



INTERNATIONAL COURT OF JUSTICE

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Press Release

Unofficial

No. 2008/34

10 October 2008

The General Assembly of the United Nations requests an advisory opinion from the Court on the unilateral declaration of independence of Kosovo

THE HAGUE, 10 October 2008. On 8 October 2008 the General Assembly of the United Nations adopted resolution A/RES/63/3 in which, referring to Article 65 of the Statute of the Court, it requested 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?”

The Request for an Advisory Opinion was transmitted to the Court by the Secretary-General of the United Nations in a letter dated 9 October 2008 which was filed with the Registry on 10 October 2008.

Procedure

The advisory procedure is open to five United Nations organs and 16 agencies of the United Nations system. It enables them to request opinions from the Court on legal questions.

On receiving a request for an advisory opinion, the Court itself draws up a list of those States and organizations that may be able to furnish relevant information. It then organizes the written and/or oral proceedings pursuant to Articles 66 of its Statute and 105 of its Rules.

Unlike judgments handed down in contentious proceedings between States, the Court’s advisory opinions have no binding effect as such. However, the authority of the Court as the principal judicial organ of the United Nations attaches to them.

Since 1946 the Court has given 25 Advisory Opinions, concerning inter alia the conditions of admission of a State to membership in the United Nations, reparation for injuries suffered in the service of the United Nations, the international status of South West Africa (Namibia), certain expenses of the United Nations, certain judgments rendered by the United Nations administrative tribunal, Western Sahara, the applicability of the obligation to arbitrate under Section 21 of the United Nations Headquarters Agreement, questions relating to the privileges and immunities of human rights rapporteurs, the legality of the threat or use of nuclear weapons and the legal consequences of the construction of a wall in the occupied Palestinian territory.

The full text of the Request for an Advisory Opinion will shortly be available on the Court's website: **www.icj-cij.org**.

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