



COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,  
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE RELATIVE À DES QUESTIONS  
D'INTERPRÉTATION ET D'APPLICATION  
DE LA CONVENTION DE MONTRÉAL DE 1971  
RÉSULTANT DE L'INCIDENT AÉRIEN  
DE LOCKERBIE

(JAMAHIRIYA ARABE LIBYENNE c. ÉTATS-UNIS  
D'AMÉRIQUE)

ORDONNANCE DU 30 MARS 1998

**1998**

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,  
ADVISORY OPINIONS AND ORDERS

CASE CONCERNING QUESTIONS OF  
INTERPRETATION AND APPLICATION OF  
THE 1971 MONTREAL CONVENTION ARISING  
FROM THE AERIAL INCIDENT  
AT LOCKERBIE

(LIBYAN ARAB JAMAHIRIYA v. UNITED STATES  
OF AMERICA)

ORDER OF 30 MARCH 1998

Mode officiel de citation:

*Questions d'interprétation et d'application de la convention de Montréal de 1971 résultant de l'incident aérien de Lockerbie (Jamahiriya arabe libyenne c. Etats-Unis d'Amérique), ordonnance du 30 mars 1998, C.I.J. Recueil 1998, p. 240*

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## INTERNATIONAL COURT OF JUSTICE

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General List  
No. 89CASE CONCERNING QUESTIONS OF  
INTERPRETATION AND APPLICATION OF  
THE 1971 MONTREAL CONVENTION ARISING  
FROM THE AERIAL INCIDENT  
AT LOCKERBIE(LIBYAN ARAB JAMAHIRIYA *v.* UNITED STATES  
OF AMERICA)

## ORDER

*Present: Vice-President WEERAMANTRY, Acting President; President SCHWEBEL; Judges ODA, BEDJAOU, GUILLAUME, RANJEVA, HERCZEGH, SHI, FLEISCHHAUER, KOROMA, VERESHCHETIN, PARRA-ARANGUREN, KOIJMANS, REZEK; Judge ad hoc EL-KOSHERI; Registrar VALENCIA-OSPINA.*

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Article 48 of the Statute of the Court and to Articles 31, 44 and 79 of the Rules of Court,

Having regard to the Application by the Great Socialist People's Libyan Arab Jamahiriya, filed in the Registry of the Court on 3 March 1992, instituting proceedings against the United States of America in respect of a "dispute between Libya and the United States concerning the

interpretation or application of the Montreal Convention” of 23 September 1971 for the Suppression of Unlawful Acts against the Safety of Civil Aviation,

Having regard to the Order of 19 June 1992, by which the Court, taking account of the Parties’ requests, *inter alia* fixed 20 June 1995 as the time-limit for the filing of the Counter-Memorial of the United States,

Having regard to the preliminary objections concerning the jurisdiction of the Court to hear the case and the admissibility of the Application, which were submitted by the Government of the United States within the time-limit fixed for the filing of the Counter-Memorial;

Whereas, by a Judgment dated 27 February 1998, the Court found that, on the basis of Article 14, paragraph 1, of the Montreal Convention of 23 September 1971, it has jurisdiction to hear the disputes between Libya and the United States as to the interpretation or application of the provisions of that Convention; found that the Application filed by Libya on 3 March 1992 is admissible; and declared that the objection raised by the United States according to which the claims of Libya became moot because Security Council resolutions 748 (1992) and 883 (1993) had rendered them without object does not, in the circumstances of the case, have an exclusively preliminary character;

Whereas in order to ascertain the views of the Parties on the subsequent procedure, the Vice-President, acting President, received their Agents on 24 March 1998;

Taking into account the views of the Parties,

*Fixes* 30 December 1998 as the time-limit for the filing of the Counter-Memorial of the United States of America; and

*Reserves* the subsequent procedure for further decision.

Done in French and in English, the French text being authoritative, at the Peace Palace, The Hague, this thirtieth day of March, one thousand nine hundred and ninety-eight, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Great Socialist People’s Libyan Arab Jamahiriya and the Government of the United States of America, respectively.

(Signed) Christopher G. WEERAMANTRY,  
Vice-President.

(Signed) Eduardo VALENCIA-OSPINA,  
Registrar.