

THIRD PUBLIC SITTING (9 IV 98, 2 p.m.)

Present : [See sitting of 7 IV 98, 10 a.m.]

READING OF THE ORDER

The VICE-PRESIDENT, Acting President : The sitting is open. The Court meets today to deliver its decision on the request for the indication of provisional measures submitted on 3 April 1998 by the Republic of Paraguay in the case concerning the *Vienna Convention on Consular Relations (Paraguay v. United States of America)*.

It will be recalled that the proceedings were instituted on the same day by the filing in the Registry of the Court of an Application by the Government of the Republic of Paraguay against the United States of America; and that Paraguay, in its request for the indication of provisional measures submitted pursuant to Article 41 of the Statute of the Court and Article 73 of the Rules of Court, stated that :

“By order dated 25 February 1998, the Circuit Court of Arlington County, Virginia, United States of America, has ordered that on 14 April 1998, pursuant to Virginia Code § 53.1-234, Mr. Breard be electrocuted or injected with a lethal substance until he is dead.”

Paraguay further indicated that :

“Under the grave and exceptional circumstances of this case, and given the paramount interest of Paraguay in the life and liberty of its nationals, provisional measures are urgently needed to protect the life of Paraguay’s national and the ability of this Court to order the relief to which Paraguay is entitled: restitution in kind. Without the provisional measures requested, the United States will execute Mr. Breard before this Court can consider the merits of Paraguay’s claims, and Paraguay will be forever deprived of the opportunity to have the *status quo ante* restored in the event of a judgment in its favour.”

I shall now read the Order made by the Court in this request, omitting as is customary the preliminary formal recitals. I will therefore begin the reading at paragraph 17 of that Order.

[The Vice-President, Acting President, reads from paragraph 17 to the operative clause of the Order¹.]

I shall now call upon the Registrar to read the French text of the operative clause of the Order.

[Le greffier lit le dispositif en français².]

¹ *I.C.J. Reports 1998*, pp. 253-258.

² *C.I.J. Recueil 1998*, p. 258.

The decision of the Court is unanimous; the President of the Court and Judges Oda and Koroma append declarations to the Order.

In accordance with practice, the Order has been read today from a duplicated copy of the text, a limited stock of which will be available to the public and to the press. The text of the Order is also available, as from now, on the Website of the Court. The usual printed text of the Order will be available in the near future.

There being no other matters before the Court today, I declare the present sitting closed.

(Signed) C. G. WEERAMANTRY,
Acting President.

(Signed) E. VALENCIA-OSPINA,
Registrar.
