


AFRICAN UNION	028/2019 26/09/2019 (000071-000067)	UNION AFRICAINE 000071
الاتحاد الأفريقي		UNIÃO AFRICANA
<p>AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS COUR AFRICAINE DES DROITS DE L'HOMME ET DES PEUPLES</p>		

**MATTER OF**

**1. FEA CHARLES**

**V. COTE D'IVOIRE**

**APPLICATION NO. 028/2019**

**AND**

**2. BADIENNE MOUSSA**

**V. THE REPUBLIC OF COTE D'IVOIRE**

**APPLICATION NO. 030/2019**

**AND**

**3. GUEU LOUAPOU CHRISTIAN**

**V.**

**THE REPUBLIC OF COTE D'IVOIRE**

**APPLICATION NO. 031/2019**

**AND**

**4. KPEA ALBERT DAMAS**

**V. THE REPUBLIC OF COTE D'IVOIRE**

**APPLICATION NO. 033/2019**

**ORDER FOR JOINDER OF CASES**

**26 SEPTEMBER 2019**

**The Court composed of:** Ben KIOKO, Vice-President, Rafâa BEN ACHOUR, Angelo V. MATUSSE, Suzanne MENGUE, M-Thérèse MUKAMULISA, Tujilane R. CHIZUMILA, Chafika BENSAOULA, Blaise TCHIKAYA, Stella I. ANUKAM, Imani D. ABOUD Judges and Robert ENO, Registrar.

Pursuant to Article 22 of the Protocol relating to the African Charter on Human and Peoples' Rights establishing an African Court on Human and Peoples' Rights (hereinafter referred to as "the Protocol") and Article 8(2) of the Rules of Procedure of the Court (hereinafter referred to the "the Rules"), Judge Sylvain ORE, President of the Court and of Ivorian nationality, recused himself.

In the Matters of

**FEA CHARLES  
V. THE REPUBLIC OF COTE D'IVOIRE  
APPLICATION NO. 028/2019**

**AND**

**BADIENNE MOUSSA  
V. THE REPUBLIC OF COTE D'IVOIRE  
APPLICATION NO. 030/2019**

**AND**

**GUEU LOUAPOU CHRISTIAN  
V. THE REPUBLIC OF COTE D'IVOIRE  
APPLICATION NO. 031/2019**

**AND**

**KPEA ALBERT DAMAS  
V. REPUBLIC OF COTE D'IVOIRE  
APPLICATION NO. 033/2019**

After deliberations,

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1. Considering the Application dated 28 June 2019, received at the Registry of the Court on 22 July 2019, from Mr. Fea Charles (hereinafter referred to as “the Applicant”) filed against the Republic of Côte d’Ivoire (hereinafter referred to as “Respondent State”);
2. Considering the Application dated 28 June 2019, received at the Registry of the Court on 22 July 2019, from Mr. Baddienne Moussa (hereinafter referred to as “the Applicant”) filed against the Republic of Côte d’Ivoire (hereinafter referred to as “Respondent State”);
3. Considering the Application dated 28 June 2019, received at the Registry of the Court on 22 July 2019, from Mr. Gueu Louapou Christian (hereinafter referred to as “the Applicant”) filed against the Republic of Côte d’Ivoire (hereinafter referred to as “Respondent State”);
4. Considering the Application dated 28 June 2019, received at the Registry of the Court on 22 July 2019, from Mr. Albert Damas (hereinafter referred to as “the Applicant”) filed against the Republic of Côte d’Ivoire (hereinafter referred to as “Respondent State”);
5. Considering that Rule 54 of the Rules provides: “The Court may at any stage of the pleadings, either on its own volition, or in response to an application by any of the parties, order the joinder of interrelated cases and pleadings where it deems it appropriate, both in fact and in law.”;
6. Considering that, while the Applicants are different as above stated, they are represented by the same lawyer, and the Applications are filed against the same Respondent State, which is the Republic of Côte d’Ivoire;
7. Considering that the facts supporting the Applications are similar as they originate from the trial of the Applicants and their sentencing to twenty (20) years imprisonment by the Tribunal of First Instance of Yopougon for robbery without being represented by a lawyer; and that the said judgment was upheld by the Court of Appeal of Abidjan;
8. Considering that in all four Applications, the Applicants allege that the Respondent State has violated their rights to a fair trial, equality and dignity as protected in the African Charter, the International Covenant on Civil and

Political Rights, and the Universal Declaration of Human Rights and that the reliefs sought are similar in nature;

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9. ; Considering therefore that the facts supporting the Applications, the alleged violations and prayers made are similar, and given the identity of the Respondent State;

10. As a consequence of the above, a joinder of cases and pleadings in relation to these Applications is appropriate in fact and in law, and for the good administration of justice pursuant to Rule 54 of the Rules of the Court.

### **OPERATIVE PART**

For these reasons,

The Court

Unanimously

Orders:

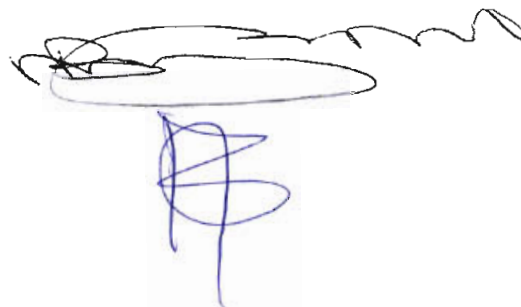
- i. The joinder of the above referred Applications and related proceedings;
- ii. That henceforth the Applications be referred to as "Consolidated Applications 028/2019, 030/2019, 031/2019 and 033/2019 - Fea Charles and Others v. Republic of Côte d'Ivoire".
- iii. That consequent upon the joinder, this Order and the pleadings relating to the above referred Matters shall be served on all the Parties.

Done in Arusha, this twelfth day of the month of September 2019, in English and in French, the French text being authoritative.

Signed:

Ben KIOKO, Vice-President;

and Robert ENO, Registrar.



In accordance with Article 28(7) of the Protocol and Rule 60(5) of the Rules, the dissenting opinion of Justice Chafika Bensaoula is attached to this Order.

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Done in Arusha, this Twenty Sixth Day of September 2019, in English and in French, the French text being authoritative.

