLAINTIFFS

- a. A Declaration that the purported query, suspension from employment on full salary, summons before the Joint Disciplinary Board and other measures taken against the Plaintiffs is an abuse of the disciplinary process is irregular, unlawful and null and void ab initio.
- b. An order of perpetual injunction restraining the Defendants from imposing upon the Plaintiffs any disciplinary procedure for alleged offences neither arising from the performance of the tasks assigned to the Plaintiffs as Staff of the Community nor a breach of their obligations as Staff of the Community.
- c. An order of mandatory injunction compelling the Defendants to enforce and maintain Staff Representatives' right to statutory consultations with the 1st Defendant and management of the 2nd Defendant on behalf of the Staff employed in the 2nd Defendant's Institution.
- d. An order of mandatory injunction compelling the Defendants to withdraw or cause a withdrawal of the purported query, suspension from employment and full salary.
- e. An order of injunction restraining the Defendants from continuing with any disciplinary process against the Plaintiffs
- f. An order of mandatory injunction compelling the 1st Defendant to pay salaries and other emoluments of office to the Plaintiffs.
- g. Reparations of 1 Million UA to each Plaintiff for the prejudice suffered by the Plaintiffs as Staff Representative in the course of carrying out their duties.
- h. Costs of the case as assessed by the honourable Court.

4. SUMMARY OF THE PLEAS IN LAW

- a. The failure and refusal of the 1st Defendant to hold statutory consultations with Plaintiffs in spite of repeated requests on behalf of the Staff of the 2nd Defendant is unlawful and contrary to the provision of the ECOWAS principle of Staff Employment and Staff Regulations.
- b. The refusal or failure of Defendants to acknowledge and respect the right of Staff to association, assembly and representation is unlawful and contrary to the ECOWAS principles of Staff Employment and Staff Regulations.
- c. The imposition of by the Defendants of an unlawful disciplinary process on the Plaintiffs for an act or omission not constituting an offence is unlawful and contrary to Articles 7 (2), 10, 11 and

15 of the African Charter on Human and Peoples Rights, Articles 2 and 10 of the ECOWAS Principles of Staff Employment, Articles 63, 67 and 73(b) of ECOWAS Staff Regulations.

- d. The suspension from work and seizure by the 1st Defendant of the Plaintiffs' half salaries and emoluments is unlawful and contrary to ECOWAS Staff Regulations.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENT

- a. That the violation of the Plaintiffs' Rights of association, assembly and representation by the Defendants is unlawful and contrary to the provisions of the African Charter on Human and Peoples' Rights, ECOWAS Principles of Staff Employment and ECOWAS Staff Regulation.
- b. That the violation of the Plaintiffs' Right to protection by the Defendants against condemnation or punishment or punishment for an act or omission not constituting an offence is unlawful and contrary to the provisions of the African Charter, ECOWAS Principles of Staff Employment and ECOWAS Staff Regulations.

DATED THIS 10TH DAY OF JUNE, 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/12/11

BETWEEN

SA'ADATU UMAR _____ **PLAINTIFF**

*(Suing for herself and on behalf of her three
Children, Abdullahi Umar, Abdulnafir Umar
And Salisu Umar as their guardian ad litem)*

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 **SA'ADATU UMAR (PLAINTIFF) AND FEDERAL REPUBLIC OF NIGERIA (DEFENDANT)** was filed by the Plaintiff and Registered by the Court on the 13th day of June, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

Names and addresses of the parties are as follows:

- | | | | |
|----|---|---|-------------------|
| a. | <p>SA'ADATU UMAR
Zangwa, Bauchi State.
c/o Chino Edmond Obiagwu, ESQ
Counsel to the Plaintiff
Legal Defence and Assistance Project-LEDAP
4 Manzini Street,
Wuse, Zone 4, Abuja.</p> | } | PLAINTIFFS |
| b. | <p>FEDERAL REPUBLIC OF NIGERIA
c/o The Hon. Attorney General of the Federation
& Minister for Justice, Federal Ministry of Justice,
Opp. Bayelsa House (Izon Wari)
Off. Shehu Shagari Way, Maitama District,
Garki, Abuja.</p> | } | DEFENDANT |

2. SUBJECT MATTER OF PROCEEDINGS

- a) Violation of the Plaintiff's right to personal liberty and freedom of movement.
- b) Violation of the Plaintiff's right to the respect of the integrity and dignity of her human person.

3. ORDERS SOUGHT BY THE PLAINTIFF

- a) A Declaration that the arrest and detention of the Plaintiff, a nursing mother, with her three children from 20th March, 2011 to date by the Defendant without arraignment in a court of law is arbitrary, illegal, unlawful and therefore constitutes a gross violation of the Plaintiff's fundamental rights to personal liberty and freedom of movement.

- b) A Declaration that the starvation of the Plaintiff, a nursing mother, and her three children, in Police detention from 20th March, 2011 to date by the Defendant amounts to mental and physical torture, and therefore constitutes gross violation of the Plaintiff's fundamental rights to dignity of human person.
- c) An Order compelling the Defendant forthwith to release the Plaintiff with her three children.
- d) An Order that the Defendant pay to the Plaintiff the sum of **N10, 000,000.00 (ten million naira)** being compensation for the aforesaid unlawful, illegal and unconstitutional violations of the Plaintiff's fundamental rights.

