



INTERNATIONAL COURT OF JUSTICE

Peace Palace, 2517 KJ The Hague. Tel.(31-70-302 23 23). Cables: Intercourt, The Hague.
Telefax (31-70-364 99 28). Telex 32323. Internet address : [http:// www.icj-cij.org](http://www.icj-cij.org)

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Yugoslavia institutes proceedings against ten States for violation of the obligation not to use force against another State and requests the Court to order that the use of force cease immediately

Hearings on provisional measures to open on Monday 10 May 1999

THE HAGUE, 29 April 1999. The Federal Republic of Yugoslavia (FRY) today instituted proceedings before the International Court of Justice (ICJ) against (separately and in the following order) the United States of America, the United Kingdom, France, Germany, Italy, the Netherlands, Belgium, Canada, Portugal and Spain, accusing these States of bombing Yugoslav territory in violation of their obligation not to use force against another State.

In its Applications, Yugoslavia maintains that the above-mentioned States have committed "acts by which [they] have violated [their] international obligation[s] not to use force against another State, not to intervene in [that State's] internal affairs" and "not to violate [its] sovereignty"; "the obligation to protect the civilian population and civilian objects in wartime, [and] to protect the environment; the obligation relating to free navigation on international rivers"; the obligation "regarding the fundamental rights and freedoms; and the obligation[s] not to use prohibited weapons [and] not to deliberately inflict conditions of life calculated to cause the physical destruction of a national group".

Yugoslavia has requested the Court to adjudge and declare *inter alia* that the ten States against which it has instituted proceedings are "responsible for the violation of the above[-mentioned] international obligations", that they are "obliged to stop immediately" that violation and that they are "obliged to provide compensation for the damage done".

According to Yugoslavia, the above-mentioned States, "together with the Governments of other Member States of NATO, took part in the acts of use of force against the FRY". Yugoslavia asserts that both military and civilian targets have come under attack during bombings, causing many casualties ("about 1,000 civilians, including 19 children, were killed and more than 4,500 sustained serious injuries"), enormous damage to schools, hospitals, radio and television stations, cultural monuments and places of worship, the destruction of a large number of bridges, roads and railway lines, as well as oil refineries and chemical plants, resulting in serious health and environmental damage.

As the legal basis for its claims, Yugoslavia cites the obligations not to use force against another State and not to intervene in its internal affairs, the provisions of the Geneva Convention of 1949 and of the Additional Protocol No. 1 of 1977 on the Protection of Civilians and Civilian Objects in Time of War, the 1948 Convention on Free Navigation on the Danube, the International Covenant on Civil and Political Rights, the 1966 International Covenant on Economic, Social and Cultural Rights, and the Convention on the Prevention and Punishment of the Crime of Genocide. Yugoslavia further points out that the activities of the States involved are "contrary to Article 53, paragraph 1, of the Charter of the United Nations".

Yugoslavia also filed today, in each of the cases, a request for interim measures of protection (provisional measures), asking the Court to order the States involved to "cease immediately [their] acts of use of force" and to "refrain from any act of threat or use of force against the Federal Republic of Yugoslavia".

It maintains that if the proposed measures are not adopted, there will be "new losses of human life, further physical and mental harm inflicted on the population of the FRY, further destruction of civilian targets, heavy environmental pollution and further physical destruction of the people of Yugoslavia".

At a meeting held today, the Court decided that hearings on provisional measures would open on Monday 10 May 1999 at 10.00 a.m. They are expected to last two days.

Vice-President Weeramantry will exercise the functions of the presidency in all ten cases, President Schwebel being a national of one of the Parties.

The full texts of Yugoslavia's Applications and requests for the indication of provisional measures will be available shortly on the Court's website (<http://www.icj-cij.org>).

NOTE FOR THE PRESS

1. The public sittings will be held in the Great Hall of Justice of the Peace Palace in The Hague, the Netherlands. Mobile telephones and beepers are allowed in the courtroom **provided they are turned off or set on silent mode**. Any offending device will be temporarily retained.

2. Members of the Press will be entitled to attend on presentation of a press card. The tables reserved for them are situated on the far left of the public entrance of the courtroom.

3. Photographs may be taken for a few minutes at the opening and at the end of the sittings. Television crews may film, but advance notice should be given to the Information Office (see paragraph 7).

4. In the Press Room, located on the ground floor of the Peace Palace (Room 5), the Court's proceedings will be relayed through a loudspeaker.

5. The verbatim records of the public sittings will be published daily on the Court's website.

6. Members of the Press who wish to make telephone calls may use the phone located in the Press Room for collect calls or the public telephones in the Post Office in the basement of the Peace Palace.

7. Mr. Arthur Witteveen, Secretary of the Court (tel: 31-70-302 2336), and Mrs. Laurence Blairon, Information Officer (tel: 31-70-302 2337), are available to deal with any requests for information and for making arrangements for television coverage.