



INTERNATIONAL COURT OF JUSTICE

Peace Palace, Carnegieplein 2, 2517 KJ The Hague, Netherlands

Tel.: +31 (0)70 302 2323 Fax: +31 (0)70 364 9928

Website: www.icj-cij.org

Press Release

Unofficial

No. 2007/18

28 June 2007

Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo)

Fixing of time-limit for the filing of the Counter-Memorial of the Democratic Republic of the Congo

THE HAGUE, 28 June 2007. The International Court of Justice (ICJ), the principal judicial organ of the United Nations, has fixed the time-limit for the filing of the Counter-Memorial of the Democratic Republic of the Congo (DRC) in the case concerning Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo).

In its Order dated 27 June 2007, the Court fixed 27 March 2008 as the time-limit for the filing of the Counter-Memorial of the DRC.

This decision follows the Judgment of 24 May 2007, in which the Court found that the Application of the Republic of Guinea was admissible in so far as it concerns protection of Mr. Diallo's rights as an individual and of his direct rights as associé in Africom-Zaire and Africontainers-Zaire.

The time-limit was fixed taking into account the agreement of the Parties. The subsequent procedure has been reserved for further decision.

History of the proceedings

On 28 December 1998, the Republic of Guinea instituted proceedings against the Democratic Republic of the Congo in respect of a dispute originating in "serious violations of international law" which the latter had allegedly "committed upon the person of a Guinean national", Mr. Ahmadou Sadio Diallo.

According to Guinea, Mr. Ahmadou Sadio Diallo, a businessman who had spent 32 years in the DRC, was "unjustly imprisoned by the authorities of that State" for two and a half months, "deprived of his sizable investments, businesses, movable and immovable property and bank accounts, and then", on 2 February 1996, "expelled from the country" for seeking payment of debts owed to him by the Democratic Republic of the Congo and by oil companies established in that country under contracts with companies owned by him, namely Africom-Zaire and Africontainers-Zaire.

As a basis for the Court's jurisdiction, Guinea relies on the declarations of, respectively, 8 February 1989 and 11 November 1998 whereby the Democratic Republic of the Congo and Guinea itself accepted the Court's compulsory jurisdiction.

By an Order of 25 November 1999, the Court fixed 11 September 2000 as the time-limit for the filing of a Memorial by Guinea and 11 September 2001 as the time-limit for the filing of a Counter-Memorial by the Democratic Republic of the Congo. By an Order of 8 September 2000 those time-limits were respectively extended to 23 March 2001 and 4 October 2002. The Memorial was filed within the time-limit as extended.

On 3 October 2002, within the time-limit fixed for the filing of the Counter-Memorial, the DRC raised certain preliminary objections to the admissibility of Guinea's Application; the proceedings on the merits were accordingly suspended. By an Order of 7 November 2002, the Court fixed 7 July 2003 as the time-limit for Guinea to present a written statement containing its observations and submissions on the preliminary objections raised by the DRC. That written statement was filed within the prescribed time-limit.

Public hearings on the preliminary objections were held between 27 November and 1 December 2006. In its Judgment of 24 May 2007, the Court found that the Application of the Republic of Guinea was admissible in so far as it concerns protection of Mr. Diallo's rights as an individual and of his direct rights as associé in Africom-Zaire and Africontainers-Zaire. On the other hand, the Court held that the Application was inadmissible in so far as it concerns protection of Mr. Diallo in respect of alleged violations of rights of Africom-Zaire and Africontainers-Zaire.

The full text of the Order will be available shortly on the Court's website. You are, however, reminded that written pleadings remain confidential until the Court decides to make them accessible to the public, generally at the opening of the oral proceedings.

Information Department:

Mrs. Laurence Blairon, Secretary of the Court, Head of the Department (+31 70 302 23 36)
Messrs. Boris Heim and Maxime Schoupe, Information Officers (+31 70 302 23 37)
Ms Joanne Moore, Associate Information Officer (+31 70 302 23 94)