Traduction
Translation

CR 2016/17 (traduction)

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Mercredi 19 octobre 2016 à 17 heures

Wednesday 19 October 2016 at 5 p.m.

8 The VICE-PRESIDENT, Acting President: Please be seated. The sitting is open. The Court meets this afternoon to hear the second round of oral observations of France on the request for the indication of provisional measures submitted by Equatorial Guinea.

For reasons duly made known to me, Judge Abraham, President of the Court, is unfortunately unable to be present on the Bench this afternoon.

I believe Professor Alain Pellet is to begin the oral argument of France. Professor, you have the floor.

Mr. PELLET:

THE COURT'S LACK OF PRIMA FACIE JURISDICTION

1. Thank you very much. You are quite correct, Mr. President. Mr. President, Members of the Court, all States are equal, but some are more equal than others: Equatorial Guinea had 22 hours to prepare its second round. We have had six.

2. That being so, we shall do our very best to respond to our opponents' arguments, some of which, I note, are new, in particular those on prima facie jurisdiction which Sir Michael eventually resigned himself to developing, and which I shall endeavour to refute. Professor Ascensio will proceed to show that the potential prejudice to Equatorial Guinea is neither imminent nor irreparable. The Agent of the French Republic will then duly make some concluding remarks, before reading out our final submissions. And to ensure that you are especially receptive to our arguments, I believe I can tell you that we shall not be using all our allotted speaking time.

I. The Court's lack of jurisdiction in respect of the criminal immunities of Mr. Obiang

3. Mr. President, as our opponents have confirmed, the key question in this case is whether or not Mr. Teodoro Nguema Obiang Mangue can claim to enjoy immunities from jurisdiction and execution in respect of the acts of money laundering of which he stands accused. Is there a dispute on this point between the Parties? Yes, there is. Does this question go to the merits of the case? Yes, it does. But the only relevant question at this stage is whether you have jurisdiction to address
9 it. And our answer to that key question is a firm no: no, there is no provision binding the Parties that confers jurisdiction on the Court to make a ruling, and you so clearly and unarguably lack

jurisdiction that, notwithstanding Sir Michael's skilful presentation, it is the only possible finding, prima facie.

4. Our opponent concedes that Equatorial Guinea is not seeking to extend application of the jurisdictional immunity of diplomats to Mr. Obiang[1]. That is duly noted. So, out with the 1961 Protocol as a basis of the Court's jurisdiction in respect of Mr. Obiang's criminal immunities. That therefore leaves only the Palermo Convention.

5. Sir Michael confidently states that these immunities flow, prima facie, from Article 4, paragraph 1, of the Palermo Convention, which cites the principles of sovereign equality of States and non-intervention in the domestic affairs of other States, from which the criminal immunity of certain high-ranking officials derives[2]. This is an extremely short shortcut: if indeed, in principle, such immunity were to exist — a point on which we do not take a stance — it might perhaps, in the abstract, be linked to the two principles cited in that provision. But *in respect of the Court's jurisdiction* — the only question before us — it is a different issue and consists in whether the Palermo Convention is applicable to the facts of the present case. The principles in question (which would also apply without that text, moreover . . .) are, so to speak, in the background. I quote Article 4, paragraph 1: "States Parties shall carry out their obligations under this Convention in a manner consistent with [these] principles . . .". And this is confirmed by the very brief comment on this provision in the Legislative Guide to the Convention, which recalls that: "Article 4 is the primary vehicle for protection of national sovereignty *in carrying out the terms of the Convention*"[3].

6. Equatorial Guinea claimed this morning that Article 4 of the Palermo Convention did not concern the objective of the Convention, as Article 1 does, but that it was a separate provision.

10 First, such a provision is hardly compatible with the Convention's *travaux préparatoires*[4], during

[1]CR 2016/16, p. 10, para. 10 (Wood).

[2]*Ibid.*, p. 11, para. 11 (Wood).

[3]*Legislative Guides for the Implementation of the United Nations Convention Against Transnational Organized Crime and the Protocol Thereto* (New York, United Nations, 2004), p. 14, para. 33; emphasis added.

[4]United Nations Office on Drugs and Crime, *Travaux Préparatoires of the negotiations for the elaboration of the United Nations Convention against Transnational Organized Crime and the Protocols thereto*, 2008, available at https://www.unodc.org/pdf/ctoccop_2006/04-60074_ebook-e.pdf.

which Germany, which had proposed this provision, suggested that it be inserted in the article defining the actual purpose of the Convention.

