

History of the proceedings

On 28 August 2014, the Federal Republic of Somalia filed an Application instituting proceedings against the Republic of Kenya with regard to a dispute concerning the delimitation of maritime spaces claimed by both States in the Indian Ocean.

In its Application, Somalia contends that both States “disagree about the location of the maritime boundary in the area where their maritime entitlements overlap”, and asserts that “[d]iplomatic negotiations, in which their respective views have been fully exchanged, have failed to resolve this disagreement”.

In consequence, Somalia requests the Court “to determine, on the basis of international law, the complete course of the single maritime boundary dividing all the maritime areas appertaining to Somalia and to Kenya in the Indian Ocean, including the continental shelf beyond 200 [nautical miles]”. The Applicant further asks the Court “to determine the precise geographical co-ordinates of the single maritime boundary in the Indian Ocean”.

As a basis for the Court’s jurisdiction, the Applicant relies on the provisions of Article 36, paragraph 2, of the Statute and refers to the declarations recognizing the compulsory jurisdiction of the Court made by Somalia and Kenya on 11 April 1963 and 19 April 1965, respectively.

Somalia further maintains that “[t]he jurisdiction of the Court under Article 36, paragraph 2, of its Statute is underscored by Article 282 of UNCLOS [the United Nations Convention on the Law of the Sea]”, both the Parties having ratified that Convention in 1989.

By an Order of 16 October 2014, the President of the International Court of Justice fixed 13 July 2015 and 27 May 2016 as the respective time-limits for the filing of a Memorial by Somalia and a Counter-Memorial by Kenya.

The Memorial of Somalia was filed within the time-limit thus fixed.

On 7 October 2015, Kenya raised certain preliminary objections to the jurisdiction of the Court and to the admissibility of the Application. In accordance with Article 79, paragraph 5, of the Rules of Court, the proceedings on the merits have been suspended.

By an Order of 9 October 2015, the Court fixed 5 February 2016 as the time-limit within which the Federal Republic of Somalia might present a written statement of its observations and submissions on the preliminary objections raised by the Republic of Kenya.

The written statement of Somalia was filed within the time-limit thus fixed.

A. Admission procedures

Owing to the limited number of seats available in the Great Hall of Justice, priority access will be given to representatives of the States parties to the case, and to members of the diplomatic corps.

1. Members of the diplomatic corps

The Information Department requests members of the diplomatic corps who plan to attend the hearings to notify it accordingly **before midnight on Thursday 15 September 2016** (The Hague time), by e-mail to confirmation@icj-cij.org.

2. Members of the public

A number of seats will be allocated to members of the public on a first-come, first-served basis. There will be no advance registration procedure, and admission requests submitted beforehand will not be considered.

3. Media representatives

Media representatives are subject to a compulsory online accreditation procedure, which will close **at midnight on Thursday 15 September 2016**. Requests submitted after this deadline will not be considered. For full details (timetable, technical facilities, etc.), see the section below entitled “Further practical information for the media”.

B. Further practical information for the media

1. Verbatim records of the hearings

Verbatim records of the pleadings will be published daily on the Court’s website. On the final day of the hearings, a press release will be issued presenting the submissions of the Parties. Note that the Court’s press releases do not constitute official documents.

2. Entry to the Peace Palace

The Press Room will be open one hour prior to the start of hearings and will close one hour after they conclude. Accredited media representatives must bring with them their personal ID and press card, and are asked to arrive at the Peace Palace gates one hour (and no later than 30 minutes) before the start of the hearings. **Only duly accredited individuals with valid identification will be permitted to enter the Peace Palace grounds.**

3. Parking at the Peace Palace, satellite vehicles

No parking is allowed in the Peace Palace grounds apart from satellite vehicles. Media wishing to park satellite vehicles are requested to fill in the appropriate fields in the online accreditation form. Televised media wishing to broadcast the sitting live should contact the Information Department as soon as possible to make the necessary arrangements. Satellite vehicle technicians/drivers will be informed in due course of the access times for the Peace Palace grounds.

4. Access to the courtroom

Photographers and camera crews will only be permitted to enter the room for a few minutes at the start of the first day of each round of pleadings. They will be accompanied by Registry staff members and must keep to the right-hand side of the room. Journalists will be able to follow the hearings from the Press Room.

5. Press Room

The hearings will be transmitted live on a large screen, in English and French, in a press room equipped with a shared Internet access (Wi-Fi, Ethernet). TV crews can connect to the Court’s PAL (HD and SD) and NTSC (SD) audio-visual system and radio reporters to the audio system.

6. Other media services

For further practical information (on requests for interviews, TV stand-up positions, audio and video outputs available, etc.), please visit the Court’s website. Click on “Press Room”, and then on “Media Services”.

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The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946. The seat of the Court is at the Peace Palace in The Hague (Netherlands). Of the six principal organs of the United Nations, it is the only one not located in New York. The Court has a twofold role: first, to settle, in accordance with international law, legal disputes submitted to it by States (its judgments have binding force and are without appeal for the parties concerned); and, second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies of the system. The Court is composed of 15 judges elected for a nine-year term by the General Assembly and the Security Council of the United Nations. Independent of the United Nations Secretariat, it is assisted by a Registry, its own international secretariat, whose activities are both judicial and diplomatic, as well as administrative. The official languages of the Court are French and English. Also known as the “World Court”, it is the only court of a universal character with general jurisdiction.

The ICJ, a court open only to States for contentious proceedings, and to certain organs and institutions of the United Nations system for advisory proceedings, should not be confused with the other — mostly criminal — judicial institutions based in The Hague and adjacent areas, such as the International Criminal Tribunal for the former Yugoslavia (ICTY, an ad hoc court created by the Security Council), the International Criminal Court (ICC, the first permanent international criminal court, established by treaty, which does not belong to the United Nations system), the Special Tribunal for Lebanon (STL, an international judicial body with an independent legal personality, established by the United Nations Security Council upon the request of the Lebanese Government and composed of Lebanese and international judges), or the Permanent Court of Arbitration (PCA, an independent institution which assists in the establishment of arbitral tribunals and facilitates their work, in accordance with the Hague Convention of 1899).

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