



INTERNATIONAL COURT OF JUSTICE

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Case concerning Kasikili/Sedudu Island (Botswana/Namibia)
Fixing of a time-limit for the filing
of further written pleadings

THE HAGUE, 27 February 1998. The International Court of Justice (ICJ) fixed today a time-limit for the filing of further written pleadings in the case concerning Kasikili/Sedudu Island (Botswana/Namibia).

The filing of further written pleadings had been requested by the Parties in a joint letter dated 16 February 1998. The request was based on the Special Agreement of 1996 whereby Botswana and Namibia submitted to the Court the dispute between them concerning the boundary around Kasikili/Sedudu Island and the legal status of the island.

Article II (2) (c) of that Special Agreement provides that the written pleadings shall include, in addition to the Memorials and Counter-Memorials submitted by each Party, "such other . . . pleadings as may be approved by the Court at the request of either of the Parties, or as may be directed by the Court".

By an Order dated 24 June 1996, the Court had fixed 28 February 1997 as the time-limit for the filing of a Memorial by each of the Parties and 28 November 1997 as the time-limit for the filing of a Counter-Memorial by each of the Parties. These written pleadings have been duly filed by Botswana and Namibia within the time-limits fixed.

By today's Order, the Court fixed 27 November 1998 as the time-limit for the filing of a Reply by each of the Parties, taking into account the agreement between the Parties.

The subsequent procedure has been reserved for further decision.

History of the dispute

On 29 May 1996 the Government of the Republic of Botswana and the Government of the Republic of Namibia notified jointly to the Registrar of the Court a Special Agreement between the two States signed at Gaborone (Botswana) on 15 February 1996 and which came into force on 15 May 1996, for the submission to the Court of the dispute existing between them concerning the boundary around Kasikili/Sedudu island and the legal status of the island.

The Special Agreement refers to a Treaty between Great Britain and Germany respecting the spheres of influence of the two countries, signed on 1 July 1890, and to the appointment, on 24 May 1992, of a Joint Team of Technical Experts "to determine the boundary between Namibia and Botswana around Kasikili/Sedudu Island" on the basis of that Treaty and of the applicable principles of international law.

Unable to reach a conclusion on the question, the Joint Team of Technical Experts recommended "recourse to the peaceful settlement of the dispute on the basis of the applicable rules and principles of international law".

At the Summit Meeting held in Harare, Zimbabwe, on 15 February 1995, President Masire of Botswana and President Nujoma of Namibia agreed "to submit the dispute to the International Court of Justice for a final and binding determination".

Under the terms of the Special Agreement, the Parties asked the Court to "determine, on the basis of the Anglo-German Treaty of 1 July 1890 and the rules and principles of international law, the boundary between Namibia and Botswana around Kasikili/Sedudu Island and the legal status of the island".

Website address of the Court: <http://www.icj-cij.org>

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