7. I note in passing that paragraph 2 of Article 4 clarifies the scope of the instruction contained in paragraph 1, stating that "[n]othing in this Convention entitles a State Party to undertake in the territory of another State the exercise of jurisdiction and performance of functions that are reserved exclusively for the authorities of that other State by its domestic law". So that is the effect to be given to paragraph 1. This would apply if France were seeking to prosecute a national of Equatorial Guinea (or anyone else) for offences committed in Equatorial Guinea — which is not the case for the money laundering offence of which Mr. Obiang is suspected in France.

8. So: "States Parties shall carry out their obligations under this Convention . . .". What obligations? Sir Michael cited Articles 6, 12, 14 and 18 of the Convention this morning. It is worth taking a careful look at them, despite the limited time available (and I might add: the problem is not that the demonstration is difficult, but that these provisions are rather long, and I would urge you, Members of the Court, to consider them further at your leisure, in the quiet of your offices):

— Article 6 requires States Parties to adopt "such *legislative and other* measures as may be necessary to" establish as a criminal offence the laundering of the proceeds of crime; France has done so (even before ratifying the Convention);

— Article 12 is in the same vein: it requires States Parties to take "such measures as may be necessary to enable confiscation"; these provisions also existed in French law, but once again, this is an obligation to legislate or regulate, and it is hard to see how Equatorial Guinea's claims of immunities could interfere with, or cancel out, the general and impersonal legislative or regulatory processes resulting from these provisions. And, regarding Article 12 more specifically, it includes its own interpretative clause, paragraph 9, which states:

> "Nothing contained in this article shall affect the principle that the measures to which it refers shall be defined and implemented in accordance with and subject to the provisions of the domestic law of a State Party." Each to his own.

11 A reminder which is perhaps not entirely superfluous, moreover, Mr. President: it is for the States Parties, in their sovereign wisdom, to apply the provisions of the Convention. Equatorial Guinea is entitled to assert its sovereignty; France would point out that it, too, is a sovereign State.

— The only relevant paragraph of Article 14 — the first — which must be read in conjunction with Article 12, which I have just spoken about, also calls for the same remark.

— As for Article 18 on mutual legal assistance, its application is not in dispute between the two States: France requested the mutual legal assistance of Equatorial Guinea in the present case; Equatorial Guinea responded positively to that request. And, very significantly, Equatorial Guinea did not raise the slightest objection on the basis of the immunities that it is now claiming on Mr. Obiang's behalf. This constitutes a demonstration of the "subsequent practice in the application of the treaty"[5] which helpfully sheds light on the interpretation to be given to the Palermo Convention. And this practice is all the more relevant in that it concerns the very case that has been submitted to the Court. I would not go so far as to speak of estoppel, about which notion I am known to have misgivings, but it seems to me that Equatorial Guinea is in no position to use Mr. Obiang's claimed immunities to protest — not at the implementation of the Convention — but at proceedings instituted against him on the basis of French law, independently of the Convention, when it had no objection to the request for mutual legal assistance that was made — very explicitly — on the basis of the Convention.

9. I would point out that the proceedings brought against Mr. Obiang are founded not on the Convention, but on the provisions of the French Penal Code. As Sir Michael observed[6], those provisions were in no way adopted to give effect to the Convention. On the contrary, as he pointed out, the Senate Report on the ratification of the Convention states that French criminal legislation *was already* in complete conformity with the obligations laid down by the Palermo Convention. Mr. Obiang Nguema Mangue could therefore be prosecuted for the same acts under French law,

12 even before and entirely independently of the Convention's entry into force, and it is on the basis of French criminal law that he is being prosecuted today.

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[5]Article 31, para. 3 *(b)* of the Vienna Convention on the Law of Treaties (23 May 1969).

[6]CR 2016/16, p. 13, para. 18 (Wood).

