

21 OCTOBRE 2022

ORDONNANCE

**DEMANDE CONCERNANT LA RESTITUTION DE BIENS CONFISQUÉS
DANS LE CADRE DE PROCÉDURES PÉNALES**

(GUINÉE ÉQUATORIALE c. FRANCE)

**REQUEST RELATING TO THE RETURN OF PROPERTY CONFISCATED
IN CRIMINAL PROCEEDINGS**

(EQUATORIAL GUINEA v. FRANCE)

21 OCTOBER 2022

ORDER

INTERNATIONAL COURT OF JUSTICE

YEAR 2022

**2022
21 October
General List
No. 184**

21 October 2022

**REQUEST RELATING TO THE RETURN OF PROPERTY CONFISCATED
IN CRIMINAL PROCEEDINGS
(EQUATORIAL GUINEA *v.* FRANCE)**

REQUEST FOR THE INDICATION OF PROVISIONAL MEASURES

ORDER

The President of the International Court of Justice,

Having regard to Articles 41 and 48 of the Statute of the Court and Articles 73 and 74 of the Rules of Court,

Having regard to the Application filed by the Republic of Equatorial Guinea (hereinafter “Equatorial Guinea”) on 29 September 2022 instituting proceedings against the French Republic (hereinafter “France”) concerning the alleged violation, by France, of its obligations under the United Nations Convention against Corruption of 31 October 2003,

Having regard to the Request for the indication of provisional measures submitted together with the Application, whereby Equatorial Guinea, referring to Article 41 of the Statute of the Court and Articles 73, 74 and 75 of the Rules of Court, asked the Court to indicate the following provisional measures:

- “(a) France must suspend the competitive bidding procedure in respect of the building located at 40-42 avenue Foch in Paris;
- (b) France must take all measures within its power to ensure that the building located at 40-42 avenue Foch in Paris is not offered for sale;
- (c) France must refrain from any action which might aggravate or extend the dispute before the Court or make it more difficult to resolve”;

Whereas the Registrar immediately communicated to the Government of France the Application, pursuant to Article 40, paragraph 2, of the Statute of the Court, and the Request for the indication of provisional measures, pursuant to Article 73, paragraph 2, of the Rules of Court; whereas the Registrar also notified the Secretary-General of the United Nations of the filing by Equatorial Guinea of the Application and the Request for the indication of provisional measures; and whereas, pending the notification provided for by Article 40, paragraph 3, of the Statute, the Registrar informed all States entitled to appear before the Court of the filing of the Application and the Request for the indication of provisional measures by a letter dated 12 October 2022;

Whereas, by letters dated 6 October 2022, the Registrar informed the Parties that, pursuant to Article 74, paragraph 3, of the Rules of Court, the Court had fixed 2 and 3 November 2022 as the dates for the oral proceedings on the Request for the indication of provisional measures;

Whereas, by a letter communicated to the Registry under cover of a Note Verbale from the Embassy of Equatorial Guinea in Brussels dated 19 October 2022, the Agent of Equatorial Guinea informed the Court that his Government had “decided to withdraw its Request for the indication of provisional measures in order to focus on the proceedings on the merits, so that the Court may settle the dispute at the earliest opportunity”;

Whereas, in light of the above letter from the Agent of Equatorial Guinea, the Registrar addressed, on 19 October 2022, letters to the Parties informing them that the public hearings on the Request for the indication of provisional measures which were due to open on 2 November 2022 had been cancelled,

Places on record the withdrawal by the Republic of Equatorial Guinea of its Request for the indication of provisional measures.

Done in French and in English, the French text being authoritative, at the Peace Palace, The Hague, this twenty-first day of October, two thousand and twenty-two, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Republic of Equatorial Guinea and the Government of the French Republic, respectively.

(Signed) Joan E. DONOGHUE,
President.

(Signed) Philippe GAUTIER,
Registrar.
