

9 JUNE 2006

ORDER

STATUS VIS-À-VIS THE HOST STATE OF A DIPLOMATIC  
ENVOY TO THE UNITED NATIONS  
(COMMONWEALTH OF DOMINICA *v.* SWITZERLAND)

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STATUT VIS-À-VIS DE L'ÉTAT HÔTE D'UN ENVOYÉ DIPLOMA-  
TIQUE AUPRÈS DE L'ORGANISATION DES NATIONS UNIES  
(COMMONWEALTH DE DOMINIQUE *c.* SUISSE)

9 JUIN 2006

ORDONNANCE

INTERNATIONAL COURT OF JUSTICE

YEAR 2006

9 June 2006

CASE CONCERNING THE STATUS  
VIS-À-VIS THE HOST STATE  
OF A DIPLOMATIC ENVOY  
TO THE UNITED NATIONS

(COMMONWEALTH OF DOMINICA v. SWITZERLAND)

ORDER

*Present: President HIGGINS; Vice-President AL-KHASAWNEH; Judges KOROMA, PARRA-ARANGUREN, BUERGENTHAL, OWADA, SIMMA, ABRAHAM, KEITH, SEPÚLVEDA-AMOR, BENNOUNA, SKOTNIKOV; Registrar COUVREUR.*

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Article 48 of the Statute of the Court and to Article 89, paragraph 1, of the Rules of Court,

Having regard to the Application filed in the Registry of the Court on 26 April 2006, whereby the Commonwealth of Dominica instituted proceedings against the Swiss Confederation in respect of a dispute concerning

“violations of the Vienna Convention on Diplomatic Relations of 18 April 1961 . . . , the Headquarters Agreement between Switzerland and the United Nations of 11 June and 1 July 1946, the Agreement on Privileges and Immunities of the United Nations between Switzerland and the United Nations of 11 April 1946, the Convention

on Privileges and Immunities of the United Nations of 13 February 1946 as well as general well-established rules and principles of international law on appointment and withdrawal of diplomats, on diplomatic immunity, on equality of States and on the rights of the United Nations of passive legation”;

Whereas a certified copy of this Application was immediately transmitted to the Government of the Swiss Confederation, pursuant to Article 38, paragraph 4, of the Rules of Court;

Whereas, by a letter dated 15 May 2006, received in the Registry by facsimile on 24 May 2006 under cover of two letters from the Permanent Representative of the Commonwealth of Dominica to the United Nations, and the original of which has reached the Registry on 6 June 2006, the Prime Minister of the Commonwealth of Dominica, referring to Article 89 of the Rules of Court, informed the Court that the Government of the Commonwealth of Dominica “[did] not wish to go on with the proceedings instituted against Switzerland” and requested the Court to make an Order “officially recording the unconditional discontinuance” of these proceedings and “directing the removal of the case from the General List”;

Whereas a copy of that letter was immediately transmitted to the Government of the Swiss Confederation;

Whereas, by a letter dated 24 May 2006 and received in the Registry on the same day by facsimile, the Ambassador of Switzerland in The Hague advised the Court that he had informed the competent Swiss authorities of the discontinuance notified by the Prime Minister of Dominica;

Whereas the Government of the Swiss Confederation has not taken any step in the proceedings,

*Places on record* the discontinuance by the Commonwealth of Dominica of the proceedings instituted by the Application filed on 26 April 2006; and

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

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this ninth day of June, two thousand and six, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Commonwealth of Dominica and the Government of the Swiss Confederation, respectively.

(Signed) Rosalyn HIGGINS,  
President.

(Signed) Philippe COUVREUR,  
Registrar.