II. The Court's lack of jurisdiction in respect of the building at 42 avenue Foch

10. Mr. President, I now turn to the other aspect of the case, namely 42 avenue Foch.

11. You might perhaps consider, *ante prima facie*, that the 1961 Protocol establishes your jurisdiction in this respect, since Article 22 of the Vienna Convention on Diplomatic Relations guarantees immunities for "the premises of the mission". However, Mr. President and Members of the Court, even prima facie, you should not content yourselves with mere appearances. Suppose that Equatorial Guinea, lacking space at 42 avenue Foch, announces an extension of its embassy, let us say on the first floor of the Eiffel Tower, by putting up a little notice there; and suppose the French Republic, somewhat taken aback at this manner of proceeding, declares its opposition; would that constitute a dispute about the application of the Convention between the two States? Would the Protocol give you prima facie jurisdiction to rule on the matter? That would be absurd — and untenable prima facie.

12. Well, the same applies in the present case. Equatorial Guinea has had the bright idea of calling the premises at 42 avenue Foch its "embassy" in order to help one of its nationals escape from criminal proceedings and the potential consequences for the assets he had accumulated there. That is blatant. And also well-established. Prima facie, we are looking at a proven abuse of law. Despite his profession of Cartesian faith — and though I rejoice at this unexpected conversion — Sir Michael would have you draw no conclusion from that key element: "presume against France, there will always be time to see if it is right". The Respondent would thus have to bear the consequences (and they are very serious consequences) of what appears, quite obviously and prima facie, to be a misuse of procedure, and there will always be time to put right later on the situation thus created. This kind of logic is not Cartesian, but stands things on their head: in the

13 circumstances of the case, the wisest solution is to refuse to endorse a fait accompli and not to allow your esteemed Court to be used to reinforce it. And that is all the more important because, as it hardly seems necessary to recall, your Orders indicating provisional measures are of a legally binding character. Were you not to accept France's submission that the case be removed from the List, then there will indeed be time to consider whether, despite the overwhelming evidence and the obvious conclusions to which it leads, when all is said and done and *secunda facie*, it would be plausible for the building at 42 avenue Foch to enjoy the diplomatic protection and immunities

provided by the 1961 Convention. That is an issue for the merits, and we do not believe that you can resolve it or prejudge the outcome at this stage of provisional measures.

13. Members of the Court, thank you very much for your attention. Mr. President, would you now be so kind as to give the floor to Professor Ascensio?

The VICE-PRESIDENT, Acting President: Thank you, Professor Pellet. I now give the floor to Professor Hervé Ascensio. You have the floor, Professor.

Mr. ASCENSIO:

1. Mr. President, Members of the Court, I shall be revisiting the conditions of urgency and irreparable prejudice. This morning, Professor Kamto gave a particularly simplistic interpretation of your jurisprudence on the conditions for ordering provisional measures, not only by reducing those conditions from two to one, but also by asserting that the risk had to be "a mere 'possibility'"[7]. The fact that, in its Orders, this Court sometimes chooses to express these conditions in concise terms in no way changes its settled jurisprudence. The risk must be "imminent", which clearly refers to the condition of urgency, and must concern an irreparable prejudice. The risk and imminence must also be real and serious, and must concern plausible rights. Therefore, what you are to assess is not a theoretical or hypothetical possibility of a risk,

14 but the existence of a blatant risk, a real and serious risk, considered *in concreto*, that is, in the light of the circumstances of the case.

2. And yet, none of this has been established by our opponents in the present case. I will begin with the criminal proceedings concerning Mr. Nguema Obiang Mangue, and then move on to the risk of confiscation of the building at 42 avenue Foch and consequent expulsion.

I. THE ABSENCE OF URGENCY AND IRREPARABLE PREJUDICE CONCERNING MR. TEODORO NGUEMA OBIANG MANGUE

3. Yesterday, the Agent of the French Republic explained the course of French criminal proceedings, including the avenues of appeal available after a judgment has been rendered by a *Tribunal correctionnel*. He also explained that a custodial sentence — like the issuance of a new

[7] CR 2016/16, p. 28, para. 19 (Kamto).

arrest warrant — was not only unlikely, but *very* or *highly* unlikely, for reasons relating both to the avenues of appeal and the potential penalties, as well as the fact that the defendant has no criminal record[8]. Which means that there is no imminent, real or serious risk of irreparable prejudice. It is no doubt unnecessary to go over this again in detail today. However, a few points merit clarification in response to Mr. Tchikaya's presentation.

