

COUR INTERNATIONALE DE JUSTICE
MÉMOIRES, PLAIDOIRIES ET DOCUMENTS

AFFAIRE DE CERTAINES TERRES
À PHOSPHATES À NAURU

(NAURU c. AUSTRALIE)

VOLUME III

Contre-mémoire de l'Australie; procédure orale;
réponses aux questions; correspondance; document



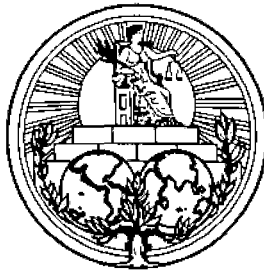
INTERNATIONAL COURT OF JUSTICE
PLEADINGS, ORAL ARGUMENTS, DOCUMENTS

CASE CONCERNING
CERTAIN PHOSPHATE LANDS IN NAURU

(NAURU v. AUSTRALIA)

VOLUME III

Counter-Memorial of Australia; Oral Arguments;
Replies to Questions; Correspondence; Document



NINTH PUBLIC SITTING (26 VI 92, 3 p.m.)

Present : [See sitting of 22 XI 91, Judge Bedjaoui absent.]

READING OF THE JUDGMENT ON PRELIMINARY OBJECTIONS

The Court has met today pursuant to Article 58 of the Statute to deliver in open court its judgment on the preliminary objections raised by the Government of the Commonwealth of Australia in the case concerning *Certain Phosphate Lands in Nauru (Nauru v. Australia)*, brought before the Court on 19 May 1989 by an Application of the Government of the Republic of Nauru.

Judge Bedjaoui, who took part in the hearings and deliberation on the objections, and participated in the vote and in the Judgment of the Court, is unfortunately unable to be present at today's sitting.

Following the usual practice, I shall not read the opening paragraphs of the Judgment which set out the procedural history of the case and the submissions of the Parties. I shall also summarize some passages of the Judgment. The authoritative text of the Judgment is the French version, but I shall now read the English text of the Judgment.

[The President reads paragraphs 8 to 71 of the Judgment¹.]

I shall now call upon the Registrar to read the operative provisions of the Judgment in the French authoritative version.

[The Registrar reads the operative clause in French².]

Thank you. I have to add that Judge Shahabuddeen appends a separate opinion to the Judgment. I myself, the Vice-President, Judges Ago and Schwebel append dissenting opinions to the Judgment.

Mimeographed copies of the text of the Judgment are at present available. The usual printed text will be published in due course. The further procedures in this case will be determined by the Court in accordance with Article 79, paragraph 7, of the Rules of Court after I have consulted the Agents of the Parties.

There being no other business before the Court this afternoon, the Court is now adjourned.

(Signed) Sir Robert JENNINGS,
President.

(Signed) Eduardo VALENCIA-OSPINA,
Registrar.

¹ *I.C.J. Reports 1992*, pp. 245-267.

² *Ibid.*, pp. 268-269.