



INTERNATIONAL COURT OF JUSTICE

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Press Release

Unofficial

No. 2003/44
19 December 2003

Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory

Request for Advisory Opinion

Order organizing the proceedings

THE HAGUE, 19 December 2003. Further to the request by the General Assembly of the United Nations to the International Court of Justice “to urgently render an advisory opinion” on the question of the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (see Press Release 2003/42 of 10 December 2003), the Court today made an Order organizing the proceedings.

In its Order, the Court stated that, as “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”.

In its Order, the Court decided 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”. It fixed 30 January 2004 as the time-limit within which they could submit to the Court written statements on the question.

The Court also decided “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”.

In its Order, the Court further decided, “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 fixed 23 February 2004 as the date for the opening of those hearings. The Court added that, “for the reasons set out above, Palestine may also take part in the hearings due to open on 23 February 2004” and it invited the United Nations and its Member States, as well as Palestine, to inform the Court’s Registry, by 13 February 2004 at the latest, if they intended to take part in the above-mentioned hearings.

The subsequent procedure was reserved for further decision.

History of the proceedings

On 8 December 2003, the General Assembly of the United Nations adopted resolution A/RES/ES-10/14 (A/ES-10/L.16) in which, referring to Article 65 of the Statute of the Court, it requested the International Court of Justice to “urgently render an 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?”

The Request for an Advisory Opinion was transmitted to the Court by the Secretary-General of the United Nations in a letter dated 8 December 2003 which was received in the Registry on 10 December 2003.

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Procedure

For more information on advisory opinions and advisory proceedings before the Court, please visit our website. Click on “General Information” to read the online version (the printed edition is out of stock) of the blue “Guide to the history, composition, jurisdiction, procedure and decisions of the Court” (1946-1996). Click on “Basic Documents” to obtain the Statute and Rules of Court.

The full text of the Order organizing the proceedings will shortly be available on the Court’s website (www.icj-cij.org).

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