



INTERNATIONAL COURT OF JUSTICE

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Case concerning Oil Platforms
(Islamic Republic of Iran v. United States of America)

Extension of time-limits for the filing of written pleadings

THE HAGUE, 26 May 1998. The Vice-President of the International Court of Justice (ICJ), Judge Christopher G. Weeramantry, Acting President, today extended the time-limits for the filing of written pleadings in the case concerning Oil Platforms (Islamic Republic of Iran v. United States of America).

By an Order of 10 March 1998, the Court had held that a counter-claim submitted by the United States was "admissible as such" and that it formed "part of the current proceedings". Taking into account these conclusions, it directed the Parties to submit further written pleadings on the merits of their respective claims. Iran was to submit a Reply by 10 September 1998 and the United States a Rejoinder by 23 November 1999.

By today's Order, the Vice-President of the Court extended to 10 December 1998 the time-limit for the filing of the Reply of Iran and to 23 May 2000 the time-limit for the filing of the Rejoinder of the United States.

The Order was made in response to a request from Iran to extend to 10 December 1998 the time-limit for the filing of its Reply. The United States consented to that extension, provided the time-limit fixed for the filing of the Rejoinder was extended likewise.

The subsequent procedure has been reserved for further decision.

History of the dispute

On 2 November 1992 the Islamic Republic of Iran filed an Application instituting proceedings against the United States with respect to the destruction of Iranian oil platforms.

Iran founded the jurisdiction of the Court on Article XXI, paragraph 2, of the Iran/United States Treaty of Amity, Economic Relations and Consular Rights, signed at Tehran on 15 August 1955.

In its Application Iran alleged that the destruction caused by several warships of the United States Navy, on 19 October 1987 and 18 April 1988, to three offshore oil production complexes, owned and operated for commercial purposes by the National Iranian Oil Company, constituted a fundamental breach of various provisions of the Treaty of Amity and of international law. In this connection Iran referred in particular to Articles I and X, paragraph 1, of the Treaty which provide

respectively: "There shall be firm and enduring peace and sincere friendship between the United States of America and Iran" and "Between the territories of the two High Contracting Parties there shall be freedom of commerce and navigation".

By an Order of 4 December 1992 the President of the Court, taking into account an agreement of the Parties, fixed time-limits for the filing of the Memorial of Iran and of the Counter-Memorial of the United States. These time-limits were later extended to 8 June and 16 December 1993, respectively. The Memorial of Iran was filed within the prescribed time-limit.

On 16 December 1993, the United States filed a preliminary objection, contending that the Court had no jurisdiction to deal with the merits of the case. Iran filed a written statement on this issue and public sittings to hear the oral arguments of the Parties were held between 16 and 24 September 1996.

On 12 December 1996, the Court delivered its Judgment, finding that it had jurisdiction to entertain the claims made by Iran under Article X, paragraph 1, of the 1955 Treaty as the destruction of oil platforms was capable of having an adverse effect upon the "freedom of commerce" as guaranteed by that provision of the 1955 Treaty.

By an Order of 16 December 1996 the President of the Court, taking into account the agreement of the Parties, fixed 23 June 1997 as the time-limit for the filing of the Counter-Memorial of the United States. Within this time-limit, the United States filed its Counter-Memorial and a counter-claim.

In its counter-claim, which was found admissible by the Court on 10 March 1998, the United States asked the ICJ to adjudge and declare that "in attacking vessels, laying mines in the Gulf and otherwise engaging in military actions in 1987-1988 that were dangerous and detrimental to maritime commerce", Iran "breached its obligations to the United States" under Article X of the Treaty of Amity, Economic Relations and Consular Rights between the two countries signed in Tehran on 15 August 1955. Accordingly, it requested the Court to say that Iran was "under an obligation to make full reparation to the United States . . . in a form and amount to be determined by the Court at a subsequent stage of the proceedings".

Website address of the Court: <http://www.icj-cij.org>

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