

INTERNATIONAL COURT OF JUSTICE

YEAR 2008

**2008
17 October
General List
No. 141**

17 October 2008

**ACCORDANCE WITH INTERNATIONAL LAW OF THE UNILATERAL
DECLARATION OF INDEPENDENCE BY THE PROVISIONAL
INSTITUTIONS OF SELF-GOVERNMENT OF KOSOVO**

(REQUEST FOR ADVISORY OPINION)

ORDER

Present: *President* HIGGINS; *Vice-President* AL-KHASAWNEH; *Judges* RANJEVA, SHI, KOROMA, PARRA-ARANGUREN, BUERGENTHAL, OWADA, SIMMA, TOMKA, ABRAHAM, KEITH, BENNOUNA, SKOTNIKOV; *Registrar* COUVREUR.

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Articles 48, 65 and 66 of the Statute of the Court and to Articles 104 and 105 of the Rules of Court,

Makes the following Order:

Whereas on 8 October 2008 the United Nations General Assembly adopted, at the 22nd meeting of its Sixty-third Session, resolution 63/3 (A/63/L.2), by which it decided, pursuant to Article 65 of the Statute of the Court, to request the International Court of Justice to render an advisory opinion on the following question:

“Is the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo in accordance with international law?”;

Whereas certified true copies of the English and French texts of that resolution were transmitted to the Court under cover of a letter from the Secretary-General of the United Nations dated 9 October 2008 and received by facsimile on 10 October 2008;

Whereas the Secretary-General indicated in his letter that, pursuant to Article 65, paragraph 2, of the Statute, all documents likely to throw light upon the question would be transmitted to the Court as soon as possible;

Whereas, by letters dated 10 October 2008, the Registrar gave notice of the request for an advisory opinion to all States entitled to appear before the Court, pursuant to Article 66, paragraph 1, of the Statute,

1. *Decides* that the United Nations and its Member States are considered likely to be able to furnish information on the question submitted to the Court for an advisory opinion;

2. *Fixes* 17 April 2009 as the time-limit within which written statements on the question may be presented to the Court, in accordance with Article 66, paragraph 2, of the Statute;

3. *Fixes* 17 July 2009 as the time-limit within which States and organizations having presented written statements may submit written comments on the other written statements, in accordance with Article 66, paragraph 4, of the Statute;

4. *Decides* further that, taking account of the fact that the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo of 17 February 2008 is the subject of the question submitted to the Court for an advisory opinion, the authors of the above declaration are considered likely to be able to furnish information on the question; and *decides* therefore to invite them to make written contributions to the Court within the above time-limits; and

Reserves the subsequent procedure for further decision.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this seventeenth day of October, two thousand and eight.

(Signed) Rosalyn HIGGINS,
President.

(Signed) Philippe COUVREUR,
Registrar.
