



INTERNATIONAL COURT OF JUSTICE

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Press Release

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Maritime Delimitation in the Black Sea (Romania v. Ukraine)

Court to deliver its Judgment on Tuesday 3 February 2009 at 10 a.m.

THE HAGUE, 16 January 2009. On Tuesday 3 February 2009, the International Court of Justice (ICJ), the principal judicial organ of the United Nations, will deliver its Judgment in the case concerning Maritime Delimitation in the Black Sea (Romania v. Ukraine).

A public sitting will take place at 10 a.m. at the Peace Palace in The Hague, during which the President of the Court, Judge Rosalyn Higgins, will read the Court's Judgment.

History of the proceedings

On 16 September 2004, Romania filed an Application instituting proceedings against Ukraine in respect of a dispute "concern[ing] the establishment of a single maritime boundary between the two States in the Black Sea, thereby delimiting the continental shelf and the exclusive economic zones appertaining to them". In its Application Romania states that on 2 June 1997 Ukraine and itself signed a Treaty on Relations of Co-operation and Good-Neighbourliness, as well as an Additional Agreement, by which the two States committed themselves to finding agreement on the above-mentioned matters. Both instruments entered into force on 22 October 1997. Romania contends that negotiations held since 1998 have been inconclusive.

As a basis for the Court's jurisdiction Romania invokes Article 4 (h) of the Additional Agreement, which provides inter alia that the dispute be brought to the International Court of Justice at the request of any of the Parties if unresolved in a reasonable period of time, not later than two years after the initiation of the negotiations.

Romania filed its Memorial and Ukraine its Counter-Memorial within the time-limits thus fixed by the Court by an Order of 19 November 2004. By an Order of 30 June 2006, the Court authorized the filing of a Reply by Romania and a Rejoinder by Ukraine and fixed time-limits for the filing of these pleadings. Romania filed its Reply within the time-limit thus fixed. By an Order of 8 June 2007, the Court extended the time-limit for the filing of the Rejoinder by Ukraine. The Rejoinder was duly filed within the time-limit thus extended. Public hearings were held in the case from 2 to 19 September 2008 (see Press Release No. 2008/29).

The Parties disagree on the course of the maritime boundary to be established, and in particular on the role in this respect of Serpents' Island (a maritime feature situated in the north-western part of the Black Sea, approximately 20 nautical miles east of the Danube delta).

Since the Court included upon the Bench no judge of the nationality of either of the Parties, each Party proceeded to exercise its right conferred by Article 31, paragraph 3, of the Statute to choose a judge ad hoc to sit on the case. Romania chose Mr. Jean-Pierre Cot (France) and Ukraine chose Mr. Bernard H. Oxman (United States of America).

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NOTE TO THE PRESS AND PUBLIC

1. The public sitting will be held in the Great Hall of Justice of the Peace Palace in The Hague, Netherlands. Mobile telephones and beepers are permitted in the courtroom provided they are switched off. Any offending device will be temporarily retained.

2. **Media representatives** are subject to an **accreditation procedure**, the details of which can be found in Media Advisory 2009/a attached to this Press Release.

3. **Individual visitors** (with the exception of members of the Diplomatic Corps) and **groups** are subject to an admission procedure. They are kindly requested to **give advance notification of their attendance** by filling out the relevant form on the Court's website (to the right of the screen under Calendar, click on "Attending a Hearing", then under "Admission for individuals" or "Admission for groups", click on "Online Application Form").

4. At the end of the sitting, a Press Release, a summary of the Judgment and the full text of the Judgment will be distributed. All of these documents will be made available at the same time on the Court's website.

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