



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

Unofficial

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Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. Pakistan)

Fixing of time-limits for the filing of written pleadings on the questions of the Court's jurisdiction and the admissibility of the Application

THE HAGUE, 11 July 2014. By an Order of 10 July 2014, the President of the International Court of Justice (ICJ), the principal judicial organ of the United Nations, has fixed 12 January 2015 and 17 July 2015 as the respective time-limits for the filing of a Memorial by the Republic of the Marshall Islands and a Counter-Memorial by the Islamic Republic of Pakistan on the questions of the jurisdiction of the Court and the admissibility of the Application in the case of Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. Pakistan).

It is stated in the Order that “by a letter dated 9 July 2014 and received in the Registry on the same day, H.E. Mr. Moazzam Ahmad Khan, Co-Agent of Pakistan, transmitted to the Court a Note Verbale, also dated 9 July 2014, whereby the Pakistani Government indicated, inter alia, that ‘Pakistan is of the considered opinion that the ICJ lacks jurisdiction . . . and considers the [above-mentioned] Application inadmissible’, and requested the Court ‘to dismiss this Application in limine’”.

The Order further indicates that “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, later in the day on 9 July 2014, those representatives expressed the views of their respective Governments with regard to questions of procedure in the case, in the light, in particular, of the above-mentioned Note Verbale dated 9 July 2014”, and that “pursuant to Article 79, paragraph 2, of the Rules of Court, it is considered that, taking into account the views expressed by the Parties, it is necessary to resolve first of all the questions of the Court’s jurisdiction and the admissibility of the Application, and that these questions should accordingly be separately determined before any proceedings on the merits”.

According to the terms of the Order, “it is necessary for the Court to be informed of all the contentions and evidence on facts and law on which the Parties rely in the matters of its jurisdiction and the admissibility of the Application”.

Consequently, the President of the Court has decided that the written pleadings shall first be addressed to the questions of the jurisdiction of the Court and the admissibility of the Application.

The subsequent procedure has been reserved for further decision.

History of the proceedings

The history of the proceedings can be found in Press Release No. 2014/18 of 25 April 2014, available on the Court's website (www.icj-cij.org) under the heading "Press Room"/"Press Releases".

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946. The seat of the Court is at the Peace Palace in The Hague (Netherlands). Of the six principal organs of the United Nations, it is the only one not located in New York. The Court has a twofold role: first, to settle, in accordance with international law, legal disputes submitted to it by States (its judgments have binding force and are without appeal for the parties concerned); and, second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies of the system. The Court is composed of 15 judges elected for a nine-year term by the General Assembly and the Security Council of the United Nations. Independent of the United Nations Secretariat, it is assisted by a Registry, its own international secretariat, whose activities are both judicial and diplomatic, as well as administrative. The official languages of the Court are French and English. Also known as the "World Court", it is the only court of a universal character with general jurisdiction.

The ICJ, a court open only to States for contentious proceedings, and to certain organs and institutions of the United Nations system for advisory proceedings, should not be confused with the other — mostly criminal — judicial institutions based in The Hague and adjacent areas, such as the International Criminal Tribunal for the former Yugoslavia (ICTY, an ad hoc court created by the Security Council), the International Criminal Court (ICC, the first permanent international criminal court, established by treaty, which does not belong to the United Nations system), the Special Tribunal for Lebanon (STL, an independent judicial body composed of Lebanese and international judges, which is not a United Nations tribunal and does not form part of the Lebanese judicial system), or the Permanent Court of Arbitration (PCA, an independent institution which assists in the establishment of arbitral tribunals and facilitates their work, in accordance with the Hague Convention of 1899).

Information Department:

Mr. Andrey Poskakukhin, First Secretary of the Court, Head of Department (+31 (0)70 302 2336)

Mr. Boris Heim, Information Officer (+31 (0)70 302 2337)

Ms Joanne Moore, Associate Information Officer (+31 (0)70 302 2394)

Ms Genoveva Madurga, Administrative Assistant (+31 (0)70 302 2396)