



MINISTÉRIO DOS NEGÓCIOS ESTRANGEIROS
DEPARTAMENTO DE ASSUNTOS JURÍDICOS

DAJ/AC-E/ 33
16-01-2003

His Excellency Mr Philippe Couvreur
Registrar
International Court of Justice
Peace Palace

Sir,

I have the honour to refer to the observations of the Federal Republic of Yugoslavia, dated 18 December 2002, concerning the case *Legality of Use of Force (Yugoslavia V. Portugal)* transmitted by your letter of December 2002.

As the Federal Republic of Yugoslavia now considers that:

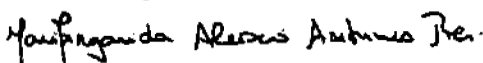
- (a) prior to 1 November 2000 was not and could not have been a party to the Statute of the Court by way of United Nations membership; and
- (b) it was not bound by the Genocide Convention until it acceded to it in March 2001.

Portugal considers that the Federal Republic of Yugoslavia accepted the Preliminary Objections of the Portuguese Republic of July 2000.

Consequently, Portugal respectfully requests the Court to adjudge and declare that it lacks jurisdiction over the proceedings brought against the Portuguese Republic by the Federal Republic of Yugoslavia and that the claims in these proceedings are inadmissible.

Accept, Sir, the assurances of my highest consideration.

Yours sincerely,


Maria Margarida Aleixo Antunes Rei
Agent for Portugal

CEX.

