AfCHPR
African Court on Human and Peoples' Rights

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JUDGMENT SUMMARY

BABAROU BOCOUM

C.

REPUBLIC OF MALI

APPLICATION NO. 023/2020

RULING ON ADMISSIBILITY

13 NOVEMBER 2026

A DECISION OF THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS

Arusha, 13 November 2026: The African Court on Human and Peoples' Rights (the Court) has rendered a judgment in the case of *Babarou Bocoum v. Republic of Mali*.

On 16 June 2020, Mr Babarou BOCOUM (the Applicant) filed an Application with the Court against the Republic of Mali alleging a violation of his right to equality before the law and to equal protection under the law, as protected by Article 3 of the African Charter on Human and Peoples' Rights (the Charter), Article 10(3) of the African Charter on Democracy, Elections and Governance (ACDEG), Article 3 of Protocol A/SP1/12/01 on Democracy and Good Governance of ECOWAS (ECOWAS Protocol on Democracy), and Article 1 of the Universal Declaration of Human Rights (UDHR); the right to participate freely in the government of one's country, protected by Article 13(1) of the Charter; the obligation to establish an independent, neutral and credible electoral dispute resolution mechanism, protected by Article 17 of the ACDEG and Articles 3 and 7 of the ECOWAS Protocol on Democracy; the obligation to establish an independent and impartial electoral body, protected by Article 17 of the ACDEG and

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Articles 3 and 6 of the ECOWAS Protocol on Democracy; and the obligation to organise elections on dates or within timeframes provided for in the Constitution and the Electoral Act, under Article 2(2) of the ECOWAS Protocol on Democracy.

The Applicant prayed the Court to: to annul the parliamentary election organised pursuant to Decree No. 2020-0010/PRM of 22 January 2020 convening the electoral college and setting the dates for the start and close of the election campaign for the 29 March 2020 election, as well as the Constitutional Court's Judgment No. 2020-04/CC-EL of 30 April 2020 validating the final results of the first and second rounds of the parliamentary elections; to update the voter register, in accordance with the applicable provisions of domestic law, in order to ensure the effective participation of Malian citizens in the exercise of universal suffrage, as well as the completion of all subsequent steps necessary for the organisation of elections in accordance with legal requirements; to take the necessary constitutional and legislative measures to amend Article 92 of the Constitution of Mali; Organic Law No. 97-010 of 11 February 1997 pertaining to the rules governing the organisation and functioning of the Constitutional Court and the procedure to be followed before it, as amended by Act No. 02-011 of 5 March 2002; Act No. 2016-048 of 17 October 2016, as amended by Act No. 2018-014 of 23 April 2018 on electoral law; as well as the Rules of Procedure of the Constitutional Court of 28 August 2002, in order to ensure their compliance with the treaty obligations relating to the establishment of a credible electoral dispute resolution mechanism, as provided for by the ACDEG (Article 17), ECOWAS Protocol A/SP1/12/01 (Articles 3 and 7), as well as the guarantees relating to the principle of equality before the law and equal protection under the law, enshrined in particular in the Charter (Article 3), the Universal Declaration of Human Rights (Article 1) and the International Covenant on Civil and Political Rights (Article 26); to amend Electoral Law No. 06-044 of 4 September 2006, as amended by Laws No. 2011-085 of 30 December 2011 and No. 2016-017 of 21 May 2016, in order to ensure its compliance with the obligations arising from ECOWAS Protocol A/SP1/12/01 (Articles 3 and 6) and the ACDEG (Article 17(1)), in particular through the establishment of an independent national electoral commission, in accordance with international legal standards on democratic

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governance and the integrity of elections; and to pay the Applicant the sum of 100,000,000 CFA francs as reparation for all the harm suffered, in particular financial, material and non-pecuniary harm, and to order the State to bear all costs.

For its part, the Respondent State prayed the Court to declare the Application inadmissible.

No objection was raised to the Court's jurisdiction. Nonetheless, the Court satisfied itself that all requirements were met in respect of all aspects of its jurisdiction. In this regard, it examined sequentially its material, personal, temporal and territorial jurisdiction, and found that all requirements were met. The Court therefore assumed jurisdiction to hear the Application.

The Respondent State did not raise any objection to the admissibility of the Application. Nonetheless, the Court satisfied itself that all admissibility requirements under Rule 50(1) of its Rules were met.

For his part, the Applicant argued that the Respondent State's failure to revise the voter register resulted in his name being omitted from same, thereby depriving him of his right to vote in the 29 March 2020 parliamentary elections. He asserted that no local remedy was available to him to challenge the decree convening the electoral college, as it was an act of government not subject to judicial review and as it did not affect him either personally or directly. He added that the Constitutional Court's decisions validating the final results of elections are not subject to any local remedy.

The Court noted that Malian election law affords the Applicant available, effective and satisfactory administrative and judicial remedies to challenge his exclusion from the voter register.

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Having found no evidence in the record to indicate that the Applicant pursued the said remedies, the Court concluded that local remedies were not exhausted. The Court therefore declared the Application inadmissible.

The Court decided that each Party should bear its own costs.

Further Information

Further information on this case, including the full text of the African Court's judgment, is available on the website https://ajudata.african-court.org/details-case/0232020

If you have any further questions, please contact the Registry by email at registrar@african-court.org

The African Court on Human and Peoples' Rights is a continental court established by African countries to ensure the protection of human and peoples' rights in Africa. The Court has jurisdiction to hear all cases and disputes brought before it concerning the interpretation and application of the African Charter on Human and Peoples' Rights and any other relevant human rights instrument ratified by the States concerned. For further information, please visit our website at www.african-court.org.