

North Sea (1969)

Before the judgment

1. What do the Netherlands and Denmark want?
2. What does Germany want?
3. What must be true for the Netherlands and Denmark to win?
4. What must be true for Germany to win?

Legal questions

1. Does the Geneva Convention on the Continental Shelf (GCCS) apply?

N&D say:	Germany says:	ICJ says:

2. Is the equidistance method custom?

N&D say:	Germany says:	ICJ says:
Custom based on Article 6 of GCCS		
Custom based on subsequent state practice		

Justice Lachs' dissent

ICJ argument against custom	Lachs' response
Insufficient generality	
Insufficient frequency or repetition	
Insufficient consistency	
Insufficient duration	
No opinio juris	