

Communication No. 70/92, Ibrahima Dioumessi, Sekou Kande, Ousmane Kaba/Guinea

FACTS

1. The communication was submitted by Ibrahima Dioumessi, Sékou Kande, Ousmane Kaba , and received by the Commission on 15 November 1991. It contains no mailing address of the complainants.
2. The communication alleges that following the *coup d'état* of 4 July 1984 in Guinea, the complainants were arrested, tortured and incarcerated for three years without charge or trial.
3. The complainants allege violation of the right to security of persons and the right to fair trial. They request compensation for the moral and material prejudice they have suffered.

PROCEDURE

4. The Commission was seized of the communication at its 12th session in November 1992.
5. On 13 November 1992 the Secretariat to of the Commission notified the Ministry of Foreign Affairs of Guinea of the communication. The Secretariat also requested the complainants' address.
6. In 1993 and 1994, numerous reminders were sent by the Secretariat to the Government of Guinea, but no response was received.
7. On 21 October 1994 the Guinean government sent a *note verbale* to the Commission requesting that the Commission delay consideration of the communication until the 17th session, in order to allow the government to submit its memorandum in response.
8. At the 17th session, held in Lomé, Togo, in March 1995, the memorandum of the Government of Guinea had not been received, but the Commission decided to postpone consideration of the communication until it was, and in the meantime to ask the complainants if they had exhausted all local remedies.
9. All attempts to get the address of the complainants proved fruitless.
10. At the 18th session, the memorandum of the Government of Guinea still had not been received.

LAW

Admissibility

11. The problem posed here is one of admissibility. To be admissible, a communication must fulfil all the conditions of Article 56 of the Charter. In particular the identity of the complainants, so that they may be sent notifications.
12. In the present case, the Secretariat had not been able to remedy this lack of the complainant's address.

FOR THESE REASONS, THE COMMISSION

Declares the communication inadmissible.

Taken at the 18th Ordinary Session, Praia, Cape Verde, 7 October 1995.