



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)

Conclusion of the public hearings

Court begins its deliberation

THE HAGUE, 29 April 2010. The public hearings in the case concerning Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo) were concluded today. The Court has started its deliberation.

During the hearings, which opened on 19 April 2010 at the Peace Palace, seat of the Court, the delegation of the Republic of Guinea was led by Colonel Siba Lohalamou, Minister of Justice, Keeper of the Seals, as Head of Delegation. The delegation of the Democratic Republic of the Congo was led by H.E. Mr. Henri Mova Sakanyi, Ambassador of the Democratic Republic of the Congo to the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg, as Agent and Head of Delegation.

The Court's Judgment will be rendered at a public sitting, the date of which will be announced in due course.

Final submissions of the Parties

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

For Guinea:

“1. On the grounds set out in its Memorial, its Reply and the oral argument now being concluded, the Republic of Guinea requests the International Court of Justice to adjudge and declare:

(a) that, in carrying out arbitrary arrests of its national, Mr. Ahmadou Sadio Diallo, and expelling him; in not at that time respecting his right to the benefit of the provisions of the 1963 Vienna Convention on Consular Relations; in submitting him to humiliating and degrading treatment; in depriving him of the exercise of his rights of ownership, oversight and management in respect of the companies which he founded in the DRC and in which he was the sole *associé*; in preventing him in that capacity from pursuing recovery of the numerous debts owed to the said companies both by the DRC itself and by other contractual partners; and in

expropriating *de facto* Mr. Diallo's property, the Democratic Republic of the Congo has committed internationally wrongful acts which engage its responsibility to the Republic of Guinea;

- (b) that the Democratic Republic of the Congo is accordingly bound to make full reparation on account of the injury suffered by Mr. Diallo or by the Republic of Guinea in the person of its national;
- (c) that such reparation shall take the form of compensation covering the totality of the injuries caused by the internationally wrongful acts of the Democratic Republic of the Congo, including loss of earnings, and shall also include interest.

2. The Republic of Guinea further requests the Court kindly to authorize it to submit an assessment of the amount of the compensation due to it on this account from the Democratic Republic of the Congo in a subsequent phase of the proceedings in the event that the two Parties should be unable to agree on the amount thereof within a period of six months following delivery of the Judgment."

For the Democratic Republic of the Congo:

"In the light of the arguments referred to above and of the Court's Judgment of 24 May 2007 on the preliminary objections, whereby the Court declared Guinea's Application to be inadmissible in so far as it concerned protection of Mr. Diallo in respect of alleged violations of rights of Africom-Zaire and Africontainers-Zaire, the Respondent respectfully requests the Court to adjudge and declare that:

- 1. the Democratic Republic of the Congo has not committed any internationally wrongful acts towards Guinea in respect of Mr. Diallo's individual personal rights;
- 2. the Democratic Republic of the Congo has not committed any internationally wrongful acts towards Guinea in respect of Mr. Diallo's direct rights as *associé* in Africom-Zaire and Africontainers-Zaire;
- 3. accordingly, the Application of the Republic of Guinea is unfounded in fact and in law and no reparation is due."

The verbatim records of the hearings held between 19 April and 29 April 2010 are available on the Court's website (www.icj-cij.org).

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