

COMMUNITY COURT OF JUSTICE,
ECOWAS
COUR DE JUSTICE DE LA COMMUNAUTE,
CEDEAO
TRIBUNAL DE JUSTIÇA DA COMUNIDADE,
CEDEAO



No. 10 DAR ES SALAAM CRESCENT,
OFF AMINU KANO CRESCENT,
WUSE II, ABUJA-NIGERIA.

PMB 567 GARKI, ABUJA
TEL/FAX:234-9-5241595/ 5240780
Website: www.courtecowas.org

PRESS RELEASE

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GOVERNMENT OF GUINEA ORDERED BY ECOWAS COURT TO PAY 47 MILLION DOLLARS COMPENSATION FOR DENYING COMPANY OF THE USE OF ITS ASSETS

The ECOWAS Court of Justice has ordered the government of the Republic of Guinea to pay 47,500,000 (forty-seven million, five hundred thousand) dollars as compensation to an energy company, K. Energie SA for the violation of the company's property rights in depriving it of the use of its assets.

Delivering judgment on Thursday, 9th July 2020 in a suit brought by the company against the government, the Court also ordered the defendant to return all the assets of the company, the second plaintiff in the suit which include its offices and homes, power plants with mobile turbines and support facilities namely transformer and other devices necessary for the production and distribution of electricity.

The Court however dismissed all other orders sought by the first plaintiff, Mr Ibrahima Kassus Dioubate, the General Manager and shareholder of the company. It also declared that the defendant was not in violation of the applicants' rights to equal protection of the law and to have their case heard as canvassed by the plaintiff.

In the initiating application with suit no ECW/CCJ/APP/19/18 filed before the Court on 23 April 2018, the plaintiffs contended that their rights to property, equal protection before the law, and right to have their matter heard, all guaranteed by the African Charter on Human and Peoples' Rights, were violated.

Counsels to the plaintiffs, Mr Abdourahmane So and Mr Bernard Feindouno, averred that the plaintiffs were unlawfully dispossessed of their assets by the defendant who transferred its management to a third party not for public interest but the particular interest of another private company.

They sought orders of the Court for the recovery of the plaintiffs' properties comprising various assets of the the second defendant, and the payment of 500,000,000 USD as reparation for prejudice suffered among others.

In its counter-argument, the defendant challenged the jurisdiction of the Court to hear contractual matters and denied occupying or taking possession of the plaintiffs' properties.

The judgment was delivered by Honourable Justice Januaria T.S. Moreira Costa (judge rapporteur). Other judges on the three-member panel were Honourable Justices Gberi-Be Ouattara (presiding) and Dupe Atoki.

For further information, visit the Community Court of Justice, ECOWAS website at www.courtecowas.org or contact the Information Officers using the contact details below:

Contacts:

1. Ugoh Sunny, Head of Division,
ugoh60@yahoo.com Cell +234 8066782628
2. Felicien Hounkanrin (Information Officer)
Cell Phone: +234 803-786-3972
Email: femedos@yahoo.com or fhounkarin@courtecowas.org
3. Elohor Ovadge (Information Officer)
Cell Phone: +234 803-335-4281, (0)818-448-2456
Email: elovadge@gmail.com, eovadge@courtecowas.org