

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

RÉPARATION DES DOMMAGES
SUBIS AU SERVICE
DES NATIONS UNIES

ORDONNANCE DU 11 DÉCEMBRE 1948

1948

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

REPARATION FOR INJURIES
SUFFERED IN THE SERVICE
OF THE UNITED NATIONS

ORDER OF DECEMBER 11th, 1948

La présente ordonnance doit être citée comme suit :

« *Réparation des dommages subis au service des Nations Unies,
Ordonnance du 11 décembre 1948 :*
C. I. J. Recueil 1948, p. 121. »

This Order should be cited as follows :

“*Reparation for injuries suffered in the service of the United Nations,
Order of December 11th, 1948 :*
I.C.J. Reports 1948, p. 121.”

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INTERNATIONAL COURT OF JUSTICE

YEAR 1948.

1948.
December 11th
General List:
No. 4.

Order made on December 17th, 1948.

REQUEST FOR AN ADVISORY OPINION
ON REPARATION FOR INJURIES SUFFERED
IN THE SERVICE OF THE UNITED NATIONS.

The International Court of Justice,
Having regard to Articles 48 and 66 of the Statute,
And to Article 37 of the Rules of Court,

Whereas, on the 3rd December, 1948, the General Assembly of the United Nations adopted a Resolution by the terms of which it requested the Court for an advisory opinion on the following questions :

"I. In the event of an agent of the United Nations in the performance of his duties suffering injury in circumstances involving the responsibility of a State, has the United Nations, as an Organization, the capacity to bring an international claim against the responsible *de jure* or *de facto* government with a view to obtaining the reparation due in respect of the damage caused (a) to the United Nations, (b) to the victim or to persons entitled through him ?

II. In the event of an affirmative reply on point I (b), how is action by the United Nations to be reconciled with such rights as may be possessed by the State of which the victim is a national ?"

Whereas a certified true copy of the English and French texts of the Resolution of the General Assembly of the United Nations was transmitted to the Court by means of a letter dated the 4th December, 1948, signed by the Secretary-General of the United Nations ;

Whereas, on the 10th December, 1948, the Registrar, in pursuance of paragraph 1 of Article 66 of the Statute, gave notice of the request for an advisory opinion to all States entitled to appear before the Court ;

1. decides to notify all States entitled to appear before the Court that the Court is prepared to receive written statements concerning the questions submitted to its consideration, and to hear oral statements relating to those questions ;

2. appoints Monday, the 14th February, 1949, as the date of expiry of the time-limit within which the aforesaid States may file written statements ;

3. appoints Monday, the 7th March, 1949, as the date of the opening of the public sittings for the hearing of oral statements.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this eleventh day of December, nineteen hundred and forty-eight.

(Signed) J. G. GUERRERO,
President.

(Signed) E. HAMBRO,
Registrar.