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Communiqué No. 64/5 (Unofficial)

The following information from the Registry of the International Court of Justice is communicated to the Press:

At 10.30 a.m. on 11 March 1964, the Court held the first of the public hearings in the case concerning the Barcelona Traction, Light & Power Co. Ltd. (New Application: 1962) (Belgium \underline{v} . Spain) (Preliminary Objections).

At the beginning of the hearing, the Court installed four new Members who were elected by the General Assembly and the Security Council of the United Nations in October 1963. They are: Sir Muhammad Zafrulla Khan, Mr. Luis Padilla Nervo, M. Isaac Forster and M. André Gros. Biographies of these Judges were appended to Communiqué No. 64/4.

After the Judges concerned had made the solemn declarations provided for in Articles 20 of the Statute and 5 of the Rules of Court, and following a very short adjournment of the Court, the President briefly recalled the stages in the written proceedings covered since the institution of the proceedings by Belgium by an Application filed on 19 June 1962 (see Communiqué No. 62/17). He then proceeded to the installation of M. Enrique C. Armand-Ugon, former President of the High Court of Justice of Uruguay, and M. Walter, J. Ganshof van der Meersch, <u>Avocat général</u> to the Belgian Court of Cassation, Professor at Brussels University, who, in accordance with Article 31 of the Statute of the Court, had been designated by the Governments of Spain and Belgium respectively to sit as judges <u>ad hoc</u> in this case. Biographies of these Judges were appended to Communiqué No. 64/4.

The President then declared that Judge Sir Muhammad Zafrulla Khan, in a letter addressed to him, had stated reasons why in his view he should not take part in the decision of the case. Accordingly he would not participate.

Having noted the presence in Court of the Agents of the Parties and their Counsel, the President called upon the Agent for the Spanish Government.

M. Juan M. Castro-Rial opened the case on behalf of the Spanish Government by making a brief introductory statement and begged leave for Professor Paul Reuter to address the Court. Professor Reuter began his speech which he will continue at the hearing tomorrow, 12 March, at 10.30 a.m.

Note for representatives of the Press with regard to communiqués issued during the hearings in the Barcelona case.

Since representatives of the Press can be present at each sitting and obtain at the end of each day the verbatim record of the day's proceedings, the Registry does not propose to publish during the hearings, daily communiqués which merely indicate the names of the speakers and the date of the next hearing. However, an exception will be made whenever the next hearing is fixed for a date other than the following working day.

As a general rule, the Court will not sit on Saturdays during these proceedings.

The Hague, 11 March 1964.