4. Article 388 of the Code of Criminal Procedure does indeed provide for the *Tribunal* to be seised by a referral order from the investigating judge. However, that order does not include a hearing date, since it lies with the Public Prosecutor to set that date and, in particular, to summon the defendant to appear in court. Therefore, even though the investigating judge's order seises the *Tribunal correctionnel*, the *Tribunal* — as demonstrated by the letter from the Financial Prosecutor included in the case file — has a free hand to set the date for the hearing on the merits.

5. Mr. Tchikaya also maintained a certain degree of ambiguity regarding the offences for which Mr. Nguema Obiang Mangue has been referred to the *Tribunal correctionnel*, mentioning only the reasons for his placement under judicial examination on 18 March 2014[9]. According to the referral order of 5 September 2016, Mr. Teodoro Nguema Obiang Mangue is charged only with money laundering. This is an autonomous offence taking place, in this instance, in French territory.

15 6. It should also be noted that, this morning, our opponents were careful not to revisit one essential aspect of the present case: the existence of avenues of appeal and their suspensive effect. However, criminal proceedings involve numerous steps and must be considered as a whole with regard to the condition of urgency. A final decision cannot be rendered until the proceedings have closed — and certainly not at any moment, as the Republic of Equatorial Guinea would have us believe. This is not a question of "slowness of justice", as Professor Maurice Kamto delighted in saying this morning, but of its ordinary course, through which the rights of the defendant are ensured.

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[8]CR 2016/15, p. 14-15, paras. 39 and 43; pp. 16-17, paras. 52 and 56 (Alabrune).

[9]CR 2016/16, p. 18, para. 26 (Tchikaya).

7. Moreover, supposing that a prejudice could arise out of criminal proceedings against an individual on account of his private activities, that prejudice cannot be deemed irreparable, since it can be remedied through appeal or judicial review.

8. With regard to the prejudice in and of itself, this morning it was said that, as Vice-President, Mr. Nguema Obiang Mangue has to "travel abroad frequently, at least as often as a Minister for Foreign Affairs"[10]. But the fact is that he is only responsible for certain areas — national defence and State security — and he is not the Minister for Foreign Affairs. The two functions are not identical.

9. It is true that, owing to the rise of international co-operation in all areas, all members of the executive — Vice-Presidents, Ministers and Secretaries of State alike — may occasionally be called upon to travel abroad. Does that mean that this is a function involving the "conduct of international relations" for a State, akin to the function of a Minister for Foreign Affairs? The Republic of Equatorial Guinea does not claim as much; it simply says that Mr. Nguema Obiang Mangue is "involved"[11] in that conduct, which is not the same thing, and remains rather vague.

10. Furthermore — and this is of great importance — Mr. Nguema Obiang Mangue is not the subject of an arrest warrant and, here again, there is no real risk of a new warrant being issued
16 prior to a final decision, which, were he to be convicted, would not be rendered for several years. We therefore do not see what prejudice — let alone any irreparable prejudice — is involved here.

11. In its Request for the indication of provisional measures, the Republic of Equatorial Guinea gave a list — a rather short list — of Mr. Nguema Obiang Mangue's trips abroad. This morning, Professor Maurice Kamto mentioned two trips abroad occurring within the last four months[12]. This clearly shows that, to date, the ordinary course of French criminal proceedings has in no way impeded Mr. Nguema Obiang Mangue from carrying out his official activities. This will be no different in the future.

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[10]CR 2016/16, p. 26, para. 12 (Kamto).

[11]*Ibid.*, p. 27, para. 18 (Kamto).

[12]CR 2016/16, p. 27, paras. 14 and 15 (Kamto).

12. Moreover, I do not see what might be "misconceived" or "paradoxical"[13] about explaining to the Court that if Mr. Nguema Obiang Mangue were to be part of a special diplomatic mission, he would enjoy immunity in accordance with customary international law. Special diplomatic missions are a perfectly normal means of co-operation between States, in all areas of activity. It is curious, on the other hand, to suggest that France does not comply with the régime of special diplomatic missions.

13. I should add that Mr. Teodoro Nguema Obiang Mangue would also enjoy immunity if he were part of a delegation to an international organization that has its headquarters in French territory, by virtue of the provisions on immunities in the headquarters agreements between the French Republic and such international organizations.

14. On the other hand, the provisional measure requested by the Republic of Equatorial Guinea would require France:

— first, to observe very broad immunity granted to a State official who is not part of the troika, whereas the very existence of such immunity is contentious, to say the least, in the light of the current state of international law; and

— second, it would require France to respect this immunity even in relation to any of Mr. Teodoro Nguema Obiang Mangue's private visits to French territory, since it would be a question of personal immunity.

