



# INTERNATIONAL COURT OF JUSTICE

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## Press Release

Unofficial

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### **Questions relating to the Obligation to Prosecute or Extradite (Belgium v. Senegal)**

#### **Conclusion of the public hearings on the request for the indication of provisional measures submitted by the Kingdom of Belgium**

THE HAGUE, 8 April 2009. The public hearings on the request for the indication of provisional measures submitted by the Kingdom of Belgium to the International Court of Justice (ICJ) in the case concerning Questions relating to the Obligation to Prosecute or Extradite (Belgium v. Senegal) were concluded today. The Court has started its deliberation.

On 19 February 2009 Belgium instituted proceedings against Senegal, on the grounds that a dispute exists “between the Kingdom of Belgium and the Republic of Senegal regarding Senegal’s compliance with its obligation to prosecute” the former President of Chad, Hissène Habré, “or to extradite him to Belgium for the purposes of criminal proceedings”. Belgium also submitted a request for the indication of provisional measures, in order to protect its rights pending the Court’s Judgment on the merits (see Press Release No. 2009/13).

Two rounds of oral observations on this request were held from Monday 6 to Wednesday 8 April 2009 at the Peace Palace in The Hague, seat of the Court. During the hearings, the delegation of the Kingdom of Belgium was led by Mr. Paul Rietjens, Director-General of Legal Affairs, Federal Public Service for Foreign Affairs, Foreign Trade and Development Co-operation, as Agent. The delegation of the Republic of Senegal was led by H.E. Mr. Cheikh Tidiane Thiam, Ambassador, Director of Legal and Consular Affairs, Ministry of Foreign Affairs, as Agent.

#### **Submissions of the Parties**

At the end of Belgium’s second round of oral observations, on 7 April 2009, the Co-Agent, Mr. Gérard Dive, Head of the International Humanitarian Law Division, Federal Public Service for Justice, set out the provisional measures requested by that State as follows:

“Belgium respectfully asks the Court to indicate the following provisional measures: the Republic of Senegal is requested to take all the steps within its power to keep Mr. Hissène Habré under the control and surveillance of the Senegalese authorities so that the rules of international law with which Belgium requests compliance may be correctly applied.”

At the end of Senegal's second round of oral observations, the Co-Agent, Mr. Demba Kandji, Director of Criminal Affairs and Pardons, Ministry of Justice, submitted as follows on behalf of his Government:

“Senegal respectfully asks the Court to reject the provisional measures requested by Belgium on 7 April 2009.”

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

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The verbatim records of the hearings held from 6 to 8 April 2009 are available on the Court's website ([www.icj-cij.org](http://www.icj-cij.org)).

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