

**CASE CONCERNING THE FRONTIER DISPUTE (BURKINA FASO/  
REPUBLIC OF MALI) (PROVISIONAL MEASURES)**

**Order of 10 January 1986**

An order issued by the Chamber of the Court constituted to deal with the frontier dispute between Burkina Faso and Mali unanimously indicated provisional measures.

Among other measures, the Chamber asked the Governments of Burkina Faso and Mali to withdraw their armed forces to such positions, or behind such lines as may, within twenty days of the delivery of the Order, be determined by agreement between the two Governments, it being understood that the terms of the troop withdrawal will be laid down by the agreement in question: failing such agreement, the Chamber would itself indicate these terms.

The Chamber also called on both Parties to continue to observe the ceasefire which has already taken place; not to modify the previous situation as regards the administration of the disputed areas; and to avoid any act likely to aggravate or extend the dispute of which the Chamber is seised.

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The Chamber constituted in the case of the *Frontier Dispute (Burkina Faso/Mali)* is composed as follows:

President Mohammed Bedjaoui; Judges Manfred Lachs, José-Maria Ruda; Judges *ad hoc* François Luchaire, Georges Abi-Saab.

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**ORDER INDICATING PROVISIONAL MEASURES**

THE CHAMBER,  
unanimously,

1. *Indicates*, pending its final decision in the proceed-

ings instituted on 20 October 1983 by the notification of the Special Agreement between the Government of the Republic of Upper Volta (now Burkina Faso) and the Government of the Republic of Mali, signed on 16 September 1983 and relative to the frontier dispute between the two States, the following provisional measures:

A. The Government of Burkina Faso and the Government of the Republic of Mali should each of them ensure that no action of any kind is taken which might aggravate or extend the dispute submitted to the Chamber or prejudice the right of the other Party to compliance with whatever judgment the Chamber may render in the case;

B. Both Governments should refrain from any act likely to impede the gathering of evidence material to the present case;

C. Both Governments should continue to observe the ceasefire instituted by agreement between the two Heads of State on 31 December 1985;

D. Both Governments should withdraw their armed forces to such positions, or behind such lines, as may, within twenty days of the date of the present Order, be determined by an agreement between those Governments, it being understood that the terms of the troop withdrawal will be laid down by the agreement in question and that, failing such agreement, the Chamber will itself indicate them by means of an Order;

E. In regard to the administration of the disputed areas, the situation which prevailed before the armed actions that gave rise to the requests for provisional measures should not be modified;

2. *Calls upon* the Agents of the Parties to notify the Registrar without delay of any agreement concluded between their Governments within the scope of point 1 D above;

3. *Decides* that, pending its final judgment, and without prejudice to the application of Article 76 of the Rules, the Chamber will remain seised of the questions covered by the present Order.