



INTERNATIONAL COURT OF JUSTICE

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Communiqué
unofficial
for immediate release

No. 99/2
10 February 1999

Kasikili/Sedudu Island (Botswana/Namibia)

Hearings to open on 15 February 1999 on the merits of the case

THE HAGUE, 10 February 1999. Hearings in the case concerning Kasikili/Sedudu Island (Botswana/Namibia) will open on Monday 15 February 1999 at 10 a.m. before the International Court of Justice (ICJ), the principal judicial organ of the United Nations.

The hearings, which will last until Friday 5 March 1999, will be concerned with the merits of the case.

The programme is the following:

First round of pleadings

Monday 15 February to Thursday 18 February: Namibia
Monday 22 February to Thursday 25 February: Botswana

Second round of pleadings

Monday 1 March and Tuesday 2 March: Namibia
Thursday 4 March and Friday 5 March: Botswana

All sittings will take place from 10 a.m. to 1 p.m., subject to possible changes with regard to the second round of pleadings.

The delegation from Botswana will be led by Mr. Abednego Batshani Tafa, Advocate of the High Court and Court of Appeal, Deputy Attorney-General, Agent. The delegation from Namibia will be led by Dr. Albert Kawana, Permanent Secretary of the Ministry of Justice, Agent.

Background information

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, 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.

Finding themselves unable to reach agreement 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".

By an Order of 24 June 1996, the Court 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 an Order of 27 February 1998, the Court, taking into account the agreement between the Parties, fixed 27 November 1998 as the time-limit for the filing of their respective Replies. These Replies have been duly filed by both Parties.

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NOTE FOR THE PRESS

1. The public hearings will be held in the Great Hall of Justice of the Peace Palace in The Hague, the Netherlands. Mobile telephones and beepers are allowed in the courtroom **provided they are turned off or set on silent mode**. Any offending device will be temporarily retained.

2. Members of the Press will be entitled to attend on presentation of an admission card, which may be obtained upon application. The tables reserved for them are situated on the far left of the public entrance of the courtroom.

3. Photographs may be taken for a few minutes at the opening and at the end of the hearings. Television crews may film, but advance notice should be given to the Information Office (see paragraph 7).

4. In the Press Room, located on the ground floor of the Peace Palace (Room 5), the Court's proceedings will be relayed through a loudspeaker.

5. The verbatim records of the hearings will be available on a daily basis on the website of the Court (<http://www.icj-cij.org>).

6. Members of the Press who wish to make telephone calls may use the phone located in the Press Room (for calls in the Netherlands and collect calls) or the public telephones in the Post Office in the basement of the Peace Palace.

7. Mr. Arthur Witteveen, Secretary of the Court (tel: 31-70-302 2336), and Mrs. Laurence Blairon, Information Officer (tel: 31-70-302 2337), are available to deal with any requests for information and for making arrangements for television coverage.