

AHMADOU SADIO DIALLO

**Republic of Guinea v Democratic Republic of Congo**

This claim is still pending. On 25 November 1999 the Court ordered Guinea to file its Memorial by 11 September 2000, and Congo was ordered to file its Counter Memorial by 11 September 2110.<sup>1</sup>

**GUINEA'S CLAIMS**

On 30 December 1998 Guinea brought a case against Congo to the Court. In its unilateral Application entitled "Application with a view to diplomatic protection" Guinea asked the Court to "condemn the Democratic Republic of Congo for the grave breaches of international law perpetrated upon the person of a Guinean national", Ahmadou Sadio Diallo. In the Application, Guinea presented the following claims:

1. Diallo is a businessman and a resident of Congo for 32 years.
2. The authorities of Congo had unlawfully imprisoned him for two and a half months.
3. During that period Diallo was "divested from his important investments, companies, bank accounts, movable and immovable properties, then expelled" on 2 February 1996 as a result of his attempts to recover sums owed by Congo to businesses that he owned and known as Africom-Zaïre and Africontainers-Zaïre.
4. In particular, the debts related to sums owed by Gécamines (a state enterprise with a monopoly in mining) and by oil companies operating in Congo (Zaïre Shell, Zaïre Mobil and Zaïre Fina) by virtue of contracts concluded with Diallo's businesses.

**THE COURT'S JURISDICTION**

Failing an amicable agreement on the dispute, Guinea decided to resort to the Court. As a basis of the Court's jurisdiction, Guinea invoked the declarations by which both parties accepted the Court's compulsory jurisdiction under Article 36 of the Statute of the Court. Guinea had deposited such a declaration of acceptance on 11 November 1998 with the Secretary General of the United Nations and Congo (the former Zaïre) had done likewise on 8 February 1989.

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<sup>1</sup> International Court of Justice, Press Communiqué 99/49, 26 November 1999.