

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

ARBITRAL AWARD OF 3 OCTOBER 1899

(GUYANA *v.* VENEZUELA)

ORDER OF 19 JUNE 2018

2018

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

SENTENCE ARBITRALE DU 3 OCTOBRE 1899

(GUYANA *c.* VENEZUELA)

ORDONNANCE DU 19 JUIN 2018

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19 June 2018

ARBITRAL AWARD OF 3 OCTOBER 1899

(GUYANA v. VENEZUELA)

ORDER

Present: President YUSUF; Vice-President XUE; Judges TOMKA, ABRAHAM, BENNOUNA, CAÑADO TRINDADE, DONOGHUE, GAJA, SEBUTINDE, BHANDARI, ROBINSON, GEVORGIAN, SALAM; Registrar COUVREUR.

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Articles 48 and 53 of the Statute of the Court and to Articles 31, 44, 48 and 79, paragraphs 2 and 3, of the Rules of Court,

Having regard to the Application filed in the Registry of the Court on 29 March 2018, whereby the Government of the Co-operative Republic of Guyana (hereinafter “Guyana”) instituted proceedings against the Bolivarian Republic of Venezuela (hereinafter “Venezuela”) with regard to a dispute concerning “the legal validity and binding effect of the Award regarding the Boundary between the Colony of British Guiana and the United States of Venezuela, of 3 October 1899”;

Whereas a signed copy of the Application was communicated to Venezuela on the day it was filed;

Whereas Guyana has appointed H.E. Mr. Carl B. Greenidge as Agent, and Sir Shridath Ramphal and Ms Audrey Waddell as Co-Agents;

Whereas, at the meeting held, pursuant to Article 31 of the Rules of Court, by the President of the Court with the representatives of the Parties, on 18 June 2018, the Agent of Guyana indicated that his Government wished to have at its disposal a period of nine months for the preparation of its Memorial;

Whereas, at that same meeting, H.E. Ms Delcy Rodríguez Gómez, Vice-President of Venezuela, stated that her Government considers that the Court manifestly lacks jurisdiction and that Venezuela has decided not to take part in the proceedings; and whereas she handed to the President of the Court a letter dated 18 June 2018 from H.E. Mr. Nicolás Maduro Moros, President of Venezuela;

Whereas, in this letter, the President of Venezuela states, in particular, that “there is no basis for the jurisdiction of the Court” and that “the Bolivarian Republic of Venezuela will not participate in the proceedings”;

Whereas, at the above-mentioned meeting, the representatives of Guyana reiterated, in response to the statement of the Vice-President of Venezuela, that their Government wished to proceed with the case;

Whereas the possibility for Venezuela of availing itself of its procedural rights as a Party to the case is preserved;

Whereas the Court considers, pursuant to Article 79, paragraph 2, of its Rules, that, in the circumstances of the case, it must resolve first of all the question of the Court’s jurisdiction, and that this question should accordingly be separately determined before any proceedings on the merits;

Whereas it is necessary for the Court to be informed of all of the legal and factual grounds on which the Parties rely in the matter of its jurisdiction,

Decides that the written pleadings shall first be addressed to the question of the jurisdiction of the Court;

Fixes the following time-limits for the filing of those pleadings:

19 November 2018 for the Memorial of the Co-operative Republic of Guyana;

18 April 2019 for the Counter-Memorial of the Bolivarian Republic of Venezuela; and

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 nineteenth day of June, two thou-

sand and eighteen, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Co-operative Republic of Guyana and the Government of the Bolivarian Republic of Venezuela, respectively.

(Signed) Abdulqawi Ahmed YUSUF,
President.

(Signed) Philippe COUVREUR,
Registrar.
