



# INTERNATIONAL COURT OF JUSTICE

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## Press Release

Unofficial

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### Immunities and Criminal Proceedings (Equatorial Guinea v. France)

#### Conclusion of the public hearings on the request for the indication of provisional measures made by Equatorial Guinea

#### The Court to begin its deliberation

THE HAGUE, 19 October 2016. The public hearings on the request for the indication of provisional measures made by Equatorial Guinea in the case concerning Immunities and Criminal Proceedings (Equatorial Guinea v. France) were concluded today. The Court will now begin its deliberation.

Two rounds of oral observations on the request were held from Monday 17 to Wednesday 19 October 2016 at the Peace Palace in The Hague, seat of the Court. During the hearings, the delegation of Equatorial Guinea was led by H.E. Mr. Carmelo Nvono Nca, Ambassador of the Republic of Equatorial Guinea to the Kingdom of the Netherlands, as Agent. The delegation of France was led by Mr. François Alabrune, Director of Legal Affairs at the French Ministry of Foreign Affairs and International Development, as Agent.

The Court's decision on the request for the indication of provisional measures will be delivered at a public sitting, the date of which will be announced in due course.

#### Requests of the Parties

At the end of the second round of oral observations, the Parties presented the following submissions to the Court:

#### For Equatorial Guinea:

“On the basis of the facts and law set out in our Request of 29 September 2016, and in the course of the present hearing, Equatorial Guinea respectfully asks the Court, pending its judgment on the merits, to indicate the following provisional measures:

- (a) that France suspend all the criminal proceedings brought against the Vice-President of the Republic of Equatorial Guinea, and refrain from launching new proceedings against him, which might aggravate or extend the dispute submitted to the Court;

- (b) that France ensure that the building located at 42 avenue Foch in Paris is treated as premises of Equatorial Guinea’s diplomatic mission in France and, in particular, assure its inviolability, and that those premises, together with their furnishings and other property thereon, or previously thereon, are protected from any intrusion or damage, any search, requisition, attachment or any other measure of constraint;
- (c) that France refrain from taking any other measure that might cause prejudice to the rights claimed by Equatorial Guinea and/or aggravate or extend the dispute submitted to the Court, or compromise the implementation of any decision which the Court might render.”

For France:

“For the reasons explained by its representatives at the hearings on the request for the indication of provisional measures in the case concerning Immunities and Criminal Proceedings (Equatorial Guinea v. France), the French Republic asks the Court:

- (i) to remove the case from its List;
- (ii) or, failing that, to reject all the requests for provisional measures made by Equatorial Guinea.”

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History of the proceedings

The history of the proceedings can be found in Press Releases Nos. 2016/18 of 14 June 2016, 2016/23 of 23 July 2016, 2016/28 of 30 September 2016 and 2016/32 of 6 October 2016 available on the Court’s website ([www.icj-cij.org](http://www.icj-cij.org)) under the heading “Press Room”/“Press Releases”.

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Note: The Court’s press releases do not constitute official documents. The complete verbatim records of the hearings held from 17 to 19 October 2016 are published on the website of the Court ([www.icj-cij.org](http://www.icj-cij.org)).

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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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