

COUR INTERNATIONALE DE JUSTICE

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RECUEIL DES ARRÊTS,  
AVIS CONSULTATIFS ET ORDONNANCES

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RÉSERVES A LA CONVENTION  
POUR LA PRÉVENTION ET LA  
RÉPRESSION DU CRIME  
DE GÉNOCIDE

(REQUÊTE POUR AVIS CONSULTATIF)

ORDONNANCE DU 1<sup>er</sup> DÉCEMBRE 1950

**1950**

INTERNATIONAL COURT OF JUSTICE

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REPORTS OF JUDGMENTS,  
ADVISORY OPINIONS AND ORDERS

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RESERVATIONS TO THE  
CONVENTION ON THE PREVENTION  
AND PUNISHMENT OF THE  
CRIME OF GENOCIDE

(REQUEST FOR ADVISORY OPINION)

ORDER OF DECEMBER 1st, 1950

La présente ordonnance doit être citée comme suit :  
« *Reserves à la Convention sur le génocide,*  
*Ordonnance du 1<sup>er</sup> décembre 1950 : C. I. J. Recueil 1950, p. 406.* »

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This Order should be cited as follows :  
“*Reservations to the Convention on Genocide,*  
*Order of December 1st, 1950 : I. C. J. Reports 1950, p. 406.*”

N° de vente : 53  
Sales number 53

## INTERNATIONAL COURT OF JUSTICE

YEAR 1950

1950  
December 1st  
General List:  
No. 12

Order made on December 1st, 1950

RESERVATIONS TO THE  
CONVENTION ON THE PREVENTION  
AND PUNISHMENT OF THE  
CRIME OF GENOCIDE  
(REQUEST FOR ADVISORY OPINION)

The President of the International Court of Justice,

Having regard to Article 66, paragraph 2, of the Statute of the Court,

*Whereas* on November 16th, 1950, the General Assembly of the United Nations adopted a resolution requesting the International Court of Justice to give an advisory opinion on the following questions :

“In so far as concerns the Convention on the Prevention and Punishment of the Crime of Genocide in the event of a State ratifying or acceding to the Convention subject to a reservation made either on ratification or on accession, or on signature followed by ratification :

- I. Can the reserving State be regarded as being a party to the Convention while still maintaining its reservation if the reservation is objected to by one or more of the parties to the Convention but not by others ?
- II. If the answer to question I is in the affirmative, what is the effect of the reservation as between the reserving State and :
  - (a) The parties which object to the reservation ?
  - (b) Those which accept it ?

III. What would be the legal effect as regards the answer to question I if an objection to a reservation is made :

- (a) By a signatory which has not yet ratified ?
- (b) By a State entitled to sign or accede but which has not yet done so ?”

*Whereas* a certified true copy of the French and English texts of the aforesaid resolution of the General Assembly was transmitted to the Court by a letter of November 17th, 1950, of the Secretary-General of the United Nations, filed in the Registry on November 20th, 1950 ;

*Whereas* under the provisions of its Article 11, the said Convention is open for signature not only by any Member of the United Nations, but also by any non-member State to which an invitation to sign has been addressed by the General Assembly, and whereas the States so invited are likely to be able to give information on the questions referred to the Court by the resolution of the General Assembly ;

*Whereas* the International Labour Organization and the Organization of American States are likely to be able to furnish information on the practice of reservations to multilateral conventions and it is therefore advisable to receive such information in so far as this practice might enlighten the Court on the questions submitted to it, which are confined to the Convention on the Prevention and Punishment of the Crime of Genocide :

1. *Requests* the Registrar to notify such States and international organizations by application of the provisions of Article 66, paragraph 2, of the Statute ;

2. *Appoints* Saturday, January 20th, 1951, as the date of expiry of the time-limit within which the aforesaid States and organizations may file written statements ;

3. *Reserves* the rest of the procedure for further decision.

Done in French and English, the French text being authoritative, at the Peace Palace, The Hague, this first day of December, one thousand nine hundred and fifty.

(Signed) BASDEVANT,  
President.

(Signed) E. HAMBRO,  
Registrar.