

18/88 : El Hadj Boubacar Diawara/Benin (joined with 16/88 and 17/88)

Complaint

1. The communication No. 18/88 was submitted by Mr El Hadj Boubacar Diawara. He had been detained without charge or trial from 18th February 1982 for a period of more than 7 years. Furthermore, he reports the arbitrary detention of 7 others, one of whom died in prison 11 months after imprisonment. All detainees, he claimed, were tortured while imprisoned.

Finding

2. Notices of hearing was sent to the parties, but only the representative of the Government of Benin appeared. The Commission decided that since the Complainant has referred his complaint to the courts in Benin, where it is now pending, the Commission declared the communication inadmissible for want of exhaustion of local remedies, under [Article 56.5](#) of the Charter and [Article 103\(1\)\(f\) of the Rules of Procedure](#) .