

Mandated to make judgments on human rights cases since 2005, the ECOWAS Court of Justice has undeniably acquired the reputation of a forum for human rights protection, in the manner of courts of justice as prestigious as the European Court of Human Rights, the Inter-American Court of Human Rights or the African Court on Human and Peoples' Rights. With no systematic study of the Court's human rights jurisprudence having been undertaken till today, this work comes to fill the gap.

Part I of the book presents the body of case law emerging after fifteen years of practice. Two feats must be acknowledged here. The feat of the Court itself, whose original mandate was, and is still in force any rate, that of a custodian of the norms of economic integration, not adjudication on human rights violation. The human rights case law of the Court was therefore born out of a sustained effort, not devoid of approximations and sometimes mistakes, all the more deserving of commendation, because unlike similar judicial bodies, it had succeeded in ridding itself of what the author calls "a pointer of orientation for the norms relied upon", a single codified body of rules of reference. Then, the exploits of the author, who succeeded, in an effort of re-composition, in sustaining, by a consummate art of summary, a reconstitution of the various phases of the trial proceedings, and in retrieving and discussing in a systematic manner, the viewpoints of the Court.

Part II is made up of a collection of studies whose themes centre on the major interrogations of international disputes on human rights: the status of the applicants, relations between the Court and other sister or rival courts of justice, the dialectics of relationship between the national judge and the international judge, etc. Part II closes up with a prospective reflexion on "The Future of the Court", where the author expresses his hopes, but also his serious concerns regarding what is to become of a court whose usefulness and cathartic function are not lost on him.

The book is, as always, written in pure delightful language, and the analyses, nourished with the experience of the judge that the author was, are remarkable in richness, finesse and depth.

Full Professor, Professor Agrégé in Law, Alioune SALL is a Professor at the Université Cheikh Anta Diop of Dakar. He holds a Licence en Lettres (BA), is a Lawyer, and served as Counsel before the International Court of Justice, The Hague, the UEMOA Court of Justice and the ECOWAS Court of Justice, where he also served as a Judge. He is also a member of jury of CAMES (Concours d'Agrégation du Conseil Africain et Malgache de l'Enseignement Supérieur). Principal publications: La Justice de l'intégration. Réflexions sur les institutions judiciaires de la CEDEAO et de l'UEMOA (CREDILA 2011, being reprinted), L'affaire Hissène Habré. Aspects judiciaires nationaux et internationaux (L'Harmattan, 2013) and Les relations extérieures de la CEDEAO (L'Harmattan, 2016).

ISBN : 978-2-343-17955-1
28 €



DISPUTES ON HUMAN RIGHTS VIOLATION
BEFORE THE ECOWAS COURT OF JUSTICE

Alioune SALL

Alioune SALL

DISPUTES ON HUMAN RIGHTS VIOLATION BEFORE THE ECOWAS COURT OF JUSTICE

*Translated from French by
Emmanuel Kofi NKANSAH*

