

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS.  
AVIS CONSULTATIFS ET ORDONNANCES

CONSÉQUENCES JURIDIQUES  
DE L'ÉDIFICATION D'UN MUR  
DANS LE TERRITOIRE PALESTINIEN OCCUPÉ  
(REQUÊTE POUR AVIS CONSULTATIF)

**ORDONNANCE DU 19 DÉCEMBRE 2003**

**2003**

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,  
ADVISORY OPINIONS AND ORDERS

LEGAL CONSEQUENCES  
OF THE CONSTRUCTION OF A WALL  
IN THE OCCUPIED PALESTINIAN TERRITORY  
(REQUEST FOR ADVISORY OPINION)

**ORDER OF 19 DECEMBER 2003**

Mode officiel de citation:  
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dans le Territoire palestinien occupé,  
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## INTERNATIONAL COURT OF JUSTICE

YEAR 2003

19 December 2003

2003  
19 December  
General List  
No. 131LEGAL CONSEQUENCES  
OF THE CONSTRUCTION OF A WALL  
IN THE OCCUPIED PALESTINIAN TERRITORY

(REQUEST FOR ADVISORY OPINION)

## ORDER

*Present: President SHI; Vice-President RANJEVA, Judges GUILLAUME, KOROMA, VERESHCHETIN, HIGGINS, PARRA-ARANGUREN, KOOHMANS, REZEK, AL-KHASAWNEH, BUERGENTHAL, ELARABY, OWADA, SIMMA, TOMKA; Registrar COUVREUR.*

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Articles 48 and 65 of the Statute of the Court and to Articles 103 and 104 of the Rules of Court,

*Makes the following Order:*

Whereas on 8 December 2003 the United Nations General Assembly adopted resolution A/RES/ES-10/14, whereby it decided, pursuant to Article 65 of the Statute of the Court, to request the International Court of Justice to give an urgent advisory opinion on the following question:

“What are the legal consequences arising from the construction of

the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, as described in the report of the Secretary-General, considering the rules and principles of international law, including the Fourth Geneva Convention of 1949, and relevant Security Council and General Assembly resolutions?";

Whereas certified true copies of the English and French texts of that resolution, and of the report of the Secretary-General referred to therein (A/ES-10/248) were transmitted to the Court under cover of a letter from the Secretary-General of the United Nations dated 8 December 2003 and received in the Registry by facsimile on 10 December 2003, the original thereof having reached the Registry subsequently;

Whereas the Secretary-General indicated in his letter that, pursuant to Article 65, paragraph 2, of the Statute, all documents likely to throw light upon the question would be transmitted to the Court as soon as possible;

Whereas, in view of the fact that the General Assembly has requested that the advisory opinion of the Court be rendered "urgently", it is incumbent upon the Court to take all necessary steps to accelerate the procedure, as contemplated by Article 103 of its Rules,

1. *Decides* that the United Nations and its Member States are considered likely, in accordance with Article 66, paragraph 2, of the Statute, to be able to furnish information on all aspects raised by the question submitted to the Court for advisory opinion; and *fixes* 30 January 2004 as the time-limit within which they may submit to the Court written statements on the question;

2. *Decides* further that, in light of General Assembly resolution A/RES/ES-10/14 and the report of the Secretary-General transmitted to the Court with the request, and taking into account the fact that the General Assembly has granted Palestine a special status of observer and that the latter is co-sponsor of the draft resolution requesting the advisory opinion, Palestine may also submit to the Court a written statement on the question within the above time-limit;

3. *Decides*, in accordance with Article 66, paragraph 4, of the Statute and Article 105 of the Rules of Court, to hold hearings during which oral statements and comments may be presented to the Court by the United Nations and its Member States, regardless of whether or not they have submitted written statements; and *fixes* 23 February 2004 as the date for the opening of the said hearings;

4. *Decides* further that, for the reasons set out above, Palestine may also take part in the hearings due to open on 23 February 2004;

5. *Invites* the United Nations and its Member States, as well as

Palestine, to inform the Registry, by 13 February 2004 at the latest, if they are intending to take part in the above-mentioned hearings; and

*Reserves* the subsequent procedure for further decision.

Done in French and in English, the French text being authoritative, at the Peace Palace, The Hague, this nineteenth day of December, two thousand and three.

*(Signed)* SHI Jiuyong,  
President.

*(Signed)* Philippe COUVREUR,  
Registrar.

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