



INTERNATIONAL COURT OF JUSTICE

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Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Croatia v. Yugoslavia)

The Court fixes time-limits for the filing of written pleadings

THE HAGUE, 16 September 1999. The International Court of Justice (ICJ) has fixed time-limits for the filing of written pleadings in the case concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Croatia v. Yugoslavia).

In an Order dated 14 September 1999, the Court fixed 14 March 2000 as the time-limit for the filing of a Memorial by Croatia and 14 September 2000 as the time-limit for the filing of a Counter-Memorial by Yugoslavia.

The Court fixed those time-limits taking account of the agreement of the Parties, as expressed at a meeting held with them by the President of the Court, Judge Schwebel, on 13 September 1999.

The subsequent procedure has been reserved for further decision.

The Rules of Court provide that, in a case unilaterally brought by one State against another State (by means of an application), a Memorial is filed by the Applicant (Croatia in this case) to which the Respondent (Yugoslavia) files a Counter-Memorial. The Court may authorize the filing of additional written pleadings. Upon the closure of the written phase, public hearings are organized. The Court then delivers a Judgment.

Background information

On 2 July 1999 the Republic of Croatia instituted proceedings before the Court against the Federal Republic of Yugoslavia for violations of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide alleged to have been committed between 1991 and 1995.

In its Application, Croatia contends that “by directly controlling the activity of its armed forces, intelligence agents, and various paramilitary detachments, on the territory of . . . Croatia, in the Knin region, eastern and western Slavonia, and Dalmatia, [Yugoslavia] is liable [for] the ‘ethnic cleansing’ of Croatian citizens from these areas . . . as well as extensive property destruction — and is required to provide reparation for the resulting damage”. Croatia goes on to state that “in addition, by directing, encouraging, and urging Croatian citizens of Serb ethnicity in the Knin region to evacuate the area in 1995, as . . . Croatia reasserted its legitimate governmental authority . . . [Yugoslavia] engaged in conduct amounting to a second round of ‘ethnic cleansing’”.

According to Croatia, “the aggression waged by [Yugoslavia]” resulted in 20,000 dead, 55,000 injured and over 3,000 individuals still unaccounted for. Of this number, 1,700 were killed and more than 4,000 injured in Vukovar alone. Furthermore, 10 per cent of the country’s housing capacity is alleged to have been destroyed, with 590 towns and villages having suffered damage (including 35 razed to the ground), while 1,821 cultural monuments, 323 historical sites and 450 Croatian catholic churches were also destroyed or damaged. Croatia further claims that some 3 million explosive devices of various kinds were planted in Croatia, mostly anti-personnel and anti-tank devices, currently rendering some 300,000 hectares of arable land unusable, and that around 25 per cent of its total economic capacity, including major facilities such as the Adriatic pipeline, was damaged or destroyed.

Accordingly, Croatia requests the Court to adjudge and declare that Yugoslavia “has breached its legal obligations” to Croatia under the Genocide Convention and that it “has an obligation to pay to . . . Croatia, in its own right and as parens patriae for its citizens, reparations for damages to persons and property, as well as to the Croatian economy and environment caused by the foregoing violations of international law in a sum to be determined by the Court”.

As a basis for the jurisdiction of the Court, Croatia invokes Article IX of the Genocide Convention to which both Croatia and Yugoslavia are parties. That Article provides that disputes between contracting parties relating to the interpretation, application or fulfilment of the Convention shall be submitted to the International Court of Justice.

The full text of the Order will shortly be available on the Court’s website at the following address: <http://www.icj-cij.org>

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