



COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,  
AVIS CONSULTATIFS ET ORDONNANCES

LICÉITÉ DE L'UTILISATION  
DES ARMES NUCLÉAIRES PAR UN ÉTAT  
DANS UN CONFLIT ARMÉ

(REQUÊTE POUR AVIS CONSULTATIF)

ORDONNANCE DU 13 SEPTEMBRE 1993

**1993**

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,  
ADVISORY OPINIONS AND ORDERS

LEGALITY OF THE USE BY A STATE  
OF NUCLEAR WEAPONS  
IN ARMED CONFLICT

(REQUEST FOR ADVISORY OPINION)

ORDER OF 13 SEPTEMBER 1993

Mode officiel de citation :

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## INTERNATIONAL COURT OF JUSTICE

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No. 93LEGALITY OF THE USE BY A STATE  
OF NUCLEAR WEAPONS  
IN ARMED CONFLICT

(REQUEST FOR ADVISORY OPINION)

## ORDER

*Present: President* Sir Robert JENNINGS; *Vice-President* ODA; *Judges* SCHWEBEL, NI, EVENSEN, TARASSOV, GUILLAUME, SHAHABUDDEEN, AGUILAR MAWDSLEY, WEERAMANTRY, AJIBOLA, HERCZEGH; *Registrar* VALENCIA-OSPINA.

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Article 66, paragraph 2, of the Statute of the Court,

Whereas on 14 May 1993 the Forty-sixth World Health Assembly of the World Health Organization adopted resolution WHA46.40 by which the Assembly decided,

“in accordance with Article 96 (2) of the Charter of the United Nations, Article 76 of the Constitution of the World Health Organization and Article X of the Agreement between the United Nations and the World Health Organization approved by the General Assembly of the United Nations on 15 November 1947 in its resolution 124 (II), to request the International Court of Justice to give an advisory opinion on the following question :

“In view of the health and environmental effects, would the use of nuclear weapons by a State in war or other armed conflict be a breach of its obligations under international law including the WHO Constitution?”;

Whereas certified true copies of the English and French texts of resolution WHA46.40 were transmitted to the Court by a letter from the Director-General of the World Health Organization dated 27 August 1993, and received in the Registry on 3 September 1993,

*Fixes* 10 June 1994 as the time-limit within which written statements may be submitted to the Court by the World Health Organization and by those of its member States who are entitled to appear before the Court, in accordance with Article 66, paragraph 2, of the Statute of the Court; 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 thirteenth day of September, one thousand nine hundred and ninety-three.

(Signed) R. Y. JENNINGS,  
President.

(Signed) Eduardo VALENCIA-OSPINA,  
Registrar.