



INTERNATIONAL COURT OF JUSTICE

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Press Release

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Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo)

Preliminary Objections

Conclusion of the public hearings on the merits; Court ready to begin its deliberation

THE HAGUE, 1 December 2006. The public hearings on the preliminary objections raised by the Democratic Republic of the Congo (DRC) in the case concerning Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo) were concluded today. The Court will now start its deliberation.

On 3 October 2002, within the time-limit fixed for the filing of its Counter-Memorial, the Democratic Republic of the Congo raised certain preliminary objections to the admissibility of the Application. Consequently, proceedings on the merits were suspended.

At the hearings, which opened on Monday 27 November 2006 at the Peace Palace, seat of the Court, the delegation of the DRC was led by H.E. Mr. Pierre Ilunga M'Bundu wa Biloba, Minister of Justice and Keeper of the Seals, and H.E. Mr. Jacques Masangu-a-Mwanza, Ambassador of the Democratic Republic of the Congo to the Netherlands, as Agent. The delegation of Guinea was led by Mr. Mohamed Camara, Chargé d'affaires a.i. at the Embassy of the Republic of Guinea in Brussels, as Agent.

The Court's judgment on the preliminary objections will be delivered at a public sitting, the date of which will be announced in due course.

Final submissions of the Parties

At the conclusion of the oral proceedings the Parties presented the following final submissions to the Court:

For the Democratic Republic of the Congo:

“The Democratic Republic of the Congo respectfully requests the Court to adjudge and declare that the Application of the Republic of Guinea is inadmissible,

1. on the ground that the Republic of Guinea has no status to exercise diplomatic protection in the present proceedings, since its Application seeks essentially to

secure reparation for injury suffered on account of the violation of rights of companies not possessing its nationality;

2. on the ground that, in any event, neither the companies in question nor Mr. Diallo have exhausted the available and effective local remedies existing in the Democratic Republic of the Congo.”

For the Republic of Guinea:

“The Republic of Guinea kindly requests the Court:

1. to reject the Preliminary Objections raised by the Democratic Republic of the Congo;
2. to declare the Application of the Republic of Guinea admissible;
3. to fix time-limits for the further proceedings.”

Full transcripts of the hearings held between 27 November and 1 December 2006 can be found on the Court’s website (www.icj-cij.org). For the history of the proceedings, please refer to Press Release No. 2006/36 of 9 November 2006. It is also available on the Court’s website.

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