

## CASE CONCERNING THE VIENNA CONVENTION ON CONSULAR RELATIONS (PARAGUAY *v.* UNITED STATES OF AMERICA) (DISCONTINUANCE)

**Order of 10 November 1998**

In the case concerning the Vienna Convention on Consular Relations (Paraguay *v.* United States of America) at the request of Paraguay, on 10 November 1998, the Court made an Order recording the discontinuance of the proceedings and directing the removal of the case from the Court's List.

The dispute brought by Paraguay to the Court concerned alleged violations of the Vienna Convention on Consular Relations of 24 April 1963 with respect to the case of Mr. Angel Francisco Breard, a Paraguayan national convicted of murder in Virginia (United States), whose execution had been scheduled for 14 April 1998 and who was eventually executed on that date.

The Court was composed as follows: Vice-President Weeramantry, Acting President; President Schwebel; Judges Oda, Bedjaoui, Guillaume, Ranjeva, Herczegh, Shi, Fleischhauer, Koroma, Vereshchetin, Higgins, Parra-Aranguren, Kooijmans, Rezek; Registrar Valencia-Ospina.

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The full text of the Order reads as follows:

“The International Court of Justice,  
Composed as above,

Having regard to Article 48 of the Statute of the Court and to Article 89 of the Rules of Court,

Having regard to the Application filed in the Registry of the Court on 3 April 1998, whereby the Republic of Paraguay instituted proceedings against the United States of America for ‘violations of the Vienna Convention on Consular Relations [of 24 April 1963]’ allegedly committed by the United States,

Having regard to the request for the indication of provisional measures submitted by Paraguay on 3 April 1998 and to the Order made by the Court on 9 April 1998, by which it indicated provisional measures,

Having regard to the Orders of 9 April 1998 and 8 June 1998, by which the Vice-President of the Court, acting as President, fixed and subsequently extended the time limits for the filing of written pleadings on the merits, and having regard to the Memorial filed by Paraguay on 9 October 1998;

Whereas, by a letter of 2 November 1998, filed in the Registry that same day, the Agent of Paraguay informed the Court that his Government wished to discontinue the proceedings with prejudice, and accordingly requested that the case be removed from the List;

Whereas a copy of this letter was immediately communicated to the Government of the United States, which was informed that the senior judge, acting pursuant to Articles 13, paragraph 3, and 89, paragraphs 2 and 3, of the Rules of Court, had fixed 30 November 1998 as the time limit within which the United States could state whether it opposed the discontinuance;

Whereas, by a letter of 3 November 1998, a copy of which was filed in the Registry that same day, the Agent of the United States informed the Court that his Government concurred in Paraguay's discontinuance of the proceedings with prejudice, and in its request that the case be removed from the List,

*Places on record* the discontinuance by the Republic of Paraguay of the proceedings instituted by the Application filed on 3 April 1998; and

*Orders* that the case be removed from the List.”