



INTERNATIONAL COURT OF JUSTICE

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Press Release

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Proceedings instituted by Georgia against Russia

Urgent Communication to the Parties from the President under Article 74, paragraph 4, of the Rules of Court

THE HAGUE, 15 August 2008. Acting in accordance with the powers conferred upon her by Article 74, paragraph 4, of the Rules of Court, Judge Rosalyn Higgins, President of the International Court of Justice (ICJ), the principal judicial organ of the United Nations, addressed today an urgent communication to the Parties in the proceedings instituted by the Republic of Georgia against the Russian Federation.

Article 74, paragraph 4, of the Rules stipulates that “Pending the meeting of the Court, the President may call upon the parties to act in such a way as will enable any order the Court may make on the request for provisional measures to have its appropriate effects.”

The text of the communication sent to the Parties is reproduced in full below:

“On 12 August 2008 the Republic of Georgia submitted an Application to the Court instituting proceedings against the Russian Federation. On 14 August 2008, the Republic of Georgia submitted a request for indication of provisional measures referring to Article 41 of the Statute of the Court and Articles 73, 74 and 75 of the Rules of Court.

The convening of the Court for purposes of proceeding to a decision on a Request for the indication of provisional measures should be dealt with as a matter of urgency (Article 74, paragraph 2, of the Rules of Court). At the same time, the date for the hearings should be fixed so as to afford Parties an opportunity of being represented at it (Article 74, paragraph 3, of the Rules of Court).

In the light of these considerations the hearings on the request made by the Republic of Georgia for the indication of provisional measures have now been fixed for 8-10 September 2008.

The Court will at this juncture have to decide whether or not it has prima facie jurisdiction in respect of the case brought by the Republic of Georgia and whether the conditions for the indication of provisional measures are met.

Having considered the gravity of the situation, the President, acting under Article 74, paragraph 4, of the Rules of Court, urgently calls upon the Parties to act in such a way as will enable any order the Court may take on the request for provisional measures to have its appropriate effects.”

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