



# INTERNATIONAL COURT OF JUSTICE

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## Press Release

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

**Fixing of the time-limit for the filing by Guinea of a written statement**  
**on the preliminary objections raised by the Congo**

THE HAGUE, 13 November 2002. By an Order dated 7 November 2002 the International Court of Justice (ICJ) fixed 7 July 2003 as the time-limit within which Guinea may present a written statement of its observations and submissions on the preliminary objections raised by the Democratic Republic of the Congo (DRC) in the case concerning Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo). The subsequent procedure was reserved for further decision.

The DRC had raised preliminary objections to the admissibility of Guinea's Application on 3 October 2002. Pursuant to Article 79 of the Rules of Court, the proceedings on the merits were then suspended.

At a meeting held by the President of the Court with the representatives of the Parties on 5 November 2002, Guinea indicated that it would need eight months for the preparation of its written statement, having regard in particular to the time required to gather all the relevant facts. The DRC did not object to such a time-limit being fixed.

### History of the proceedings

On 28 December 1998 the Republic of Guinea instituted proceedings against the Democratic Republic of the Congo (DRC) by filing in the Registry of the Court an "Application with a view to diplomatic protection", in which it requested the Court to "condemn the Democratic Republic of the Congo for the grave breaches of international law perpetrated upon the person of a Guinean national", Mr. Ahmadou Sadio Diallo.

According to Guinea, Mr. Ahmadou Sadio Diallo, a businessman who had been a resident of the Democratic Republic of the Congo for 32 years, was "unlawfully imprisoned by the authorities of that State" for two-and-a-half months, "divested of his important investments, companies, bank accounts, movable and immovable properties, then expelled" on 2 February 1996 as a result of his attempts to recover sums owed to him by the Democratic Republic of the Congo (especially by Gécamines, a State enterprise with a monopoly over mining), and by oil companies operating in that country (Zaire Shell, Zaire Mobil and Zaire Finna), under contracts concluded with businesses owned by him, Africom-Zaire and Africacontainers-Zaire.

As basis for the Court's jurisdiction, Guinea invoked its declaration of acceptance of the compulsory jurisdiction of the Court of 11 November 1998 and that of the Democratic Republic of the Congo of 8 February 1989.

By an Order of 25 November 1999 the Court, taking into account the agreement of the Parties, fixed 11 September 2000 as the time-limit for the filing of a Memorial by Guinea and 11 September 2001 for the filing of a Counter-Memorial by the Democratic Republic of the Congo.

By an Order of 8 September 2000 the President of the Court, at the request of Guinea and after the views of the other Party had been ascertained, extended those time-limits to 23 March 2001 and 4 October 2002 respectively. The Memorial was filed within the time-limit as thus extended. On 3 October 2002, within the time-limit fixed for the Counter-Memorial, the DRC filed preliminary objections to the admissibility of the Application.

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The full text of the Order will shortly be available on the Court's website at the following address: **<http://www.icj-cij.org>**

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