

IN THE INTERNATIONAL COURT OF JUSTICE

**THE REPUBLIC OF FINLAND,
APPLICANT**

V.

**THE KINGDOM OF DENMARK,
RESPONDENT**

COMES NOW the Kingdom of Denmark and for their Memorial to the Court states the following:

STATEMENT OF LAW:

1. The Kingdom of Denmark has the right by the United Nations Charter to protect the lives and economy within our borders, Article 2, Section 1.
2. The Kingdom of Denmark wishes to reduce water pollution that is inevitable with ships such as the ones manufactured by Finland.
3. Recognizing the vital importance that sovereignty plays within the charter of the United Nations, it is the law that the bridge be built. This is reflected both in the laws of our nation and the United Nations charter.
4. In addition to the obligations in the 1857 Treaty, the Government of Denmark has taken a multitude of measures to increase the safety of navigation through Danish waters, including the Straits.

STATEMENT OF FACT:

The Great Belt is one of the three major Danish straits that play a key part in the economy of Denmark. The Great Belt and Oresund offer substantial access to the country of Denmark in its shipping. At their narrowest breadth, both channels lay well within Denmark's territorial sea. The Great Belt is the widest and deepest of the three straits and therefore also the one used for deep draught vessels. With the responsibility of ensuring the safety of navigation of ships passing through Danish waters, and of reducing the risk of oil pollution from the collision and grounding of tankers, the Danish Government has established a transit Route T - through the Great Belt. Route T, is the primary route through the Great Belt for all shipping vessels. With a minimum depth of 55.8 ft it is designated as a deep water route. The importance of the Great Belt is enhanced by the on-going Danish-Swedish project to close also the Sound by building a bridge across it. This bridge would ensure economic prosperity for the people of Denmark, and also allow for easier access across channels. This all being within the confines of Denmark's waters.

On the day of June 10th 1987, Danish Parliament passed Act No. 380 on the construction of a fixed traffic connection for both road and rail traffic across the strait of the Great Belt. According to the Ministry of Foreign Affairs of Denmark, the traffic connection would either be a high-level bridge or tunnel. This construct a "high-level bridge" with clearance for passage of "65 metres above mean sea level." The planned suspension bridge over the main channel of the Great Belt has been thought of with regard to Finnish representation. However the Finnish concerns had been drawn to the attention of the Danish authorities even before information was

made public that Denmark had given up a tunnel alternative. These concerns were made explicit in a letter on July 18th 1989. In a reply from the Danish Ministry of Foreign Affairs, dated 29 August 1989, it was affirmed that rigs and drill ships which might extend to 150 metres' height would not pass through the Great Belt once the planned bridge had been completed. The contacts between Finnish and Danish authorities culminated in an exchange of letters in February 1991.

STATEMENT OF JURISDICTION:

1. The sovereignty of Denmark respects the mission of the United Nations and the International court. In this case we seek to preserve amicable relations among all members especially those closest to our borders. Within the context of this case, we understand the political question that this issue raises, and thus we recognize the jurisdiction of the court in this matter.
2. The Court's jurisdiction is not in dispute in so far as both Denmark and Finland according to their longstanding tradition of adhering to procedures for peaceful settlement of international disputes have accepted the Court's jurisdiction under Article 36 of the Statute. The Government of Denmark therefore wishes to concentrate its observations first on the question relating to Finland's alleged right of passage for oil rigs, drill ships and reasonably foreseeable ships, secondly on the questions relating to the concepts of "irreparable prejudice" and "urgency" and thirdly on the condition that circumstances require that provisional measures be indicated.

SUMMARY OF REQUESTS:

We ask this court to contend that it is within the limits of the sovereignty of Denmark to build the bridge with regard to the protection of our industry. The Finnish government contends unimpeded and elastic navigation of the Danish Straits. They have also imposed that this is the only viable Atlantic access, however this is not true as access would be viable through towing south.

PRAYER FOR RESOLVE:

Recalling the sovereignty of states and the rights they contain within their borders, it is fitting that the court protect the rights of states when preparing to make laws that affect a state's own citizens and economies. We seek to remind this court and all the observers today of the significance of this issue. For these reasons we ask that the court to affirm that Denmark in the case of the construction of the bridge over the great belt.