



INTERNATIONAL COURT OF JUSTICE

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Press Release

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Obligation to Negotiate Access to the Pacific Ocean (Bolivia v. Chile)

Conclusion of the public hearings on the Preliminary Objection raised by the Republic of Chile

Court to begin its deliberation

THE HAGUE, 8 May 2015. The public hearings on the preliminary objection raised by the Republic of Chile in the case concerning the Obligation to Negotiate Access to the Pacific Ocean (Bolivia v. Chile) were concluded today. The Court will now begin its deliberation.

During the hearings, which opened on Monday 4 May 2015 at the Peace Palace, seat of the Court, the delegation of the Republic of Chile was led by H.E. Mr. Felipe Bulnes S., former Minister of Justice and Education of the Republic of Chile, former Ambassador of Chile to the United States of America, Professor of Civil Law, Pontificia Universidad Católica de Chile, as Agent. The delegation of the Plurinational State of Bolivia was led by H.E. Mr. Eduardo Rodríguez Veltzé, former President of Bolivia, former President of the Bolivian Supreme Court of Justice, former Dean of the Law School from the Catholic University of Bolivia, La Paz, as Agent.

The Court's judgment on the preliminary objection will be delivered at a public sitting, the date of which will be announced in due course.

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Submissions of the Parties

At the end of the hearings, the Agents of the Parties presented the following submissions to the Court:

For the Republic of Chile:

“The Republic of Chile respectfully requests the Court to adjudge and declare that the claim brought by Bolivia against Chile is not within the jurisdiction of the Court.”

For the Plurinational State of Bolivia:

“Bolivia respectfully asks the Court:

- (a) to reject the objection to its jurisdiction submitted by Chile;
- (b) to adjudge and declare that the claim brought by Bolivia enters within its jurisdiction.”

Internal judicial practice of the Court with respect to deliberations

Deliberations take place in private in accordance with the following procedure. The Court first holds a preliminary deliberation, during which the President outlines the issues which, in his opinion, require discussion and decision by the Court. A full deliberation is subsequently held, at the end of which a drafting committee is chosen by secret ballot, taking account of the views expressed. That committee consists in principle of two judges holding the majority view of the Court, together with the President, unless it appears that his views are in the minority. The committee prepares a preliminary draft text, which is the subject of written amendments. Two further drafts are produced in turn, each of which is subject to a detailed reading. In the meantime, judges who wish to do so may prepare a declaration, a separate opinion or a dissenting opinion, which are communicated to the other judges. The final vote is taken after adoption of the final text of the judgment at the second reading.

Note: The Court’s press releases do not constitute official documents. The complete verbatim records of the hearings held from 4 to 8 May 2015 are published on the website of the Court (www.icj-cij.org).

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 independent judicial body composed of Lebanese and international judges, which is not a United Nations tribunal and does not form part of the Lebanese judicial system), 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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