

INTERNATIONAL COURT OF JUSTICE

YEAR 2018

**2018
6 June
General List
No. 163**

6 June 2018

IMMUNITIES AND CRIMINAL PROCEEDINGS

(EQUATORIAL GUINEA v. FRANCE)

ORDER

Present: President YUSUF; Vice-President XUE; Judges OWADA, TOMKA, ABRAHAM, BENNOUNA, CANÇADO TRINDADE, DONOGHUE, GAJA, SEBUTINDE, BHANDARI, ROBINSON, CRAWFORD, GEVORGIAN, SALAM; Judge ad hoc KATEKA; Registrar COUVREUR.

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Article 48 of the Statute of the Court and to Article 79, paragraph 9, of the Rules of Court,

Having regard to the Application filed in the Registry of the Court on 13 June 2016, whereby the Republic of Equatorial Guinea instituted proceedings against the French Republic with regard to a dispute concerning “the immunity from criminal jurisdiction of the Second Vice-President of the Republic of Equatorial Guinea in charge of Defence and State Security [Mr. Teodoro Nguema Obiang Mangue], and the legal status of the building which houses the Embassy of Equatorial Guinea in France, both as premises of the diplomatic mission and as State property”,

Having regard to the Order of 1 July 2016, whereby the Court fixed 3 January 2017 and 3 July 2017 as the respective time-limits for the filing of a Memorial by the Republic of Equatorial Guinea and a Counter-Memorial by the French Republic,

Having regard to the Memorial of the Republic of Equatorial Guinea filed within the time-limit thus fixed,

Having regard to the preliminary objections to the jurisdiction of the Court raised by the Government of the French Republic on 31 March 2017;

Whereas, under the provisions of Article 79, paragraph 5, of the Rules of Court, the filing of preliminary objections by the French Republic had the effect of suspending the proceedings on the merits;

Whereas the Court, by its Judgment of 6 June 2018, declared that it had jurisdiction, on the basis of the Optional Protocol to the Vienna Convention on Diplomatic Relations concerning the Compulsory Settlement of Disputes, to entertain the Application filed by the Republic of Equatorial Guinea on 13 June 2016, in so far as it concerns the status of the building located at 42 Avenue Foch in Paris as premises of its mission, and that this part of the Application is admissible,

Fixes 6 December 2018 as the time-limit for the filing of the Counter-Memorial of the French Republic; and

Reserves the subsequent procedure for further decision.

Done in French and in English, the French text being authoritative, at the Peace Palace, The Hague, this sixth day of June, two thousand and eighteen, 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) Abdulqawi Ahmed YUSUF,
President.

(Signed) Philippe COUVREUR,
Registrar.
