



INTERNATIONAL COURT OF JUSTICE

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Communiqué

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**Questions of Interpretation and Application of the 1971 Montreal Convention
arising from the Aerial Incident at Lockerbie
(Libyan Arab Jamahiriya v. United Kingdom)
(Libyan Arab Jamahiriya v. United States of America)**

Jurisdiction of the Court and admissibility of Libyan claims

Court to give its decisions on Friday 27 February

THE HAGUE, 23 February 1998. The International Court of Justice (ICJ), the principal judicial organ of the United Nations, will announce on Friday 27 February whether it has jurisdiction to deal with the merits of the two cases brought by Libya against the United Kingdom and the United States of America concerning the aerial incident at Lockerbie. It will also announce whether the Libyan claims are admissible.

A public sitting will take place at 10 a.m. in the Peace Palace in The Hague during which the Vice-President of the Court, Judge Christopher G. Weeramantry, will read the Judgments in both cases. Judge Weeramantry exercises the functions of the presidency in the two cases, the President being a national of one of the Parties in one case and having declined to exercise the presidency in the other.

The United Kingdom and the United States maintain that the Court lacks jurisdiction in the matter and that the Libyan claims are not admissible, particularly in view of resolutions adopted by the United Nations Security Council.

Libya contends that the United Kingdom and the United States do not have the right to compel it to surrender two Libyan nationals accused of having caused the destruction of Pan Am flight 103 over the town of Lockerbie, Scotland, on 21 December 1988, in which 270 people died (all 259 passengers and crew, as well as 11 people on the ground).

The United Kingdom and the United States contend that the accused should be surrendered by Libya for trial either in Scotland or the United States, but Libya argues that the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation signed at Montreal in 1971 authorizes it to try them itself.

The Parties have presented their arguments on the preliminary objections raised by the United Kingdom and the United States in writing and during public hearings which were held between 13 and 22 October 1997.

NOTE FOR THE PRESS

1. The public sitting will be held in the Great Hall of Justice of the Peace Palace in The Hague, the Netherlands. Mobile telephones and beepers are allowed in the courtroom **provided they are turned off or set on silent mode**. Any offending device will be temporarily retained.

2. Members of the Press will be entitled to attend on presentation of an admission card, which may be obtained upon application. The tables reserved for them are situated on the far left of the public entrance of the courtroom.

3. Photographs may be taken for a few minutes at the opening and at the end of the sitting. Television crews may film, but advance notice should be given to the Information Office (see paragraph 8).

4. In the Press Room, located on the ground floor of the Peace Palace (Room 5), the reading of the Court's decisions will be relayed through a loudspeaker.

5. At the end of the sitting, a press release and a summary of both Judgments will be distributed in the Press Room.

6. The press release, the summary and the full texts of the Judgments will be simultaneously available on the Website of the Court (<http://www.icj-cij.org>).

7. Members of the Press who wish to make telephone calls may use the phone located in the Press Room for collect calls or the public telephones in the Post Office in the basement of the Peace Palace.

8. Mr. Arthur Witteveen, Secretary of the Court (tel: 31-70-302 2336), and Mrs. Laurence Blairon, Information Officer (tel: 31-70-302 2337), are available to deal with any requests for information and for making arrangements for television coverage.
