

La Libye, signataire de la convention sur le droit de la mer de 1982, ne saurait valablement contester la validité des règles codifiées par cette convention.

44. THE AGENT OF THE LIBYAN ARAB JAMAHIYIA
TO THE REGISTRAR

19 June 1985.

I have the honour to furnish the Court with Libya's responses to the questions put to Libya by Judge Elias and Judge Oda.
These responses are attached hereto.

Libya's Response to the Question¹ of Judge Elias

During the second session Judge Elias put the following question to Libya :

Does your insistence that the Judgment is final and binding on the Parties refer to the whole of the *dispositif*, including the line proposed by the Court in paragraph 133 C (2)? If so, how do you see the relation between Article 60 of the Statute of the Court and the role of the Parties envisaged in Article III of the Special Agreement?

The answer to the first part of Judge Elias' question is clear. The insistence of Libya that the Judgment is final and binding on the Parties refers to the whole of the *dispositif*, including the line proposed by the Court in paragraph 133 C (2). Libya believes that the Court indicated with finality the line to be followed in the first sector leaving to the experts of the Parties only the technical task of plotting this line on a map.

Tunisia has not made a *bona fide* attempt to agree on points of explanation or clarification for the purpose of a joint request to the Court under Article III of the Special Agreement. Such a joint request is a necessary condition for return to the Court under Article III. The failure of Tunisia to attempt to specify the point or points of explanation or clarification for the purposes of a joint request could well be regarded as debarring Tunisia's resort to Article 60 of the Statute. Libya, however, has chosen not to rely on what might be regarded by Tunisia as a purely technical bar to the present Application. Libya believes that the Application is so lacking in merit that Libya has preferred to oppose it.

Libya's Response to the Questions¹ of Judge Oda

In his oral statement to the Court during the afternoon session of Tuesday, 18 June 1985, Professor Bowett responded directly to the questions put by Judge Oda.

In this regard, reference is made to pp. 265-266, *supra*.

¹ See p. 145, *supra*.