



INTERNATIONAL COURT OF JUSTICE

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Press Release

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Request for Interpretation of the Judgment of 31 March 2004 in the Case concerning Avena and Other Mexican Nationals (Mexico v. United States of America) (Mexico v. United States of America)

Conclusion of the public hearings on Mexico's request for the indication of provisional measures

THE HAGUE, 20 June 2008. The public hearings on the request for the indication of provisional measures submitted by Mexico to the International Court of Justice (ICJ) in the case concerning Request for Interpretation of the Judgment of 31 March 2004 in the Case concerning Avena and Other Mexican Nationals (Mexico v. United States of America) (Mexico v. United States of America) were concluded today.

Mexico submitted its request on 5 June 2008 (see Press Release No. 2008/15).

Two rounds of public hearings were held on Thursday 19 and Friday 20 June 2008 at the Peace Palace, The Hague, seat of the Court. During the hearings, the delegation of Mexico was led by H.E. Mr. Juan Manuel Gómez-Robledo, Ambassador, Under-Secretary for Multilateral Affairs and Human Rights, Ministry of Foreign Affairs of Mexico; H.E. Mr. Joel Antonio Hernández García, Ambassador, Legal Adviser, Ministry of Foreign Affairs of Mexico; and H.E. Mr. Jorge Lomónaco Tonda, Ambassador of Mexico to the Kingdom of the Netherlands, as Agents. The delegation of the United States of America was led by Mr. John B. Bellinger, III, Legal Adviser, United States Department of State, as Agent.

The Court's decision will be delivered at a public sitting in the coming weeks, the date of which will be announced in due course.

At the end of the oral proceedings, the Parties presented the following conclusions:

For Mexico:

“The Government of the United Mexican States, acting on its own behalf and in the exercise of its right to afford diplomatic protection to its nationals, requests that this honourable Court issue an order indicating:

(a) that the United States, acting through all its competent organs and all its constituent subdivisions, including all branches of government and any official, state or federal, exercising government authority, take all measures necessary to ensure that José Ernesto Medellín, César Roberto Fierro Reyna, Rubén Ramírez Cárdenas, Humberto Leal García, and Roberto Moreno Ramos are not executed pending the conclusion of the proceedings instituted

by Mexico on 5 June 2008, unless and until the five Mexican nationals have received review and reconsideration consistent with paragraphs 138 to 141 of this Court's Avena Judgment; and

(b) that the Government of the United States inform the Court of all measures taken in implementation of subparagraph (a).”

For the United States of America:

“That the Court reject the request of Mexico for the indication of provisional measures of protection and not indicate any such measures, and that the Court dismiss Mexico’s application for interpretation on grounds of manifest lack of jurisdiction.”

The verbatim records of the hearings held on 19 and 20 June 2008 are available on the Court’s website (www.icj-cij.org).

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