



INTERNATIONAL COURT OF JUSTICE

Peace Palace, Carnegieplein 2, 2517 KJ The Hague, Netherlands
Tel.: +31 (0)70 302 2323 Fax: +31 (0)70 364 9928
Website: www.icj-cij.org

Press Release

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

Fixing of the time-limit for the filing by Croatia of its observations and submissions on the preliminary objections raised by Yugoslavia

THE HAGUE, 19 November 2002. The International Court of Justice (ICJ) fixed 29 April 2003 as the time-limit within which Croatia may present a written statement of its observations and submissions on the preliminary objections raised by Yugoslavia in the case concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Croatia v. Yugoslavia). The subsequent procedure was reserved for further decision.

On 11 September 2002, Yugoslavia had filed certain preliminary objections to the jurisdiction of the Court and to admissibility. Pursuant to Article 79 of the Rules of Court, the proceedings on the merits were then suspended.

At a meeting held by the President of the Court with the representatives of the Parties on 6 November 2002, Croatia, referring to the current proceedings in the case concerning Application for Revision of the Judgment of 11 July 1996 in the Case concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Yugoslavia), Preliminary Objections (Yugoslavia v. Bosnia and Herzegovina), asked to be allowed until the end of April 2003 to file its written statement. Yugoslavia did not object to that request being accepted by the Court.

History of the proceedings

On 2 July 1999 the Republic of Croatia instituted proceedings before the Court against the Federal Republic of Yugoslavia (FRY) 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, the Federal Republic of 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 . . . the Federal Republic of Yugoslavia engaged in conduct amounting to a second round of ‘ethnic cleansing’”.

According to Croatia, “the aggression waged by the Federal Republic of Yugoslavia” resulted in 20,000 dead, 55,000 injured and over 3,000 individuals still unaccounted for. Furthermore, 10 per cent of the country’s housing capacity is alleged to have been destroyed, while cultural monuments, historical sites and Croatian catholic churches were also destroyed or damaged. Croatia further claims that a great number of explosive devices of various kinds were planted in Croatia, 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, it states, 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.

By an Order of 14 September 1999, the Court had initially fixed 14 March and 14 September 2000 as the time-limits for the filing of a Memorial by Croatia and a Counter-Memorial by Yugoslavia. By an Order of 10 March 2000, these time-limits had been respectively extended to 14 September 2000 and 14 September 2001. By an Order of 27 June 2000 the Court again extended the time-limits for the above-mentioned written pleadings, respectively to 14 March 2001 and to 16 September 2002.

The Memorial of Croatia was filed within the time-limit thus extended. On 11 September 2002, within the time-limit fixed for the filing of its Counter-Memorial, Yugoslavia filed certain preliminary objections to jurisdiction and admissibility.

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

Information Department:

Mr. Arthur Witteveen, First Secretary (+ 31 (0)70 302 23 36)
Mrs. Laurence Blairon and Mr. Boris Heim, Information Officers (+ 31 (0)70 302 23 37)
E-mail address: information@icj-cij.org