

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

NOTTEBOHM CASE

(LIECHTENSTEIN *v.* GUATEMALA)

ORDER OF MARCH 21st, 1953

1953

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE NOTTEBOHM

(LIECHTENSTEIN *c.* GUATEMALA)

ORDONNANCE DU 21 MARS 1953

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A. W. SIJTHOFF

This Order should be cited as follows :

*“Nottebohm case,
Order of March 21st, 1953 : I.C.J. Reports 1953, p. 7.”*

La présente ordonnance doit être citée comme suit :

*« Affaire Nottebohm,
Ordonnance du 21 mars 1953 : C. I. J. Recueil 1953, p. 7. »*

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INTERNATIONAL COURT OF JUSTICE

1953
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General List:
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YEAR 1953

March 21st, 1953

NOTTEBOHM CASE
(LIECHTENSTEIN *v.* GUATEMALA)

ORDER

The International Court of Justice,
having regard to Article 48 of the Statute of the Court,
having regard to Article 37 of the Rules of Court ;

Makes the following Order :

Having regard to the Application dated December 10th, 1951, and filed in the Registry of the Court on December 17th, 1951, by which the Principality of Liechtenstein instituted proceedings in the Nottebohm case against the Republic of Guatemala,

Having regard to the Orders of January 26th and March 7th, 1952, fixing time-limits for the filing of the Memorial and the Counter-Memorial in that case, and reserving the rest of the procedure for further decision,

Whereas the Government of the Principality of Liechtenstein filed their Memorial with the Registry on June 3rd, 1952, within the time-limit fixed by the Court,

Whereas within the time-limit fixed for this purpose the Government of Guatemala has not filed a Counter-Memorial, but before the expiry of this time-limit, the Minister for Foreign Affairs of Guatemala, by a communication (No. 12580) dated September 9th, 1952,

filed in the Registry on September 15th, stated that by reason of the expiry on January 26th, 1952, of the declaration of acceptance of the compulsory jurisdiction of the Court, his Government considered that the Court had no jurisdiction to deal with a case affecting Guatemala, and that consequently the said Government was unable, for the moment, to appear before the Court,

Whereas, in that communication, the Government of the Republic of Guatemala declared their readiness to begin negotiations with the Government of the Principality of Liechtenstein "with a view to arriving at an amicable solution, either in the sense of a direct settlement, an arbitration or judicial settlement, with a preference for the last mentioned by means of" the International Court of Justice,

Whereas the President, having been informed of the common desire of the Parties to settle their dispute by negotiation, abstained from ordering any steps relating to the continuation of the proceedings; but the Court, having received no information concerning the conclusion of any agreement, cannot refrain from availing itself of the powers conferred upon it by Article 48 of the Statute;

THE COURT

Fixes May 21st, 1953, as the time-limit within which the Government of the Principality of Liechtenstein may present a written statement of their observations in regard to the communication (No. 12580) of the Government of the Republic of Guatemala of September 9th, 1952;

And reserves the rest of the procedure for further decision.

Done in English and French, the English text being authoritative, at the Peace Palace, The Hague, this twenty-first day of March, one thousand nine hundred and fifty-three, in three copies, one of which will be placed in the archives of the Court and the others will be transmitted to the Governments of the Principality of Liechtenstein and of the Republic of Guatemala, respectively.

(Signed) ARNOLD D. MCNAIR,
President.

(Signed) E. HAMBRO,
Registrar.