17 15. Mr. President, Members of the Court, I shall now turn to the other aspect of this case.

II. THE ABSENCE OF URGENCY AND IRREPARABLE PREJUDICE CONCERNING THE BUILDING AT 42 AVENUE FOCH

16. There is clearly no risk of imminent confiscation of the building. As the French Republic explained yesterday, confiscation could not take place until after a final judicial decision has been rendered, that is, after all avenues of appeal have been exhausted. That would not be until 2019, so there is no urgency here. Again, it is probably not necessary to go over this again in detail.

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[13] *Ibid.*, p. 28, para. 20 (Kamto).

17. One point should be noted, however. This morning, Mr. Tchikaya presented confiscation as a "mandatory additional penalty", which might suggest an automatic link between Mr. Nguema Obiang Mangue's conviction and the confiscation of the building located at 42 avenue Foch[14].

18. In French criminal law, confiscation is a potential additional penalty for felonies and misdemeanours that are subject to a penalty of at least one year's imprisonment. In other words, it cannot be ordered by the *Tribunal* without the defendant having first been declared guilty, and it could not be put into effect until all avenues of appeal had been exhausted. Moreover, additional penalties are potential penalties; they are not mandatory. Article 321-9 of the Penal Code, which sets out the potential additional penalties that apply to the offence of money laundering, reads as follows:

> "Natural persons convicted of any of the offences provided for under the present chapter may also incur the following additional penalties: . . . (6) confiscation of whatever was used or intended for the commission of the offence or of whatever is its product . . ." *[Translation by the Registry.]*

So it is for the *Tribunal correctionnel* to determine, having regard to the circumstances of the case, whether to apply the additional penalty of confiscation. The law does not require it to do so.

18 19. The question of ownership of the building clearly forms part of those circumstances. In this respect, it must be recalled that the State of Equatorial Guinea has the possibility of opposing such confiscation before the trial courts, by invoking its purported standing as a third-party owner which acquired the property in good faith before it was attached under the Code of Criminal Procedure.

20. In any event, the property's confiscation and subsequent sale would not necessarily be incompatible with the Republic of Equatorial Guinea's standing as occupant. It is, for example, common for a State to rent premises in a building that it does not own. These two aspects — confiscation and expulsion — are thus separable.

21. Mr. President, that concludes my comments on the absence of urgency and irreparable prejudice for this second round of oral argument. May I now kindly ask you to give the floor to the Agent of the French Republic.

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[14]CR 2016/16, p. 21, para. 26 (Tchikaya).

The VICE-PRESIDENT, Acting President: Thank you, Professor Ascensio. I give the floor to the Agent of the French Republic, Mr. François Alabrune. You have the floor.

Mr. ALABRUNE:

FINAL SUBMISSIONS

1. Mr. President, Members of the Court, before I read out the submissions of the French Republic to the Court at the end of these hearings, I should like to make the following remarks.

2. As I recalled yesterday, France sets great store by the excellent relations of friendship and co-operation that it maintains with the Republic of Equatorial Guinea. However, the French authorities are not in a position to pursue the request for negotiation made by the Agent of Equatorial Guinea, entailing the suspension of the criminal proceedings in France. I explained the reasons for this yesterday, referring to the independence of the French judiciary and the fact that our criminal legislation does not allow for proceedings to be stopped by means of a compromise.

3. I would also like to reiterate France's commitment to respecting Equatorial Guinea's sovereignty. However, it should also be recalled that the referral order deals only with acts committed on French territory. These proceedings therefore do not constitute an attack on
19 Equatorial Guinea's sovereignty; rather, they represent the exercise of France's own sovereignty.

4. Mr. President, Members of the Court, yesterday I presented you with the facts behind the dispute and the possible stages of future proceedings. I would point out that this presentation was not contested by Equatorial Guinea's representatives this morning, Mr. Tchikaya having merely disputed the fact that judges of the Supreme Court of Malabo had "placed [Mr. Nguema Obiang Mangue] under judicial examination". I would confirm what I said yesterday, however. It was indeed judges of the Supreme Court of Malabo, acting as investigating judges for the purposes of executing the request for mutual legal assistance, together with the French authorities, who notified Mr. Nguema Obiang Mangue, that is to say, who formalized and made a record of his placement under judicial examination.

