

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

CERTAINS ACTIFS IRANIENS

(RÉPUBLIQUE ISLAMIQUE D'IRAN c. ÉTATS-UNIS
D'AMÉRIQUE)

ORDONNANCE DU 15 NOVEMBRE 2019

2019

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

CERTAIN IRANIAN ASSETS

(ISLAMIC REPUBLIC OF IRAN *v.* UNITED STATES
OF AMERICA)

ORDER OF 15 NOVEMBER 2019

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CERTAIN IRANIAN ASSETS

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ORDER

The President of the International Court of Justice,

Having regard to Article 48 of the Statute of the Court and to Articles 31, 44, 45, paragraph 2, 48 and 49 of the Rules of Court,

Having regard to the Application filed in the Registry of the Court on 14 June 2016, whereby the Islamic Republic of Iran (hereinafter “Iran”) instituted proceedings against the United States of America (hereinafter the “United States”) with regard to a dispute concerning alleged violations by the United States of the Treaty of Amity, Economic Relations, and Consular Rights, which was signed by the two States in Tehran on 15 August 1955 and entered into force on 16 June 1957 (hereinafter the “Treaty of Amity”),

Having regard to the Order of 1 July 2016, whereby the Court fixed 1 February 2017 and 1 September 2017 as the respective time-limits for the filing of a Memorial by Iran and a Counter-Memorial by the United States,

Having regard to the Memorial of Iran filed within the time-limit thus fixed,

Having regard to the preliminary objections to the jurisdiction of the Court and to the admissibility of the Application raised by the Government of the United States on 1 May 2017,

Having regard to the Order of 2 May 2017, whereby the Court recorded that, under the provisions of Article 79, paragraph 5, of the Rules of Court of 14 April 1978 as amended on 1 February 2001, the proceedings on the merits were suspended,

Having regard to the Judgment of 13 February 2019, whereby the Court declared that it had jurisdiction to rule on the Application filed by Iran on 14 June 2016 — except with respect to Iran’s claims relating to sovereign

immunities and subject to the question of its jurisdiction to entertain Iran's claims of purported violations of Articles III, IV or V of the Treaty of Amity predicated on the treatment accorded to Bank Markazi, a question upon which the Court will only be able to rule in the following stage of the proceedings — and that the said Application was admissible,

Having regard to the Order of 13 February 2019, whereby the Court fixed 13 September 2019 as the time-limit for the filing of the Counter-Memorial of the United States,

Having regard to the Order of 15 August 2019, whereby the President extended that time-limit to 14 October 2019,

Having regard to the Counter-Memorial of the United States filed within the time-limit as extended;

Whereas, at a meeting held by the President of the Court with the Agents and representatives of the Parties on 14 November 2019, the Agent of Iran stated that, given the content of the Counter-Memorial of the United States and the arguments contained therein, his Government wished to be afforded an opportunity to respond and requested nine to ten months for the preparation of its Reply; whereas the Deputy Agent of the United States indicated that his Government did not object to a second round of written pleadings, and that, in view of the complexity of the case, a significant amount of time would be required for the preparation by the United States of its Rejoinder; and whereas he added that his Government would defer to the Court as to the exact amount of time necessary;

Taking into account the views of the Parties,

Authorizes the submission of a Reply by the Islamic Republic of Iran and a Rejoinder by the United States of America;

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

17 August 2020 for the Reply of the Islamic Republic of Iran;

17 May 2021 for the Rejoinder of the United States of America; 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 fifteenth day of November, two thousand and nineteen, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Islamic Republic of Iran and the Government of the United States of America, respectively.

(*Signed*) Abdulqawi Ahmed YUSUF,
President.

(*Signed*) Philippe GAUTIER,
Registrar.