

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

CASE CONCERNING DELIMITATION
OF THE MARITIME BOUNDARY
IN THE GULF OF MAINE AREA

(CANADA/UNITED STATES OF AMERICA)

ORDER OF 1 FEBRUARY 1982

1982

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE DE LA DÉLIMITATION
DE LA FRONTIÈRE MARITIME
DANS LA RÉGION DU GOLFE DU MAINE

(CANADA/ÉTATS-UNIS D'AMÉRIQUE)

ORDONNANCE DU 1^{ER} FÉVRIER 1982

Official citation :

*Delimitation of the Maritime Boundary in the Gulf of Maine Area,
Order of 1 February 1982, I.C.J. Reports 1982, p. 15.*

Mode officiel de citation :

*Délimitation de la frontière maritime dans la région du golfe du Maine,
ordonnance du 1^{er} février 1982, C.I.J. Recueil 1982, p. 15.*

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CASE CONCERNING DELIMITATION
OF THE MARITIME BOUNDARY IN
THE GULF OF MAINE AREA
(CANADA/UNITED STATES OF AMERICA)

ORDER

Present : *Acting President* ELIAS ; *Judges* FORSTER, GROS, LACHS, MOROZOV, NAGENDRA SINGH, MOSLER, ODA, AGO, SETTE-CAMARA, EL-KHANI, SCHWEBEL ; *Judge ad hoc* COHEN (in attendance at the invitation of the Court) ; *Registrar* TORRES BERNÁRDEZ.

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Article 48 of the Statute of the Court, and to Article 44, Article 46 and Article 92, paragraph 1, of the Rules of Court,

Having regard to the Special Agreement concluded on 29 March 1979, and subsequently altered, between Canada and the United States of America to submit to a chamber of the Court the delimitation of the maritime boundary in the Gulf of Maine area,

Having regard to the Order of 20 January 1982 acceding to the request of the Parties to form a special chamber of five judges to deal with the case, and declaring a chamber to have been duly constituted to that effect,

Makes the following Order :

Whereas Article VI, paragraph 1, of the Special Agreement recites in terms the agreement of the Parties that, without prejudice to any question as to burden of proof, the following procedure should be observed with regard to the written pleadings :

- (a) a Memorial to be submitted by each Party not later than seven months after the Registrar shall have received notification of the name of the judge *ad hoc*,
- (b) a Counter-Memorial to be submitted by each Party not later than six months after the exchange of Memorials, and
- (c) any further pleadings found by the Chamber to be necessary;

Whereas the Registrar on 26 January 1982 received notification of the name of the judge *ad hoc* chosen by the Government of Canada to sit in the case ;

Having consulted the Chamber and ascertained the views of the Parties,

THE COURT,

by ten votes to two,

IN FAVOUR : *Acting President* Elias ; *Judges* Forster, Gros, Lachs, Nagendra Singh, Mosler, Oda, Ago, Sette-Camara, Schwebel ;

AGAINST : *Judges* Morozov and El-Khani ;

Judge ad hoc Cohen expressed support for the Order which the Court had just adopted ;

Fixes 26 August 1982 as the time-limit for the filing of the Memorials of Canada and the United States of America ;

Reserves the subsequent procedure for further decision.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this first day of February, one thousand nine hundred and eighty-two, in three copies, one of which will be placed in the archives of the Court, and the others transmitted to the Government of Canada and to the Government of the United States of America, respectively.

(Signed) T. O. ELIAS,

Acting President.

(Signed) Santiago TORRES BERNÁRDEZ,

Registrar.