

XYZ v Benin (joinder of cases) (2019) 3 AfCLR 434

Application 021/2019 and Application 022/2019, XYZ (*identified as such after requesting anonymity*) v Republic of Benin

Order, 4 July 2019. Done in English and French, the French text being authoritative.

Judges: ORE, KIOKO, BEN ACHOUR, MATUSSE, MENGUE, MUKAMULISA, CHIZUMILA, BENSAOULA, CHIKAYA, ANUKAM and ABOUD

The Court decided to join the cases considering the identity of the applicant and the subject matter of the cases.

Procedure (joinder of cases)

1. Having regard to the Application dated 13 May 2019, received at the Registry of the Court on the same date, by which XYZ (hereinafter referred to as “the Applicant”) instituted proceedings against the Republic of Benin (hereinafter referred to as “the Respondent State”);
2. Having regard to the Application dated 27 May 2019, received at the Registry on the same date, by which the same Applicant, XYZ instituted a second proceeding against “the Respondent State”;
3. Considering Rule 54 of the Rules of Court 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, both in fact and in law”;
4. Considering the identity of the Applicant, the Respondent State and the subject matter of the Applications in both cases;
5. Considering that a joinder of the cases is appropriate in fact and in law;

Operative Part

For these reasons, The Court
unanimously,
orders:

- i. The joinder of the cases and the proceedings in the Applications brought by the Applicant against the Respondent State;
- ii. That the Application shall henceforth be titled Applications 021/2019 and 022/2019 - XYZ (*identified as such after requesting anonymity*) v Republic of Benin.