

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

CASE CONCERNING ARMED ACTIVITIES
ON THE TERRITORY OF THE CONGO
(DEMOCRATIC REPUBLIC OF THE CONGO v. UGANDA)

ORDER OF 29 JANUARY 2003

2003

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE DES ACTIVITÉS ARMÉES
SUR LE TERRITOIRE DU CONGO
(RÉPUBLIQUE DÉMOCRATIQUE DU CONGO c. OUGANDA)

ORDONNANCE DU 29 JANVIER 2003

Official citation:

*Armed Activities on the Territory of the Congo
(Democratic Republic of the Congo v. Uganda),
Order of 29 January 2003, I.C.J. Reports 2003, p. 3*

Mode officiel de citation:

*Activités armées sur le territoire du Congo
(République démocratique du Congo c. Ouganda),
ordonnance du 29 janvier 2003, C.I.J. Recueil 2003, p. 3*

ISSN 0074-4441
ISBN 92-1-070967-5

Sales number
N° de vente:

861

29 JANUARY 2003

ORDER

ARMED ACTIVITIES
ON THE TERRITORY OF THE CONGO
(DEMOCRATIC REPUBLIC OF THE CONGO v. UGANDA)

ACTIVITÉS ARMÉES
SUR LE TERRITOIRE DU CONGO
(RÉPUBLIQUE DÉMOCRATIQUE DU CONGO c. OUGANDA)

29 JANVIER 2003

ORDONNANCE

INTERNATIONAL COURT OF JUSTICE

YEAR 2003

29 January 2003**CASE CONCERNING ARMED ACTIVITIES
ON THE TERRITORY OF THE CONGO****(DEMOCRATIC REPUBLIC OF THE CONGO v. UGANDA)**

ORDER

Present: President GUILLAUME; *Vice-President* SHI; *Judges* ODA, RANJEVA, HERCZEGH, FLEISCHHAUER, KOROMA, VERESHCHETIN, HIGGINS, PARRA-ARANGUREN, KOOIJMANS, REZEK, AL-KHASAWNEH, BUERGENTHAL, ELARABY; *Registrar* COUVREUR.

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Article 48 of the Statute of the Court and to Articles 44 and 80 of the Rules of Court,

Having regard to the Application filed by the Democratic Republic of the Congo (hereinafter “the Congo”) in the Registry of the Court on 23 June 1999 instituting proceedings against the Republic of Uganda (hereinafter “Uganda”) in respect of a dispute concerning “acts of *armed aggression* perpetrated by Uganda on the territory of the Democratic Republic of the Congo, in flagrant violation of the United Nations Charter and of the Charter of the Organization of African Unity”,

Having regard to the Order of 21 October 1999, whereby the Court fixed time-limits for the filing of the Memorial of the Congo and of the Counter-Memorial of Uganda,

Having regard to the Memorial filed by the Congo and to the Counter-Memorial filed by Uganda within the time-limits thus fixed, and to the counter-claims submitted by Uganda in its Counter-Memorial,

Having regard to the Order of 29 November 2001, whereby the Court ruled on the admissibility of the counter-claims presented by Uganda in its Counter-Memorial, directed the Congo to submit a Reply and Uganda to submit a Rejoinder relating to the claims of both Parties in the current proceedings, and fixed 29 May 2002 and 29 November 2002 respectively as the time-limits for the filing of those pleadings,

Having regard to the Reply filed by the Congo within the time-limit thus fixed, and to the Rejoinder filed by Uganda within the time-limit as extended by the Court in its Order of 7 November 2002;

Whereas, by a letter dated 6 January 2003 and received in the Registry on 9 January 2003, the Co-Agent of the Congo, referring to the Order made by the Court on 29 November 2001, notified the Court that his Government wished to present its views in writing a second time on the Ugandan counter-claims, in an additional pleading, and proposed that 28 February 2003 be fixed as the time-limit for the filing of the said pleading;

Whereas, by a letter dated 17 January 2003 and received in the Registry on 23 January 2003 by facsimile, the Agent of Uganda informed the Court that his Government had no objection to the Congo's request to file an additional pleading and to the date proposed by the Congo for the filing of the said pleading; and whereas he stated that "any such pleading must be strictly limited to presenting the DRC's views on Uganda's counter-claims, and should not be permitted to serve as a vehicle for the DRC to present additional material or argument concerning her claims against Uganda";

Whereas, in its above-mentioned Order of 29 November 2001, the Court, after indicating that it considered it necessary for the Congo to file a Reply and for Uganda to file a Rejoinder, relating to the claims of both Parties, added that:

"it is also necessary, in order to ensure strict equality between the Parties, to reserve the right of the Congo to present its views in writing a second time on the Ugandan counter-claims, in an additional pleading which may be the subject of a subsequent Order";

Taking account of the agreement of the Parties,

Authorizes the submission by the Democratic Republic of the Congo of an additional pleading relating solely to the counter-claims submitted by the Republic of Uganda;

Fixes 28 February 2003 as the time-limit for the filing of that pleading;
and

Reserves the subsequent procedure for further decision.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this twenty-ninth day of January, two thousand and three, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Democratic Republic of the Congo and the Government of the Republic of Uganda, respectively.

(Signed) Gilbert GUILLAUME,
President.

(Signed) Philippe COUVREUR,
Registrar.
