



INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
TRIBUNAL INTERNATIONAL DU DROIT DE LA MER

Press Release

**ORDER TO BE DELIVERED IN THE MOX PLANT CASE
ON MONDAY, 3 DECEMBER 2001, AT 11 A.M.**

The Order of the International Tribunal for the Law of the Sea concerning the request for provisional measures in the MOX Plant Case (Ireland v. United Kingdom) will be delivered by the President of the Tribunal, Judge P. Chandrasekhara Rao, on Monday, 3 December 2001, at 11 a.m.

The dispute concerns the commissioning of the MOX plant at Sellafield in the United Kingdom. Ireland submitted a request for the prescription of provisional measures on 9 November 2001 pending the constitution of an arbitral tribunal under Annex VII of the United Nations Convention on the Law of the Sea.

At a public sitting of the Tribunal held on 18 November 2001, Mr. Alberto Székely, Judge *ad hoc* chosen by Ireland, made the solemn declaration required under article 9 of the Rules of the Tribunal. The hearing in this case was held on 19 and 20 November 2001.

The hearing concluded with the final submissions of both parties:

Ireland requests the prescription of the following provisional measures:

- (1) that the United Kingdom immediately suspend the authorisation of the MOX plant dated 3 October, 2001, alternatively take such other measures as are necessary to prevent with immediate effect the operation of the MOX plant;
- (2) that the United Kingdom immediately ensure that there are no movements into or out of the waters over which it has sovereignty or exercises sovereign rights of any radioactive substances or materials or wastes which are associated with the operation of, or activities preparatory to the operation of, the MOX plant;
- (3) that the United Kingdom ensure that no action of any kind is taken which might aggravate, extend or render more difficult of solution the dispute submitted to

(more)

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the Annex VII tribunal (Ireland hereby agreeing itself to act so as not to aggravate, extend or render more difficult of solution that dispute); and

(4) that the United Kingdom ensure that no action is taken which might prejudice the rights of Ireland in respect of the carrying out of any decision on the merits that the Annex VII tribunal may render (Ireland likewise will take no action of that kind in relation to the United Kingdom).

The United Kingdom requests the International Tribunal for the Law of the Sea to:

- (1) reject Ireland's request for provisional measures;
- (2) order Ireland to bear the United Kingdom's costs in these proceedings.

Further information about the case can be found in Press Release 60. The written pleadings in the case and the verbatim records of the hearing are available on the Tribunal's website.

The text of the Order will be available shortly after its delivery on the website of the Tribunal at www.itlos.org and ww.tiddm.org.

NOTE TO THE PRESS

1. Members of the Press should register with the Press Office if they wish to attend the delivery of the Order.
2. Photographs may be taken for a few minutes at the opening and at the end of the sitting. Television crews may film during the sitting, but advance notice should be given to the Press Office.
3. Mobile telephones and beepers are allowed in the courtroom on the condition that they are turned off or set to silent mode. Any offending device will be temporarily retained.

The Press Releases of the Tribunal, documents and other information are available on the Tribunal's website at www.itlos.org and www.tiddm.org and from the Registry of the Tribunal. Please contact Mr. Robert van Dijk or Ms. Julia Pope at Am Internationalen Seegerichtshof 1, 22609 Hamburg, Germany,
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