



# AfCHPR

Cour africaine des droits  
de l'homme et des peuples

Arusha, Tanzania

Website: [www.african-court.org](http://www.african-court.org)

Telephone: +255-272-510-510

**SUMMARY OF DECISION**

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## **GUILLAUME KIGBAFORI SORO AND OTHERS V. REPUBLIC OF CÔTE D'IVOIRE**

**APPLICATION No. 012/2020**

### **JUDGMENT (JURISDICTION AND ADMISSIBILITY)**

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

Arusha, 26 June 2025, the African Court on Human and Peoples' Rights (the Court) has delivered Judgment in the matter of *Guillaume Kigbafori Soro v. Republic of Côte d'Ivoire*.

On 2 March 2020, Mr Guillaume Kigbafori and others (the Applicants) filed an Application with the Court against the Republic of Côte d'Ivoire (Respondent State).

The Applicants alleged violation of the following rights: (i) the right to equality before the law and to equal protection of the law, protected by Article 3 of the African Charter on Human and Peoples' Rights (the Charter) and Article 2 of the International Covenant on Civil and Political Rights (ICCPR); (ii) the right to liberty and security, protected by Article 6 of the Charter and Article 9(1) of the ICCPR; (iii) the right to a fair trial, in particular the right to be tried by a court of competent jurisdiction, protected by Article 7(1)(a) of the Charter; the right to be presumed innocent, protected by Article 7(1)(b) of the Charter; the right to legal assistance, protected by Article 7(1)(c) of the Charter and Article 14(3)(d) of the ICCPR; the right the adversarial principle, protected by Article 7(1) of the Charter, read in conjunction with Article 14 of the ICCPR; (iv) the right to freedom of movement, protected by Article 12 of the Charter; (v) the right to



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the moral health of the family, protected by Article 18(1) and (2) of the Charter and Article 23 of the ICCPR.

On reparations, the Applicants requested the Court to order the Respondent State to annul all prosecutorial actions against the Applicants and to terminate the criminal proceedings brought against them in violation of the rights guaranteed by the international human rights instruments ratified by the State of Côte d'Ivoire; to lift the arrest warrant issued against Mr. Guillaume SORO and the committal warrants issued against the other Applicants, to discontinue all proceedings or investigative measures against them, and to amend the Code of Criminal Procedure, in particular Articles 97, 133 and 140, in order to make them compliant with Articles 2 and 14 of the ICCPR and Articles 3, 2, 7 and 12 of the Charter, to pay each Applicant the sum of One Billion (1 000 000 000) CFA Francs as full compensation for all damage suffered, and to bear the full costs of the present proceedings.

The Applicants averred that, following the announcement of Mr. Guillaume Soro's candidacy for the 2020 presidential election, several of them were arrested between 23 and 31 December 2019, after the plane carrying Mr. Soro was forced to land in Accra owing to the deployment of security forces in Abidjan. On the same day, a judicial investigation was opened against Mr. Soro and others for embezzlement of public funds, money laundering and conspiracy to undermine of the authority of the state, which alleged acts dated back to 2007. The Applicants claim that an arrest warrant was issued against Mr. Soro and that several of them were arrested, interrogated without legal assistance or notification of charges, and subsequently detained in far-flung prisons, while two of them were disappeared. They averred that their lawyers filed appeals against the committal orders on 26 December 2019 and 7 February 2020.

The Respondent State was not represented and therefore did not submit any observations. The Court therefore decided to deliver a judgment by default.



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As the Respondent State failed to appear, no objection was raised to jurisdiction. However, pursuant to Rule 49(1) of the Rules, the Court examined the requirements relating to its material, temporal, personal and territorial jurisdiction and found that it had jurisdiction in the present case.

As the Respondent State failed to appear, no objection was raised to the admissibility of the Application. The Court nevertheless examined the admissibility requirements relative to the Application, pursuant to Rule 50(1) of the Rules.

The Court found that the requirements under Article 56(1)(2)(3)(4), namely, those relating to the identity of the applicant, the compatibility of the Application with the Charter and the Constitutive Act, the fact that the Application must not be written in language that is disparaging or insulting, and the fact that the Application must not be based exclusively on information disseminated by the mass media, were fulfilled.

With regard to the exhaustion of local remedies, the Court noted that two criminal proceedings had been brought against the Applicants, namely, the proceedings against Guillaume Kigbafori Soro, Kamaraté Souleymane and Nguessan N. René for embezzlement of public funds, and the proceedings against the other Applicants for disturbing public order, spreading false news discrediting the state institutions and their work, thereby undermining the morale of the population and the authority of the State.

The Court reiterated its established jurisprudence that, in order to determine whether local remedies have been exhausted, the proceedings to which an applicant is a party must have concluded at the time the application is filed with it. It noted that, in the present case, each of the criminal proceedings brought against the Applicants was pending at the time of filing the Application before it. The Court therefore considered that the Applicants filed their Application prematurely, without having exhausted the local remedies available to them.



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The Court therefore declared the Application inadmissible on grounds of non-exhaustion of local remedies, without having to examine the other requirements, as the admissibility requirements are cumulative.

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://www.african-court.org/cpmt/fr/details-case/0122020>

For any further questions, please contact the Registry by email at [registrar@african-court.org](mailto: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 rights 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.africancourt.org](http://www.africancourt.org).*