

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

CASE CONCERNING
LEGALITY OF USE OF FORCE

(YUGOSLAVIA *v.* PORTUGAL)

ORDER OF 30 JUNE 1999

1999

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE RELATIVE À LA LICÉITÉ
DE L'EMPLOI DE LA FORCE

(YOUGOSLAVIE *c.* PORTUGAL)

ORDONNANCE DU 30 JUIN 1999

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30 June 1999

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ORDER

Present: Vice-President WEERAMANTRY, Acting President; President SCHWEBEL; Judges ODA, BEDJAOU, GUILLAUME, RANJEVA, HERCZEGH, SHI, FLEISCHHAUER, KOROMA, VERESHCHETIN, HIGGINS, PARRA-ARANGUREN, KOOLJMANS, REZEK; Judge ad hoc KREČA; Deputy-Registrar ARNALDEZ.

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Articles 48 of the Statute of the Court and to Articles 31, 44, 45, 48, 49 and 79 of the Rules of Court,

Having regard to the Application by the Federal Republic of Yugoslavia filed in the Registry of the Court on 29 April 1999, instituting proceedings against the Portuguese Republic “for violation of the obligation not to use force”,

Having regard to the request for the indication of provisional measures, submitted by Yugoslavia on 29 April 1999 and to the Order made by the Court on 2 June 1999, whereby it rejected the request and reserved the subsequent procedure for further decision;

Whereas, in order to ascertain the views of the Parties on the subse-

quent procedure, the Vice-President of the Court, Acting President, met their representatives on 28 June 1999; whereas at that meeting Portugal, referring to the findings reached by the Court in its above-mentioned Order of 2 June 1999, requested that the question of the jurisdiction of the Court in this case should be separately determined before any proceedings on the merits; whereas at that same meeting Yugoslavia opposed this request and stated that it wished to be permitted to submit a Memorial on the merits, as provided by the Rules of Court, it being understood that Portugal would be entitled, pursuant to Article 79, paragraph 1, of the Rules, to raise preliminary objections within the time-limit fixed for the filing of its Counter-Memorial; and whereas the Applicant envisaged a time-limit of approximately six months for the filing of the pleading which it wished to submit;

Taking into consideration the views of the Parties and the relevant provisions of the Rules of Court,

Fixes the following time-limits for the filing of the written pleadings envisaged by Article 45 of the Rules:

5 January 2000 for the Memorial of the Federal Republic of Yugoslavia;

5 July 2000 for the Counter-Memorial of the Portuguese Republic; 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 thirtieth day of June, one thousand nine hundred and ninety-nine, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Federal Republic of Yugoslavia and the Government of the Portuguese Republic, respectively.

(*Signed*) Christopher G. WEERAMANTRY,
Vice-President.

(*Signed*) Jean-Jacques ARNALDEZ,
Deputy-Registrar.