



INTERNATIONAL COURT OF JUSTICE

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Communiqué

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No. 91/15
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Case instituted by Finland against Denmark:

Request for indication of provisional measures

The following information is communicated to the Press by the Registry of the International Court of Justice:

As reported in Press Communiqué No. 91/14 of 17 May 1991 the Republic of Finland, on 17 May 1991, filed in the Registry of the Court an Application instituting proceedings against the Kingdom of Denmark in respect of a dispute concerning the question of passage of oil rigs through the Great Belt (Store Bælt - one of the three straits linking the Baltic to the Kattegat and thence to the North Sea).

In its Application Finland also gave notice of its intention to submit a request for the indication of provisional measures under Article 41 of the Statute of the Court, which reads as follows:

"1. The Court shall have the power to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party.

2. Pending the final decision, notice of the measures suggested shall forthwith be given to the parties and to the Security Council."

Finland filed its request yesterday, 23 May 1991, contending that "construction work for the East Channel bridge would prejudice the very outcome of the dispute"; that "the object of the Application relates precisely to the right of passage which the completion of the bridge project in its planned form will effectively deny"; and that "in particular, the continuation of the construction work prejudices the negotiating result which the Finnish submissions in the Application aim to attain".

Finland requests the Court accordingly to indicate the following provisional measures:

"(1) Denmark should, pending the decision by the Court on the merits of the present case, refrain from continuing or otherwise proceeding with such construction works in connection with the planned bridge project over the East Channel of the Great Belt as would impede the passage of ships, including drill ships and oil rigs, to and from Finnish ports and shipyards;"

and

"(2) Denmark should refrain from any other action that might prejudice the outcome of the present proceedings."
