

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

CASE CONCERNING QUESTIONS OF
INTERPRETATION AND APPLICATION OF
THE 1971 MONTREAL CONVENTION ARISING
FROM THE AERIAL INCIDENT
AT LOCKERBIE

(LIBYAN ARAB JAMAHIRIYA v. UNITED KINGDOM)

ORDER OF 30 MARCH 1998

1998

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE RELATIVE À DES QUESTIONS
D'INTERPRÉTATION ET D'APPLICATION
DE LA CONVENTION DE MONTRÉAL DE 1971
RÉSULTANT DE L'INCIDENT AÉRIEN
DE LOCKERBIE

(JAMAHIRIYA ARABE LIBYENNE c. ROYAUME-UNI)

ORDONNANCE DU 30 MARS 1998

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ORDER

Present: Vice-President WEERAMANTRY, Acting President; President SCHWEBEL; Judges ODA, BEDJAOUI, GUILLAUME, RANJEVA, HERCZEGH, SHI, FLEISCHHAUER, KOROMA, VERESHCHETIN, PARRA-ARANGUREN, KOOIJMANS, REZEK; Judges ad hoc Sir Robert JENNINGS, EL-KOSHERI; Registrar VALENCIA-OSPINA.

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Article 48 of the Statute of the Court and to Articles 31, 44 and 79 of the Rules of Court,

Having regard to the Application by the Great Socialist People's Libyan Arab Jamahiriya, filed in the Registry of the Court on 3 March 1992, instituting proceedings against the United Kingdom of Great Britain and Northern Ireland in respect of a "dispute between Libya and the United Kingdom concerning the interpretation or application of

the Montreal Convention” of 23 September 1971 for the Suppression of Unlawful Acts against the Safety of Civil Aviation,

Having regard to the Order of 19 June 1992, by which the Court, taking account of the Parties’ requests, *inter alia* fixed 20 June 1995 as the time-limit for the filing of the Counter-Memorial of the United Kingdom,

Having regard to the preliminary objections concerning the jurisdiction of the Court to hear the case and the admissibility of the Application, which were submitted by the Government of the United Kingdom within the time-limit fixed for the filing of the Counter-Memorial;

Whereas by a Judgment dated 27 February 1998, the Court found that, on the basis of Article 14, paragraph 1, of the Montreal Convention of 23 September 1971, it has jurisdiction to hear the disputes between Libya and the United Kingdom as to the interpretation or application of the provisions of that Convention; found that the Application filed by Libya on 3 March 1992 is admissible; and declared that the objection raised by the United Kingdom according to which Security Council resolutions 748 (1992) and 883 (1993) had rendered the claims of Libya without object does not, in the circumstances of the case, have an exclusively preliminary character;

Whereas in order to ascertain the views of the Parties on the subsequent procedure, the Vice-President, acting President, received their Agents on 24 March 1998;

Taking into account the views of the Parties,

Fixes 30 December 1998 as the time-limit for the filing of the Counter-Memorial of the United Kingdom; and

Reserves the subsequent procedure for further decision.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this thirtieth day of March, one thousand nine hundred and ninety-eight, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Great Socialist People’s Libyan Arab Jamahiriya and the Government of the United Kingdom of Great Britain and Northern Ireland, respectively.

(*Signed*) Christopher G. WEERAMANTRY,
Vice-President.

(*Signed*) Eduardo VALENCIA-OSPINA,
Registrar.