



INTERNATIONAL COURT OF JUSTICE

Peace Palace, 2517 KJ The Hague. Tel.(070-302 23 23).Cables: Intercourt, The Hague.

Telefax (070-364 99 28). Telex 32323.

Communiqué

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Botswana and Namibia bring a case before the Court

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

On 29 May 1996 the Government of the Republic of Botswana and the Government of the Republic of Namibia notified jointly to the Registrar of the Court a Special Agreement which was signed between them on 15 February 1996 and entered into force on 15 May 1996, for the submission to the Court of the dispute existing between them concerning the boundary around Kasikili/Sedudu Island and the legal status of that island.

The Special Agreement refers to a Treaty between Great Britain and Germany respecting the spheres of influence of the two countries, signed on 1 July 1890, and to the appointment, on 24 May 1992, of a Joint Team of Technical Experts "to determine the boundary between Namibia and Botswana around Kasikili/Sedudu Island" on the basis of that Treaty and of the applicable principles of international law. Unable to reach a conclusion on the question the Joint Team of Technical Experts recommended "recourse to the peaceful settlement of the dispute on the basis of the applicable rules and principles of international law".

At the Summit Meeting held in Harare, Zimbabwe, on 15 February 1995, President Masire of Botswana and President Nujoma of Namibia agreed "to submit the dispute to the International Court of Justice for a final and binding determination".

In Article I of the Special Agreement:

"The Court is asked to determine, on the basis of the Anglo-Germany Treaty of 1st July 1890 and the rules and principles of international law, the boundary between Namibia and Botswana around Kasikili/Sedudu Island and the legal status of the island."

Article IX of the Special Agreement further provides:

1. The judgment of the Court on the dispute described in Article I shall be final and binding on the Parties.
2. As soon as possible after the delivery of the Court's judgment, the Parties shall take steps necessary to carry out the judgment."