

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

CASE CONCERNING OIL PLATFORMS

(ISLAMIC REPUBLIC OF IRAN *v.* UNITED STATES
OF AMERICA)

ORDER OF 28 AUGUST 2001

2001

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
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AFFAIRE DES PLATES-FORMES PÉTROLIÈRES

(RÉPUBLIQUE ISLAMIQUE D'IRAN *c.* ÉTATS-UNIS
D'AMÉRIQUE)

ORDONNANCE DU 28 AOÛT 2001

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ORDER

The Vice-President of the International Court of Justice,

Having regard to Article 48 of the Statute of the Court and to Articles 13, 44 and 80 of the Rules of Court,

Having regard to the Application filed by the Islamic Republic of Iran in the Registry of the Court on 2 November 1992 instituting proceedings against the United States of America in respect of a dispute

“aris[ing] out of the attack and destruction of three offshore oil production complexes, owned and operated for commercial purposes by the National Iranian Oil Company, by several warships of the United States Navy on 19 October 1987 and 18 April 1988, respectively”,

Having regard to the Order of 4 December 1992, whereby the President of the Court fixed time-limits for the filing of the Memorial of Iran and of the Counter-Memorial of the United States, and to the Order of 3 June 1993, whereby he extended these time-limits,

Having regard to the Memorial filed by Iran and the preliminary objection submitted by the United States within the time-limits thus extended,

Having regard to the Judgment of 12 December 1996, whereby the Court ruled on the preliminary objection raised by the United States,

Having regard to the Order of 16 December 1996, whereby the President of the Court fixed a new time-limit for the filing of the Counter-Memorial of the United States,

Having regard to the Counter-Memorial filed by the United States within the new time-limit thus fixed and to the counter-claim submitted therein,

Having regard to the Order dated 10 March 1998, whereby the Court found that the counter-claim presented by the United States was admissible as such and formed part of the current proceedings, directed Iran to submit a Reply and the United States to submit a Rejoinder relating to the claims of both Parties and fixed 10 September 1998 and 23 November 1999 respectively as the time-limits for the filing of these pleadings,

Having regard to the Orders of 26 May 1998 and 8 December 1998, whereby the time-limits for the filing of the Reply of Iran and of the Rejoinder of the United States were extended to, respectively, 10 December 1998 and 23 May 2000, and then to 10 March 1999 and 23 November 2000,

Having regard to the Order of 4 September 2000, whereby the President of the Court extended to 23 March 2001 the time-limit for the filing of the Rejoinder of the United States,

Having regard to the Reply filed by Iran and the Rejoinder filed by the United States within the time-limits thus extended;

Whereas, by a letter dated 30 July 2001 and received in the Registry on 7 August 2001, the Agent of Iran, referring to the Order made by the Court on 10 March 1998, notified the Court that his Government wished to present its views in writing a second time on the counter-claim of the United States, in an additional pleading, and proposed that 23 September 2001 be fixed as the time-limit for the filing of the said pleading;

Whereas, by a letter dated 16 August 2001 and received in the Registry on 21 August 2001, the Agent of the United States informed the Court that his Government did not object to the request of Iran to present its views in writing a second time on the counter-claim of the United States, in an additional pleading, or to the date suggested by Iran for filing such a pleading, and stated that the United States reserved the right to request that the Court grant it the opportunity to respond to Iran's pleading should such a response be warranted;

Whereas, in its above-mentioned Order of 10 March 1998, the Court, after indicating that it considered it necessary for Iran to file a Reply and for the United States to file a Rejoinder, relating to the claims of both Parties, added that:

“it is necessary moreover, in order to ensure strict equality between the Parties, to reserve the right of Iran to present its views in writing a second time on the United States counter-claim, in an additional pleading the filing of which may be the subject of a subsequent Order”;

Taking account of the agreement of the Parties,

Authorizes the submission by the Islamic Republic of Iran of an additional pleading relating solely to the counter-claim submitted by the United States of America;

Fixes 24 September 2001 as the time-limit for the filing of that pleading; 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 twenty-eighth day of August, two thousand and one, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Islamic Republic of Iran and the Government of the United States of America, respectively.

(Signed) SHI Jiuyong,
Vice-President.

(Signed) Philippe COUVREUR,
Registrar.

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