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## INTERNATIONAL COURT OF JUSTICE

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### Communiqué

unofficial  
for immediate release

No. 95/26  
8 September 1995

New Zealand's Request for an Examination of the Situation in accordance with Paragraph 63 of the Court's 1974 Judgment in the case concerning Nuclear Tests (New Zealand v. France)

Public sitting to be held in The Hague on Monday 11 September 1995

As reported in Press Communiqué No. 95/22 of 21 August 1995 (attached) New Zealand on that day submitted to the Court a Request for an Examination of the Situation in accordance with Paragraph 63 of the Court's 1974 Judgment in the case concerning Nuclear Tests (New Zealand v. France). It also submitted a Request for the indication of provisional measures. New Zealand's Requests refer to a media statement of 13 June 1995 by President Chirac "which said that France would conduct a final series of eight nuclear weapons tests in the South Pacific starting in September 1995". The first of those tests has taken place.

On Monday 11 September 1995 at 3 p.m., a public sitting will be held by the Court in order to enable New Zealand and France to inform it of their views on the following question: "Do the Requests submitted to the Court by the Government of New Zealand on 21 August 1995 fall within the provisions of paragraph 63 of the Judgment of the Court of 20 December 1974 in the case concerning Nuclear Tests (New Zealand v. France)?".

For the purposes of the sitting and bearing in mind the composition of the Court at the time when the Judgment in the case concerning Nuclear Tests (New Zealand v. France) was delivered, Sir Geoffrey Palmer, chosen to sit as judge ad hoc by New Zealand, will join the Court and make the necessary solemn declaration.

The above arrangements shall in no way prejudice any decision which the Court will subsequently take regarding the existence or not of a case before it.

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The Court will begin by holding a short sitting during which Judge Rosalyn Higgins (United Kingdom), elected by the United Nations General Assembly and Security Council on 12 July 1995 to fill the vacancy left by the resignation of Sir Robert Yewdall Jennings, will make the solemn declaration provided for in Article 20 of the Statute of the Court.

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NOTE FOR THE PRESS

1. The public sitting will be held in the Great Hall of Justice of the Peace Palace, The Hague, the Netherlands. Members of the Press will be entitled to attend on presentation of an admission card, which may be obtained upon application. The tables reserved for them are situated on the far left of the public entrance of the courtroom.

2. Photographs may be taken at the opening, during the first minutes of the sitting; and also for a few minutes towards its end. Filming for television purposes is authorized; advance notice to be given as per para. 5 below.

3. In the Press Room, located on the ground floor of the Peace Palace (Room 5), the Court's proceedings will be relayed through a loudspeaker.

4. Members of the Press who wish to make telephone calls may use the public telephones in the Post Office in the basement of the Peace Palace.

5. Mr. Artliff Litteveen, Secretary in charge of information matters (tel. No. 31-70-3022336), or, in his absence, Mrs. N. C. El-Erian, Information Officer (tel. No. 31-70-3022337), will be available to deal with any requests for information by members of the Press or for making arrangements for television coverage.

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