


AFRICAN UNION		UNION AFRICAINE
الاتحاد الأفريقي		UNIÃO AFRICANA
AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS COUR AFRICAINE DES DROITS DE L'HOMME ET DES PEUPLES		

MATTERS OF

1. AKA YAO BOSSIN FIDELE

V.

REPUBLIC OF COTE D'IVOIRE

APPLICATION No. 046/2019

AND

2. ZAKARIA SANOGO

V.

REPUBLIC OF COTE D'IVOIRE

APPLICATION No. 048/2019

ORDER FOR JOINDER OF CASES

2 DECEMBER 2019

The Court composed of: Ben KIOKO, Vice-President; Rafaâ BEN ACHOUR, Ângelo 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,

In accordance with Article 22 of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights (hereinafter referred to as "the Protocol") and Rule 8(2) of the Rules of Court (hereinafter referred to as "the Rules"), Judge Sylvain ORÉ, member of the Court and national of Côte d'Ivoire, did not hear the case.

In the matters of:

AKA YAO BOSSIN FIDELE

V.

REPUBLIC OF COTE D'IVOIRE

APPLICATION No. 046/2019

AND

ZAKARIA SANOGO

V.

REPUBLIC OF COTE D'IVOIRE

APPLICATION No. 048/2019

After deliberation,

Makes the following order:

1. Considering the Application No. 46/2019 dated 16 September 2019 received at the Registry of the Court on 2 October 2019 from Aka Yao Bossin Fidèle (hereinafter referred to as the "Applicant") filed against the Republic of Côte d'Ivoire (hereinafter referred to as "the Respondent State");

2. Considering the Application No. 48/2019 dated 16 September 2019 received at the Registry of the Court on 2 October 2019, from Zakaria Sanogo (hereinafter referred to as the "Applicant") filed against the Republic of Côte d'Ivoire (hereinafter referred to as "the Respondent State ");
3. Considering Rule 54 of the Rules which provides that "the Court may at any stage of the pleadings, either on its 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 in fact and in law";
4. Considering that while the Applicants are different as stated above, 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;
5. 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 Abidjan-Plateau Court of First Instance for theft and armed robbery, without having been represented by a lawyer, and that the said sentence was upheld by the Abidjan Court of Appeal;
6. Considering that in both cases, the Applicants allege that the Respondent State has violated their rights to a fair trial, effective remedy, access to a Counsel, to justice and equality of arms, as enshrined in the African Charter on Human and Peoples' Rights, the International Covenant on Civil and Political Rights and in the Universal Declaration of Human Rights, and that the reliefs sought are similar in nature;
7. Considering therefore that the facts supporting the Applications, the alleged violations and the prayers made are similar, and given that the identity of the Respondent State is the same;
8. As a consequence of the above, the joinder of cases and pleadings in relation to the above referenced Applications is appropriate in fact and in law and for the proper administration of justice, in accordance with Rule 54 of the Rules;

OPERATIVE PART

For these reasons,

The Court

Unanimously

Orders:

- i. The joinder of the above referred Applications and related pleadings;
- ii. That henceforth the Applications be referred to as "Consolidated Applications Nos. 046/2019 and 048/2019 - Aka Yao Bossin Fidèle and Another 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.

Signed:

Ben KIOKO, Vice President;

Robert ENO, Registrar.

Done at Zanzibar, this Second Day of December, Two Thousand and Nineteen, in English and French, the French text being authoritative.