



INTERNATIONAL COURT OF JUSTICE

Peace Palace, Carnegieplein 2, 2517 KJ The Hague, Netherlands

Tel.: +31 (0)70 302 2323 Fax: +31 (0)70 364 9928

Website: www.icj-cij.org

Press Release

Unofficial

No. 2014/22

19 June 2014

Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. India)

Fixing of time-limits for filing of pleadings on the question of jurisdiction

THE HAGUE, 19 June 2014. The International Court of Justice (ICJ), the principal judicial organ of the United Nations, has fixed time-limits for filing of pleadings on the question of jurisdiction in the case of Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. India).

By an Order of 16 June 2014, the Court fixed 16 December 2014 and 16 June 2015 as respective time-limits for the filing of a Memorial by the Republic of the Marshall Islands and a Counter-Memorial by the Republic of India.

In its Order, the Court states that “by a letter dated 28 April 2014, the Registrar invited the representatives of the Marshall Islands and India to a meeting with the President of the Court to be held on 11 June 2014, pursuant to Article 31 of the Rules of Court, in order for the President to ascertain the views of the Parties with regard to questions of procedure in the case”.

It also indicates that, “by a letter dated 6 June 2014, the Ambassador of the Republic of India to the Kingdom of the Netherlands informed the Court, *inter alia*, that “India . . . considers that the International Court of Justice does not have jurisdiction in the alleged dispute”.

According to the Order, by a subsequent letter dated 10 June 2014, the Ambassador of the Republic of India to the Kingdom of the Netherlands indicated that “India regrets to inform [the Court] that it will not be able to participate in the proposed meeting” to be held by the President with the representatives of the Parties.

The Order goes on to state that, “on 11 June 2014, the President of the Court met with the representatives of the Marshall Islands . . . and . . . at that meeting, the Marshall Islands expressed the view that, if the Court were to order a first round of written pleadings dedicated to the question of its jurisdiction, a time-limit of six months would be sufficient for the preparation of a pleading on that question”.

Finally, “the Court considers, pursuant to Article 79, paragraph 2, of its Rules, that, in the circumstances of the case, it is necessary to resolve first of all the question of the Court’s jurisdiction, and that this question should accordingly be separately determined before any

proceedings on the merits”. Therefore, the Court decided that the written pleadings shall first be addressed to the question of the jurisdiction of the Court.

The subsequent procedure has been reserved for further decision.

History of the proceedings

The history of the proceedings can be found in Press Release No. 2014/18 of 25 April 2014, available on the Court’s website (www.icj-cij.org) under the heading “Press Room”/“Press Releases”.

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).

Information Department:

Mr. Andrey Poskakukhin, First Secretary of the Court, Head of Department (+31 (0)70 302 2336)

Mr. Boris Heim, Information Officer (+31 (0)70 302 2337)

Ms Joanne Moore, Associate Information Officer (+31 (0)70 302 2394)

Ms Genoveva Madurga, Administrative Assistant (+31 (0)70 302 2396)