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Press Release

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Dispute over the Status and Use of the Waters of the Silala (Chile v. Bolivia)

The Court directs the submission of a Reply by Chile and a Rejoinder by Bolivia limited to the Respondent's counter-claims

THE HAGUE, 30 November 2018. By an Order dated 15 November 2018, the International Court of Justice (ICJ), the principal judicial organ of the United Nations, has directed the submission of a Reply by the Republic of Chile and a Rejoinder by the Plurinational State of Bolivia, limited to the Respondent's counter-claims, in the case concerning Dispute over the Status and Use of the Waters of the Silala (Chile v. Bolivia). The Court fixed 15 February 2019 and 15 May 2019 as the respective time-limits for the filing of these written pleadings.

It is pointed out in the Order that, in accordance with Article 80 of the Rules of Court, Bolivia submitted three counter-claims in its Counter-Memorial filed within the time-limit extended, at its request, until 3 September 2018.

It is also recalled that, in a letter dated 9 October 2018, the Agent of Chile stated that, in order to expedite the procedure, her Government would not contest the admissibility of the counter-claims.

The Court further observes in its Order that, at a meeting held by its President on 17 October 2018, the Agent of Chile expressed the view that, "should the Court decide that a second round of written pleadings was necessary . . . those pleadings should only deal with the counter-claims". The Court also observes that the Agent of Bolivia, for his part, stated that "a second round of written pleadings was essential so that both Parties could properly address the factual and legal issues raised by the case".

The Court finally notes that, taking into account the fact that Chile has not objected to the admissibility of Bolivia's counter-claims, it does not consider that it is required to rule definitively, at this stage of the proceedings, on the question of whether the conditions set forth in Article 80, paragraph 1, of the Rules of Court have been fulfilled.

A complete history of the proceedings can be found in paragraphs 154-160 of the Annual Report of the Court for 2017-2018, which is available on its website (www.icj-cij.org).

The full text of the Order of 15 November 2018 can be found in the case documents on the Court's website (under the heading "Cases"/"Pending Cases").

Note: The Court's press releases are prepared by its Registry for information purposes only and do not constitute official documents.

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 Court (ICC, the only permanent international criminal court, which was established by treaty and does not belong to the United Nations system), the Special Tribunal for Lebanon (STL, an international judicial body with an independent legal personality, established by the United Nations Security Council upon the request of the Lebanese Government and composed of Lebanese and international judges), the Mechanism for International Criminal Tribunals (MICT, mandated to take over residual functions from the International Criminal Tribunal for the former Yugoslavia and from the International Criminal Tribunal for Rwanda), the Kosovo Specialist Chambers and Specialist Prosecutor's Office (an ad hoc judicial institution which has its seat in The Hague), 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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