



# INTERNATIONAL COURT OF JUSTICE

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**Communiqué**  
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## Maritime Delimitation and Territorial Questions between Qatar and Bahrain (Qatar v. Bahrain)

### Hearings on the merits of the dispute to open on Monday 29 May 2000 at 10 a.m.

THE HAGUE, 14 April 2000. Public hearings in the case concerning Maritime Delimitation and Territorial Questions between Qatar and Bahrain (Qatar v. Bahrain) will open on Monday 29 May 2000 at 10 a.m. before the International Court of Justice (ICJ), the principal judicial organ of the United Nations.

The hearings, which will last five weeks, will be dedicated to the merits of the dispute between the Parties. They will constitute the final phase of the proceedings in this case, which will have been the longest in the Court's history.

The programme is as follows:

#### First round of oral arguments

Monday 29 May	Qatar
Tuesday 30 May	Qatar
Wednesday 31 May	Qatar
Monday 5 June	Qatar
Tuesday 6 June	Qatar
Thursday 8 June	Bahrain
Friday 9 June	Bahrain
Tuesday 13 June	Bahrain
Wednesday 14	Bahrain
Thursday 15 June	Bahrain

#### Second round of oral arguments

Tuesday 20 June	Qatar
Wednesday 21 June	Qatar
Thursday 22 June	Qatar
Tuesday 27 June	Bahrain
Wednesday 28 June	Bahrain
Thursday 29 June	Bahrain

The hearings will be held from 10 a.m. to 1 p.m. On Monday 5 June and Tuesday 13 June, they will, exceptionally, take place in the morning from 10 a.m. to 1 p.m. and in the afternoon from 3 p.m. to 6 p.m.

#### Background information

On 8 July 1991, Qatar filed in the Registry of the Court an Application instituting proceedings against Bahrain "in respect of certain existing disputes between them relating to sovereignty over the Hawar Islands, sovereign rights over the shoals of Dibal and Qit'at Jaradah, and the delimitation of the

maritime areas". According to Qatar, these disputes had arisen following decisions taken by the British Government during the time of its presence in Bahrain and Qatar (which ended in 1971).

In its Application, Qatar founded the jurisdiction of the Court upon certain agreements which, it claimed, were concluded by the Parties in 1987 and 1990. In July 1991, Bahrain contested the basis of jurisdiction invoked by Qatar. The President of the Court then decided, after consultations with the Parties, that the proceedings should first address the issue of the jurisdiction of the Court and the admissibility of the Application. Written pleadings were exchanged and hearings were held from 28 February to 11 March 1994.

On 1 July 1994, the Court delivered a Judgment by which it found that the exchanges of letters between the King of Saudi Arabia and the Emir of Qatar, dated 19 and 21 December 1987, and between the King of Saudi Arabia and the Emir of Bahrain, dated 19 and 26 December 1987, as well as the document headed "Minutes" and signed at Doha on 25 December 1990 by the Ministers for Foreign Affairs of Bahrain, Qatar and Saudi Arabia, were international agreements creating rights and obligations for the Parties; and that by the terms of those agreements, the Parties had undertaken to submit to the Court the whole of their dispute. Having noted that it had only an Application from Qatar, the Court decided to afford the Parties the opportunity to submit the whole of the dispute jointly to it.

On 15 February 1995, the Court delivered a further Judgment by which, in the absence of an agreement between the Parties to submit the dispute to it jointly, it found that it had jurisdiction to adjudicate upon the dispute and that the Application of Qatar (as formulated by that State on 30 November 1994 and presented by a separate act) was admissible. Accordingly, the dispute submitted to the Court now includes the following matters: the Hawar Islands, including the island of Jana; Fasht al Dibal and Qit'at Jaradah; the archipelagic baselines; Zubarah; the areas for fishing for pearls and for fish and any other matters connected with maritime boundaries.

After the filing of a Memorial by each of the Parties on 30 September 1996, the President of the Court fixed 31 December 1997 as the time-limit for the filing of their Counter-Memorials.

By a letter dated 25 September 1997, Bahrain informed the Court that it challenged the authenticity of 81 documents produced by Qatar as annexes to its Memorial. Accordingly, Bahrain announced that it would disregard the content of these documents for the purposes of preparing its Counter-Memorial.

On 8 October 1997, Qatar stated that the objections raised by Bahrain had come too late to answer them in its Counter-Memorial. Bahrain then stated that the use by Qatar of the challenged documents gave rise to procedural difficulties that could affect the orderly development of the case. It observed that the question of the authenticity of the said documents was "logically preliminary to . . . the determination of their substantive effect". After the filing of the Counter-Memorials on 23 December 1997, Bahrain also challenged the authenticity of a further document annexed to Qatar's Counter-Memorial. Furthermore it emphasized again the need for the Court to decide the question of the documents' authenticity as a preliminary issue.

In view of this the Court, by an Order of 30 March 1998, directed that each of the Parties submit a Reply on the merits by 30 March 1999. It also decided that Qatar should file by 30 September 1998 an interim report, to be as comprehensive and specific as possible, on the question of the authenticity of each of the disputed documents. The Court specified that Qatar's Reply should contain its detailed and definitive position on the question and that Bahrain's Reply should contain its observations on Qatar's interim report.

In the interim report that it submitted on 30 September 1998, Qatar announced that for the purposes of the case, it would not rely on the disputed documents. In that report, to which four experts' reports were appended, Qatar stated on the one hand that, on the question of the material authenticity of the documents, there were differing views not only between the respective experts of the Parties, but also between its own experts, and on the other that, as far as the historical consistency of the content of those documents was concerned, the experts that it had consulted considered that Bahrain's assertions contained exaggerations and distortions of the facts. Qatar stated that it had taken its decision "so as to enable the Court to address the merits of the case without further procedural complications".

By an Order dated 17 February 1999, the Court placed on record the decision of Qatar to disregard the 82 documents annexed to its written pleadings which had been challenged by Bahrain and it accordingly decided that the Replies yet to be filed by Qatar and by Bahrain would not rely on these documents. The Court granted a two-month extension of the time-limit for the submission of these Replies (which was accordingly set for 30 May 1999) following a request by Qatar, to which Bahrain had no objection.

After filing their Replies within the extended time-limit, Qatar and Bahrain have submitted, with the approval of the Court, certain additional expert reports and historic documents.

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NOTE TO THE PRESS

1. The public sittings will be held in the Great Hall of Justice of the Peace Palace in The Hague, Netherlands. Mobile telephones and beepers are allowed in the courtroom **provided they are turned off or set on silent mode**. Any offending device will be temporarily retained.

2. Members of the Press will be entitled to attend on presentation of a press card. The tables reserved for them are situated on the far left of the public entrance of the courtroom.

3. Photographs may be taken for a few minutes at the opening and at the end of the sittings. Television crews may film, but advance notice should be given to the Information Department (see paragraph 7).

4. In the Press Room, located on the ground floor of the Peace Palace (Room 5), the Court's proceedings will be relayed through a loudspeaker.

5. The verbatim records of the public sittings will be published daily on the Court's website (<http://www.icj-cij.org>).

6. Members of the Press who wish to make telephone calls may use the phone located in the Press Room for collect calls or the public telephones in the Post Office in the basement of the Peace Palace.

7. Mr. Arthur Witteveen, First Secretary of the Court (tel: + 31 70 302 2336), and Mrs. Laurence Blairon, Information Officer (tel: + 31 70 302 2337), are available to deal with any requests for information and for making arrangements for television coverage.

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