



INTERNATIONAL COURT OF JUSTICE

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Press Release

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Questions relating to the Seizure and Detention of Certain Documents and Data (Timor-Leste v. Australia)

Case removed from the Court's List at the request of Timor-Leste

THE HAGUE, 12 June 2015. The case brought by the Democratic Republic of Timor-Leste against Australia on 17 December 2013 before the International Court of Justice (ICJ), in respect of a dispute concerning the seizure, on 3 December 2013, and the subsequent detention, by “agents of Australia of documents, data and other property which belongs to Timor-Leste and/or which Timor-Leste has the right to protect under international law”, was removed from the Court’s List on 11 June 2015 at the request of Timor-Leste.

By a joint letter dated 15 May 2015, the two Parties, in accordance with the Court’s Order of 22 April 2015 (see Press Release No. 2015/12), confirmed that, on 12 May 2015, Australia had returned the documents and data which it had seized on 3 December 2013.

In a letter dated 2 June 2015, the Agent of Timor-Leste explained that, “[f]ollowing the return of the seized documents and data by Australia on 12 May 2015, Timor-Leste [has] successfully achieved the purpose of its Application to the Court, namely the return of Timor-Leste’s rightful property, and therefore implicit recognition by Australia that its actions were in violation of Timor-Leste’s sovereign rights”, and informed the Court that his Government wished to discontinue the proceedings in the case.

A copy of that letter was immediately communicated to the Government of Australia. By a letter dated 9 June 2015, the Agent of Australia informed the Court that his Government had no objection to the discontinuance of the case as requested by Timor-Leste. The Agent of Australia reiterated that, as indicated in his letter of 25 March 2015 addressed to the Court, “Australia’s request to return the material was an affirmation of [its] commitment to the peaceful settlement of the dispute in a constructive and positive manner in order to put it behind the Parties”, and added that “[n]o other implication should be drawn from Australia’s actions”.

In consequence, on 11 June 2015, the President of the Court made an Order recording the discontinuance by Timor-Leste of the proceedings and directing the removal of the case from the Court's List.

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The full text of the Order is available on the Court's website in the documentation for the case, under the heading "Contentious cases".

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 international judicial body with an independent legal personality, established by the United Nations Security Council upon the request of the Lebanese Government and composed of Lebanese and international judges) 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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