

Judge GROS makes the following declaration:

I have voted against the deferment of the consideration of the document filed on 18 May; the question could and should have been settled immediately, and independently of the problem of the Court's jurisdiction in the case referred to in the operative paragraph of the present Order, by a finding to the effect that the document in question does not comply with the provisions of Article 62 of the Statute of the Court, concerning intervention.

Judge PETRÉN makes the following declaration:

Being of the opinion that the Court should have given its decision on the application of the Government of Fiji at the present stage of the proceedings, I have voted against the deferment of the consideration thereof to a later phase of the case.

Judge ONYEAMA makes the following declaration:

I voted against the Order because in my view the application to intervene should have been considered on its merits now and not put off; for quite apart from what is postulated by the application itself, there is the immediate question whether, in the absence of a jurisdictional link with France, Fiji can intervene in a case in which France is impleaded.

Judge IGNACIO-PINTO makes the following declaration:

I do not share the opinion of the majority of the Court to the effect that consideration of Fiji's application to intervene in the cases concerning *Nuclear Tests (Australia v. France; New Zealand v. France)* should be deferred. There is no treaty link between France and that State capable of authorizing such intervention on the latter's part.

An examination should consequently have been carried out at the present stage to determine whether the application was well-founded or not, and it is my view that deferment to a later phase of the proceedings was in no way justified; I accordingly cast a negative vote.

(Initialled) M.L.

(Initialled) S.A.