



INTERNATIONAL COURT OF JUSTICE

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Press Release

Unofficial

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Questions of Interpretation and Application of the 1971 Montreal Convention arising from the Aerial Incident at Lockerbie (Libyan Arab Jamahiriya v. United Kingdom) (Libyan Arab Jamahiriya v. United States of America)

Cases removed from the Court's List at the joint request of the Parties

THE HAGUE, 10 September 2003. The two cases brought before the International Court of Justice (ICJ) on 3 March 1992 by Libya, against the United Kingdom and against the United States of America, in respect of disputes concerning the interpretation and application of the 1971 Montreal Convention arising from the aerial incident at Lockerbie, have been removed from the Court's List at the joint request of the Parties.

By two letters of 9 September 2003, the Governments of Libya and the United Kingdom on the one hand, and of Libya and the United States of America on the other, notified the Court that they had "agreed to discontinue with prejudice the proceedings".

Following those notifications, on 10 September 2003 the President of the Court, Judge Shi, made an Order in each case placing on record the discontinuance of the proceedings with prejudice, by agreement of the Parties, and directing the removal of the case from the Court's List.

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The disputes brought by Libya to the Court concerned alleged violations of the Montreal Convention of 23 September 1971 for the Suppression of Unlawful Acts against the Safety of Civil Aviation.

After the United Kingdom and the United States had raised preliminary objections to the jurisdiction of the Court and the admissibility of the Applications, the Court, in two separate Judgments of 27 February 1998, found that there existed disputes between the Parties concerning the interpretation or application of the Montreal Convention, and that it had jurisdiction to hear the disputes on the basis of Article 14, paragraph 1, of the Convention. The Court also found the Libyan claims admissible and stated that it was appropriate, at that stage of the proceedings, to make a decision on the arguments of the United Kingdom and the United States that resolutions of the United Nations Security Council had rendered these claims without object. The written procedure on the merits had then been resumed. In each of the two cases, a Memorial, a Counter-Memorial, a Reply and a Rejoinder had been submitted by the Parties within the prescribed time-limits.

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