



INTERNATIONAL COURT OF JUSTICE

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Press Release

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Alleged Smuggling of Migrants (Lithuania v. Belarus)

Observations furnished by the European Union under Article 43, paragraph 2, and Article 69, paragraph 2, of the Rules of Court

THE HAGUE, 21 July 2026. The European Union, referring to Article 43, paragraph 2, and Article 69, paragraph 2, of the [Rules of Court](#), yesterday filed in the Registry of the Court a Memorial in the case concerning *Alleged Smuggling of Migrants (Lithuania v. Belarus)*.

Article 43, paragraph 2, of the Rules of Court provides that, whenever the construction of a convention to which a public international organization is a party may be in question in a case before the Court, every such organization notified by the Registrar may submit its observations on the particular provisions of the convention whose construction is at issue. Article 69, paragraph 2, of the Rules states that “[w]hen a public international organization sees fit to furnish, on its own initiative, information relevant to a case before the Court, it shall do so in the form of a Memorial to be filed in the Registry before the closure of the written proceedings”.

History of the proceedings

On 19 May 2025, Lithuania filed an [Application instituting proceedings](#) against Belarus with regard to a dispute relating to alleged breaches of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime of 15 November 2000, “in relation to the large-scale smuggling of irregular migrants from Belarus into Lithuania”.

According to Lithuania, Belarus has

“breached many of its obligations under the Protocol by: facilitating, supporting, and enabling the smuggling of migrants, and also failing to take necessary border measures to prevent and detect the smuggling of migrants and to ensure the security and control of documents . . . ; failing to exchange information to prevent, detect, and investigate the smuggling of migrants, strengthen cooperation with Lithuania’s border control agencies, and cooperate in the field of public information to prevent potential migrants from falling victim to organised criminalized groups . . . ; and failing to preserve and protect the rights of migrants and afford them appropriate assistance”.

Lithuania contends that

“[t]he smuggling of migrants through Belarus into Lithuania has caused serious harm to Lithuania’s sovereignty, security, and public order, as well as to the rights and interests of the smuggled migrants themselves, who have been exposed to grave abuses in trying to reach Lithuanian territory”.

By an [Order of 17 July 2025](#), the Court decided that the written pleadings should first be addressed to the question of the jurisdiction of the Court and that of the admissibility of the Application. By the same Order, it fixed 19 January 2026 and 20 July 2026 as the respective time-limits for the filing of the Memorial of Belarus and the Counter-Memorial of Lithuania. The Memorial and Counter-Memorial were filed within the time-limits thus fixed.

On 30 June 2026, Poland filed a [Declaration of intervention](#) in the proceedings under Article 63 of the [Statute of the Court](#).

Earlier [press releases](#) relating to this case are available on the Court’s website.

Note: The Court’s press releases are prepared by its Registry for information purposes only and do not constitute official documents.

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946. The Court is composed of 15 judges elected for a nine-year term by the General Assembly and the Security Council of the United Nations. The seat of the Court is at the Peace Palace in The Hague (Netherlands). The Court has a twofold role: first, to settle, in accordance with international law, legal disputes submitted to it by States; and, second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and specialized agencies.

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