

of which will be placed in the archives of the Court and the others transmitted to the Government of the Federal Republic of Cameroon and to the Government of the United Kingdom of Great Britain and Northern Ireland, respectively.

(Signed) B. WINIARSKI,
President.

(Signed) GARNIER-COIGNET,
Registrar.

Judge SPIROPOULOS makes the following declaration:

I do not share the view of the Court. I consider that the Application of the Republic of Cameroon is admissible and that the Court has jurisdiction to examine the merits of the dispute of which it is seised.

Judge KORETSKY makes the following declaration:

I cannot agree with the Judgment of the Court, as it has been reached without observance of relevant rules and principles laid down in the Rules of Court.

The Judgment was adopted in the stage of an examination of a preliminary objection, which delimits itself quite precisely from the stage of an examination of the merits of an Application. The Court passed by the question of its jurisdiction and turned to the question of the inadmissibility of the claims of the Republic of Cameroon.

If the question of inadmissibility is raised, not on the ground of non-observance of the purely formal requirements of the Rules, e.g. non-observance of Article 32 (2) of the Rules, but in respect of the substance of the Application (*ratione materiae*), then the Court should first decide on its jurisdiction and subsequently consider the plea of inadmissibility. This is a broadly accepted rule. I venture to cite, from among many authoritative opinions, the statement of Judge Sir Percy Spender in his Separate Opinion in the *Interhandel* case (*I.C.J. Reports 1959*, p. 54) that the Court was obliged first to satisfy itself that it has jurisdiction and then to treat a plea to the admissibility of the Application. The same was said by Judge Sir Hersch Lauterpacht in his Dissenting Opinion (*ibid.*, p. 100) "that according to the established practice of the Court preliminary objections must be examined—and rejected—before the plea of admissibility is examined".