

126. L'AGENT DE LA JAMAHIRIYA ARABE LIBYENNE AU GREFFIER

19 octobre 1981.

Je vous prie de bien vouloir trouver ci-joint en vingt exemplaires pour MM. les juges et dix exemplaires pour la Partie tunisienne, une collection ¹ de diverses pièces et cartes auxquelles fera référence M. le doyen Colliard lors de sa plaidoirie ² dans le second tour des plaidoiries orales, dans l'affaire du *Plateau continental (Tunisie/Jamahiriya arabe libyenne)*.

La pièce 8 ³ exprime sous forme de diagramme les informations contenues dans les paragraphes 131 à 135 du mémoire libyen.

D'autre part, la « Carte des fonds spongières de la Régence » apparaissant en face de la page 42 du contre-mémoire libyen ⁴ sera projetée sur un écran au cours de cette plaidoirie.

127. THE AGENT OF THE LIBYAN ARAB JAMAHIRIYA TO THE REGISTRAR

19 October 1981.

I have the honour to enclose the response of Libya to the questions ⁵ posed by Judge Gros.

The other questions posed by the Judges will be answered shortly.

Answer to Judge Gros

Bearing in mind that Libya and Tunisia have agreed in Article 3 of the Special Agreement of 10 June 1977 to "comply with the judgment of the Court and with its explanations and clarifications", the position of Libya is as follows :

- (a) The Judgment to be given by the Court in accordance with the Special Agreement will have binding force with regard to the principles and rules of international law found to be applicable for the delimitation of the area of the continental shelf appertaining to the Socialist People's Libyan Arab Jamahiriya and to the area of the continental shelf appertaining to the Republic of Tunisia.
- (b) The findings of the Court on the relevant circumstances which characterize the area will be findings of fact, not law, but are to be regarded as an integral part of the Judgment of the Court on the principles and rules of international law as provided in the Special Agreement.
- (c) The findings of the Court on the applicability of equitable principles in the circumstances of the case also to be regarded as an integral part of the Judgment.

These answers are applicable not merely to the operative part or *dispositif* of the Judgment but also to the reasoning on which that operative part is based.

¹ Non reproduite.

² Ci-dessus p. 381-390.

³ « Hauteurs des eaux recouvrant à tous moments les bouées b, c, d, e, i et j mentionnées dans le décret 73-521 du 3 novembre 1973. »

⁴ II, p. 184.

⁵ See p. 244, *supra*.