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INTERNATIONAL COURT OF JUSTICE

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Communiqué

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Arbitral Award of 31 July 1989
(Guinea-Bissau v. Senegal)

Request for indication of provisional measures

The following information is communicated to the Press by the Registry of the International Court of Justice:

In the above case a request for the indication of provisional measures has been received from the Government of the Republic of Guinea-Bissau.

Oral proceedings, as provided for in Article 74, paragraph 3 of the Rules of Court, will open on Monday 12 February 1990 at 10 a.m. in the Great Hall of Justice of the Peace Palace, The Hague.

The case was instituted by an Application which the Republic of Guinea-Bissau filed against the Republic of Senegal on 23 August 1989, in respect of a dispute concerning the existence and validity of the arbitral award delivered on 31 July 1989 by the Arbitration Tribunal for the Determination of the Maritime Boundary between the two States; the Government of the Republic of Guinea-Bissau reserved the right to request provisional measures.

In its request for the indication of provisional measures the Government of the Republic of Guinea-Bissau inter alia refers to two occasions during the latter months of 1989 on which "the Senegalese Navy, in the course of unjustified supervision of the disputed area, took it upon itself to board foreign fishing vessels, escorting them into the port of Dakar for trial ...", and recalls that, as the outcome of the above-mentioned arbitration "was referred to the Court by the Republic of Guinea-Bissau by an Application alleging its inexistence and lack of validity, the area remains, pending the decision of the Court and pending its delimitation between the two States, a disputed area in which neither Party may effect any act of sovereignty".

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It accordingly requests, pursuant to Article 41 of the Statute of the Court and Article 74 of the Rules of Court, the indication of the following provisional measures:

"In order to safeguard the rights of each of the Parties, they shall abstain in the disputed area from any act or action of any kind whatever, during the whole duration of the proceedings until the decision is given by the Court."

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NOTE FOR THE PRESS

1. The public sitting(s) will be held in the Great Hall of Justice of the Peace Palace. Members of the Press will be entitled to attend on presentation of an admission card, which may be obtained upon application. The tables reserved for them are situated on the far left of the public entrance of the courtroom.

2. Photographs may be taken before the opening, during the first five minutes of the sittings; and also for a few minutes towards the end. Filming for cinema or television purposes is however subject to special authorization.

3. In the Press Room, located on the ground floor of the Peace Palace (Room 5), the oral proceedings will be relayed through a loudspeaker.

4. Members of the Press may use only the public telephones in the Post Office in the basement of the Palace.

5. Mr. Witteveen, Secretary of the Court (telephone extension 233) or, in his absence, Mrs. El-Erian (telephone extension 234), will be available to deal with any requests for information by members of the Press.
