



COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,  
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE DE LA COMPÉTENCE  
EN MATIÈRE DE PÊCHERIES

(ESPAGNE c. CANADA)

ORDONNANCE DU 2 MAI 1995

**1995**

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,  
ADVISORY OPINIONS AND ORDERS

FISHERIES JURISDICTION CASE

(SPAIN v. CANADA)

ORDER OF 2 MAY 1995

Mode officiel de citation:

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## INTERNATIONAL COURT OF JUSTICE

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## FISHERIES JURISDICTION CASE

(SPAIN *v.* CANADA)

## ORDER

The President of the International Court of Justice,

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

Having regard to the Application filed in the Registry of the Court on 28 March 1995, whereby the Kingdom of Spain instituted proceedings against Canada with respect to a dispute concerning certain aspects of the jurisdiction exercised by Canada in relation to fisheries;

Whereas the Application was communicated to Canada on the same day on which it was filed;

Whereas, in that Application, Spain founded the jurisdiction of the Court on the declarations made by the two Parties in accordance with Article 36, paragraph 2, of the Statute;

Whereas, by a letter dated 21 April 1995, the Ambassador of Canada to the Netherlands informed the Court, *inter alia*, that, in the view of his Government, the Court

“manifestly lacks jurisdiction to deal with the Application filed by Spain . . . by reason of paragraph 2 (*d*) of the Declaration, dated 10 May 1994, whereby Canada accepted the compulsory jurisdiction of the Court”;

Whereas at a meeting between the President of the Court and the representatives of the Parties held on 27 April 1995 it was agreed that the

question of the jurisdiction of the Court in this case should be separately determined before any proceedings on the merits; and whereas at that meeting agreement was also reached on time-limits for the filing of written pleadings on that question;

Whereas it is necessary for the Court to be informed of all the contentions of fact and law on which the Parties rely in that connection;

Taking into account the agreement concerning the procedure reached between the Parties, consulted under Article 31 of the Rules of Court,

*Decides* that the written proceedings shall first be addressed to the question of the jurisdiction of the Court to entertain the dispute;

*Fixes* the following time-limits for the filing of those pleadings:

For the Memorial of the Kingdom of Spain, 29 September 1995;

For the Counter-Memorial of Canada, 29 February 1996; and

*Reserves* the subsequent procedure for further decision.

Done in French and in English, the French text being authoritative, at the Peace Palace, The Hague, this second day of May, one thousand nine hundred and ninety-five, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Kingdom of Spain and the Government of Canada, respectively.

*(Signed)* Mohammed BEDJAOUI,  
President.

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