



INTERNATIONAL COURT OF JUSTICE

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Press Release

Unofficial

No. 2012/37

14 December 2012

Maritime Dispute (Peru v. Chile)

Conclusion of the public hearings

Court to begin its deliberation

THE HAGUE, 14 December 2012. The public hearings in the case concerning the Maritime Dispute (Peru v. Chile) were concluded today. The Court will now begin its deliberation.

During the hearings, which opened on Monday 3 December 2012 at the Peace Palace, seat of the Court, the delegation of the Republic of Peru was led by H.E. Mr. Allan Wagner, Ambassador, former Minister for Foreign Affairs, former Minister of Defence, former Secretary-General of the Andean Community, Ambassador of Peru to the Kingdom of the Netherlands, as Agent; and the delegation of the Republic of Chile was led by H.E. Mr. Albert van Klaveren Stork, Ambassador, former Vice-Minister for Foreign Affairs, Professor at the University of Chile, as Agent.

The Court's Judgment will be rendered at a public sitting, the date of which will be announced in due course.

Final submissions of the Parties

At the end of the oral proceedings, the Parties presented the following final submissions to the Court:

For the Republic of Peru:

“For the reasons set out in Peru's Memorial and Reply and during the oral proceedings, the Republic of Peru requests the Court to adjudge and declare that:

- (1) The delimitation between the respective maritime zones between the Republic of Peru and the Republic of Chile, is a line starting at 'Point Concordia' (defined as the intersection with the low-water mark of a 10-kilometre radius arc, having as its centre the first bridge over the River Lluta of the Arica-La Paz railway) and equidistant from the baselines of both Parties, up to a point situated at a distance of 200 nautical miles from those baselines, and
- (2) Beyond the point where the common maritime border ends, Peru is entitled to exercise exclusive sovereign rights over a maritime area lying out to a distance of 200 nautical miles from its baselines.”

For the Republic of Chile:

“Chile respectfully requests the Court to:

(a) dismiss Peru’s claims in their entirety;

(b) adjudge and declare that:

- (i) the respective maritime zone entitlements of Chile and Peru have been fully delimited by agreement;
- (ii) those maritime zone entitlements are delimited by a boundary following the parallel of latitude passing through the most seaward boundary marker of the land boundary between Chile and Peru, known as Hito No. 1, having a latitude of 18° 21' 00" S under WGS84 Datum; and
- (iii) Peru has no entitlement to any maritime zone extending to the south of that parallel.”

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Internal Judicial Practice of the Court with respect to deliberations

Deliberations take place in private in accordance with the following procedure: the Court first holds a preliminary discussion, during which the President outlines the issues which require discussion and decision by the Court. Each judge then prepares a written Note setting out his or her views on the case. Each Note is distributed to the other judges. A full deliberation is then held, at the end of which, on the basis of the views expressed, a drafting committee is chosen by secret ballot. That committee consists in principle of two judges holding the majority view of the Court, together with the President, unless it appears that his views are in the minority. The committee prepares a draft text, which is first the subject of written amendments and then goes through two readings. In the meantime, judges who wish to do so may prepare a declaration, a separate opinion or a dissenting opinion. The final vote is taken after adoption of the final text of the Judgment at the second reading.

Note: The Court’s press releases do not constitute official documents. The complete verbatim records of the hearings held from 3 to 14 December 2012 are published on the website of the Court (www.icj-cij.org).

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946. The seat of the Court is at the Peace Palace in The Hague (Netherlands). Of the six principal organs of the United Nations, it is the only one not located in New York. The Court has a twofold role: first, to settle, in accordance with international law, legal disputes submitted to it by States (its judgments have binding force and are without appeal for the parties concerned); and,

second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies of the system. The Court is composed of 15 judges elected for a nine-year term by the General Assembly and the Security Council of the United Nations. Independent of the United Nations Secretariat, it is assisted by a Registry, its own international secretariat, whose activities are both judicial and diplomatic, as well as administrative. The official languages of the Court are French and English. Also known as the “World Court”, it is the only court of a universal character with general jurisdiction.

The ICJ, a court open only to States for contentious proceedings, and to certain organs and institutions of the United Nations system for advisory proceedings, should not be confused with the other — mostly criminal — judicial institutions based in The Hague and adjacent areas, such as the International Criminal Tribunal for the former Yugoslavia (ICTY, an ad hoc court created by the Security Council), the International Criminal Court (ICC, the first permanent international criminal court, established by treaty, which does not belong to the United Nations system), the Special Tribunal for Lebanon (STL, an independent judicial body composed of Lebanese and international judges, which is not a United Nations tribunal and does not form part of the Lebanese judicial system), or the Permanent Court of Arbitration (PCA, an independent institution which assists in the establishment of arbitral tribunals and facilitates their work, in accordance with the Hague Convention of 1899).

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