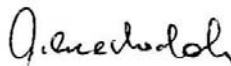
4. SUMMARY OF PLEAS IN LAW

- a) Article 4(g) of the Revised Treaty of the Economic Community of West African States (ECOWAS), 1993 provides for the applicability of the Terms of the African Charter on Human and Peoples' Rights to Member States of ECOWAS.
- b) Article 2 of the African Charter on Human and Peoples' Rights provides that every individual shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in the Charter without distinction of any kind.
- c) Article 12(1) and (2) of the African Charter on Human and Peoples' Rights provides that every individual shall have the right to freedom of movement and residence within the borders of a state provided he abides by the law.
- d) Article 5 of the African Charter on Human and Peoples' Rights further provides that every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENT

- a) The Plaintiff avers that she was arrested and detained with her three children from 20th March, 2011 to date without being charged or arraigned before a court of law.
- b) The Plaintiff further avers that she was accused by the police, of aiding the escape of her husband and his friend, wanted in respect of Boko Haram's case, by not reporting them to the police.
- c) The Plaintiff avers that she was detained beyond the period permitted by law without bail or transfer to Special Mother's Centre being a nursing mother with a baby of ten months old.
- d) The Plaintiff avers that since her arrest and detention, she has not been charged to court till date and the Defendant has not taken any step in prosecuting her for any offence.
- e) The Plaintiff avers that she is detained with her three children with little or no provision of food, thereby leading to their continued starvation in detention.
- f) The Plaintiff avers that she is a nursing mother and due to poor detention facilities, she is currently in urgent need of medical attention related to malnutrition from hunger in detention.
- g) The Plaintiff avers that her three children are seriously sick and in need of urgent medical attention as a result of poor feeding and starvation. That she currently depend on charity organizations who visit detention centers for survival.

DATED THIS 15TH DAY OF JUNE, 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/13/11

BETWEEN

ALIYU TASHEKU _____ **PLAINTIFF**

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 **ALIYU TASHEKU (PLAINTIFF) AND FEDERAL REPUBLIC OF NIGERIA (DEFENDANT)** was filed by the Plaintiff and Registered by the Court on the 12th day of June, 2011.

1. NAMES AND ADDRESSES OF THE PARTIES

Names and addresses of the parties are as follows:

a. **ALIYU TASHEKU**

c/o Chino Edmund OBIAGWU, Esq
Plaintiff's Solicitor,
Legal Defence and Assurance Project (LEDAP),
4 Manzini Street,
Wuse Zone 4, Abuja

} **PLAINTIFF**

b. **FEDERAL REPUBLIC OF NIGERIA**

c/o The Hon. Attorney General of the Federation
& Minister for Justice, Federal Ministry of Justice,
Opp. Bayelsa House (Izon Wari)
Off. Shehu Shagari Way, Maitama District,
Garki, Abuja.

} **DEFENDANT**

2. SUBJECT MATTER OF PROCEEDINGS

- a) Violation of the Plaintiff's right to personal liberty and freedom of movement.
- b) Violation of the Plaintiff's right to the respect of the integrity and dignity of his human person.

3. ORDERS SOUGHT BY THE PLAINTIFF

- a) Declaration that the arrest and detention of the Plaintiff from 20th September, 2010 to date by the Defendant in disobedience to the Order of Chief Magistrate Court 1, Abuja granting bail to the Plaintiff is arbitrary, illegal, unlawful and constitutes a gross violation of the Plaintiff's fundamental rights to personal liberty and freedom of movement.
- b) Declaration that the denial of medical attention to the Plaintiff from 20th September, 2010 to date and detention with poor provisions and sanitary facilities by the Defendant constitute a threat to the Plaintiff's fundamental right to life and is in breach of his right to dignity of human person.

- c) An Order compelling the Defendant forthwith to release the Plaintiff from Police detention.
- d) An Order that the Defendant pay to the Plaintiff the sum of **N10, 000,000.00 (ten million naira)** being compensation for the aforesaid unlawful, illegal and unconstitutional violations of the Plaintiff's fundamental rights.

4. SUMMARY OF PLEAS IN LAW

- a) Article 4 of the Revised Treaty of the Economic Community of West African States (ECOWAS), 1993 provides for the applicability of the terms of the African Charter on Human and Peoples' Rights to Member States of ECOWAS.
- b) Article 2 of the African Charter on Human and Peoples' Rights provides that every individual shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in the Charter without distinction of any kind.
- c) Article 12(1) and (2) of the African Charter on Human and Peoples' Rights provides that every individual shall have the right to freedom of movement and residence within the borders of a state provided he abides by the law.
- d) Article 5 of the African Charter on Human and Peoples' Rights further provides that every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status.

5. SUMMARY OF THE MAIN SUPPORTING ARGUMENT

- a) The Plaintiff avers that he was arrested by the Nigerian Police and detained from 20th September, 2010 to date without being charged or arraigned before a court of law, detained beyond the period permitted by law without bail.
- b) The Plaintiff further avers that he applied for and was granted bail by Chief Magistrate Court 1, Federal Capital territory (FCT), Abuja on the 28th March, 2011.
- c) The Plaintiff avers that the Nigerian Police refused to release him, and was transferred on the 4th day of May 2011, to Government Reserved Area (GRA) Police Station, Maiduguri, Borno State where he remained in detention to date.
- d) The Plaintiff avers that after his transfer to Government Reserved Area (GRA) Police Station, he was denied access to his family, relations, lawyers and doctors.
- e) The Plaintiff avers that he currently lives with the fear of extra-judicial execution while in detention. That he has been very ill and denied medical treatment
- f) The Plaintiff avers that the Defendant still continues to detain him in defiance to the order of court, and has not been charged to court for any offence.
- g) The Plaintiff avers that his unlawful arrest and detention contravenes his rights under the Nigerian Constitution, the African Charter on Human and Peoples' Rights and Revised Treaty of the Economic Community of West Africa States (ECOWAS).

DATED THIS 15TH DAY OF JUNE, 2011



TONY ANENE-MAIDOH
Chief Registrar
Community Court of Justice, ECOWAS
Abuja - Nigeria