5. I would further observe that the discussions since yesterday of the conditions for the indication of provisional measures have confirmed that Equatorial Guinea's request is ill-founded.

6. With regard to the status of Mr. Nguema Obiang Mangue, there is clearly no basis for prima facie jurisdiction enabling the Court to entertain the question, which is a matter of customary

international law. Even if he enjoyed personal immunity and even if he were genuinely at serious risk of a measure affecting his liberty, which is not the case, the Court would therefore be unable to order the provisional measures that are requested.

7. Furthermore, as regards the building located at 42 avenue Foch, supposing that the Court has prima facie jurisdiction to consider this point — which again is not the case — there is no real and imminent risk of irreparable prejudice, and therefore no urgency justifying the indication of provisional measures. Once again, no definitive conviction or potential confiscation could take place before 2019.

8. Mr. President, Members of the Court, in accordance with the Rules of Court, I shall now read out the submissions of the French Republic:

> "For the reasons explained by its representatives at the hearings on the request for the indication of provisional measures in the case concerning *Immunities and Criminal Proceedings (Equatorial Guinea* v. *France)*, the French Republic asks the Court:
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> *(i)* to remove the case from its List;
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> *(ii)* or, failing that, to reject all the requests for provisional measures made by Equatorial Guinea."

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9. Mr. President, Members of the Court, I am very grateful for your attention. I should also like to give our warmest thanks to the Registrar and all the Registry staff, the interpreters and those responsible for producing the verbatim records. I thank too the members of the Equatorial Guinea delegation for the quality of our exchanges during the hearings, and in particular the Agent of Equatorial Guinea, H.E. Mr. Carmelo Nvono Nca. And, if I may, I shall also thank the members of the French delegation, especially Professors Alain Pellet and Hervé Ascensio.

10. Mr. President, Members of the Court, that concludes the presentation of the French Republic at the present hearing. Thank you.

The VICE-PRESIDENT, Acting President: Thank you, Mr. Alabrune.

Two judges have questions to put to Equatorial Guinea. I shall first give the floor to Judge Bennouna. You have the floor, Sir.

Judge BENNOUNA: Many thanks, Mr. Vice-President. My question is addressed to Equatorial Guinea:

In a Note Verbale dated 15 February 2012 to the French Ministry of Foreign Affairs, which is included in the case file, the Embassy of the Republic of Equatorial Guinea states that "the Republic of Equatorial Guinea has acquired a townhouse at 42 avenue Foch", adding that "[t]he title to the property is in the process of being transferred". My question is as follows:

> "On what date did Equatorial Guinea definitively acquire that property title, and did it register it at the Land Registry in France?"

Thank you, Mr. Vice-President

The VICE-PRESIDENT, Acting President: Thank you, Judge Bennouna. Et je donne à présent la parole à Mme la juge Donoghue, qui souhaiterait elle aussi poser une question à la Guinée Equatoriale.

21 Juge DONOGHUE : Merci, Monsieur le vice-président.

Ma question à la Guinée équatoriale est la suivante : au paragraphe 12 de sa requête, la Guinée équatoriale décrit l'immeuble situé au 42 avenue Foch comme les «locaux de [s]a mission diplomatique en France». A partir de quelle date considère-t-elle qu'il a acquis ce statut ?

Je vous remercie, Monsieur le président.

The VICE-PRESIDENT, Acting President: Je remercie Mme le juge Donoghue.

The texts of those questions will be communicated to the Parties in writing as soon as possible. Equatorial Guinea is invited to give its replies no later than 26 October 2016 at 1 p.m.

Any comments that France may wish to make on the replies of the other Party, pursuant to Article 72 of the Rules of Court, must be presented no later than 1 November 2016 at 1 p.m.

That brings the present set of hearings to a close. It remains for me to thank the representatives of the two Parties for the assistance they have given the Court through their oral observations in the course of these four hearings. In accordance with practice, I would ask the Agents to remain at the Court's disposal.

The Court will render its Order on the request for the indication of provisional measures as soon as possible. The Agents of the Parties will be advised in due course as to the date of its delivery at public sitting.

Since the Court has no other business before it today, the sitting is closed.

The Court rose at 5.50 p.m.

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