



INTERNATIONAL COURT OF JUSTICE

Peace Palace, 2517 KJ The Hague. Tel: +31 (0)70 302 23 23. Cables: Intercourt,
The Hague. Fax: +31 (0)70 364 99 28. Telex: 32323. E-mail address:
mail@icj-cij.org. Internet address: http://www.icj-cij.org.

Press Release

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Benin and Niger jointly submit a boundary dispute to the International Court of Justice

THE HAGUE, 3 May 2002. Benin and Niger today jointly seized the International Court of Justice (ICJ) of a boundary dispute between them.

By joint letter of 11 April 2002, filed today in the Registry, the two States notified to the Court a Special Agreement, which was signed on 15 June 2001 in Cotonou and entered into force on 11 April 2002.

Under Article 1, the Parties have agreed to submit their boundary dispute to a Chamber to be formed by the Court, pursuant to Article 26, paragraph 2, of the Statute of the Court, and that each of them will choose a judge ad hoc.

Article 2 of the Special Agreement states the subject-matter of the dispute in the following terms;

“The Court is requested to:

- (a) determine the course of the boundary between the Republic of Benin and the Republic of Niger in the sector of the River Niger;
- (b) specify which State owns each of the islands in the said river, and in particular Lété Island;
- (c) determine the course of the boundary between the two States in the sector of the River Mekrou.”

In Article 3, paragraph 1, the Parties inter alia request the Court to authorize the following written pleadings:

- “(a) a Memorial to be submitted by each of the Parties not later than nine (9) months after the adoption by the Court of the Order forming the Chamber;
- (b) a Counter-Memorial to be submitted by each of the Parties not later than nine months after the exchange of Memorials;
- (c) any other written pleadings whose filing, at the request of either of the Parties, shall have been authorized by the Court or prescribed by it.”

Article 7 of the Special Agreement, entitled “Judgment of the Chamber”, reads as follows:

- “1. The Parties accept as final and binding upon them the judgment of the Chamber rendered pursuant to the present Special Agreement.
2. From the day on which the judgment is rendered, the Parties shall have 18 months in which to commence the works of demarcation of the boundary.
3. In case of difficulty in the implementation of the judgment, either Party may seise the Court pursuant to Article 60 of its Statute.”

Finally, Article 10 contains a “special undertaking” as follows:

“Pending the judgment of the Chamber, the Parties undertake to preserve peace, security and quiet among the peoples of the two States.”

The full text of the Special Agreement will shortly be available
on the Court's website (www.icj-cij.org).

Information Office:

Mr. Arthur Witteveen, Secretary of the Court (tel: + 31 70 302 2336)

Mrs. Laurence Blairon & Mr. Boris Heim, Information Officers (tel: + 31 70 302 2337)

E-mail address: information@icj-cij.org

Website of the Court: www.icj-cij.org