

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

LEGAL CONSEQUENCES ARISING
FROM THE POLICIES AND PRACTICES OF ISRAEL
IN THE OCCUPIED PALESTINIAN TERRITORY,
INCLUDING EAST JERUSALEM

(REQUEST FOR ADVISORY OPINION)

ORDER OF 3 FEBRUARY 2023

2023

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

CONSÉQUENCES JURIDIQUES DÉCOULANT
DES POLITIQUES ET PRATIQUES D'ISRAËL
DANS LE TERRITOIRE PALESTINIEN OCCUPÉ,
Y COMPRIS JÉRUSALEM-EST

(REQUÊTE POUR AVIS CONSULTATIF)

ORDONNANCE DU 3 FÉVRIER 2023

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YEAR 2023

3 February 2023

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(REQUEST FOR ADVISORY OPINION)

ORDER

Present: President DONOGHUE; Vice-President GEVORGIAN; Judges TOMKA, YUSUF, XUE, SEBUTINDE, ROBINSON, SALAM, IWASAWA, NOLTE, CHARLESWORTH, BRANT; Registrar GAUTIER.

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Articles 48, 65 and 66 of the Statute of the Court and to Articles 104 and 105 of the Rules of Court,

Makes the following Order:

Whereas on 30 December 2022 the United Nations General Assembly adopted, at the 56th meeting of its Seventy-Seventh Session, resolution 77/247, by which it decided, pursuant to Article 65 of the Statute of the Court, to request the International Court of Justice to render an advisory opinion;

Whereas certified true copies of the English and French texts of that resolution were transmitted to the Court under cover of a letter from the Secretary-General of the United Nations dated 17 January 2023 and received on 19 January 2023;

Whereas paragraph 18 of this resolution reads as follows:

“*The General Assembly,*

.....

18. *Decides*, in accordance with Article 96 of the Charter of the United Nations, to request the International Court of Justice, pursuant to Article 65 of the Statute of the Court, to render an advisory opinion on the following questions, considering the rules and principles of international law, including the Charter of the United Nations, international humanitarian law, international human rights law, relevant resolutions of the Security Council, the General Assembly and the Human Rights Council, and the advisory opinion of the Court of 9 July 2004:

- (a) What are the legal consequences arising from the ongoing violation by Israel of the right of the Palestinian people to self-determination, from its prolonged occupation, settlement and annexation of the Palestinian territory occupied since 1967, including measures aimed at altering the demographic composition, character and status of the Holy City of Jerusalem, and from its adoption of related discriminatory legislation and measures?
- (b) How do the policies and practices of Israel referred to in paragraph 18 (a) above affect the legal status of the occupation, and what are the legal consequences that arise for all States and the United Nations from this status?";

Whereas the Secretary-General indicated in his letter that, pursuant to Article 65, paragraph 2, of the Statute, all documents likely to throw light upon the questions would be transmitted to the Court in due course;

Whereas, by letters dated 19 January 2023, the Registrar gave notice of the Request for an advisory opinion to all States entitled to appear before the Court, pursuant to Article 66, paragraph 1, of the Statute,

1. *Decides* that the United Nations and its Member States, as well as the observer State of Palestine, are considered likely to be able to furnish information on the questions submitted to the Court for an advisory opinion and may do so within the time-limits fixed in this Order;

2. *Fixes* 25 July 2023 as the time-limit within which written statements on the questions may be presented to the Court, in accordance with Article 66, paragraph 2, of the Statute;

3. *Fixes* 25 October 2023 as the time-limit within which States and organizations having presented written statements may submit written comments on the written statements made by other States or organizations, in accordance with Article 66, paragraph 4, of the Statute; 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 third day of February, two thousand and twenty-three.

(Signed) Joan E. DONOGHUE,
President.

(Signed) Philippe GAUTIER,
Registrar.
