

INTERNATIONAL COURT OF JUSTICE

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REPORTS OF JUDGMENTS,  
ADVISORY OPINIONS AND ORDERS

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ANTARCTICA CASE  
(UNITED KINGDOM *v.* ARGENTINA)

ORDER OF MARCH 16th, 1956

**1956**

COUR INTERNATIONALE DE JUSTICE

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RECUEIL DES ARRÊTS,  
AVIS CONSULTATIFS ET ORDONNANCES

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AFFAIRE DE L'ANTARCTIQUE  
(ROYAUME-UNI *c.* ARGENTINE)

ORDONNANCE DU 16 MARS 1956

This Order should be cited as follows :

*“Antarctica case (United Kingdom v. Argentina),  
Order of March 16th, 1956 : I.C.J. Reports 1956, p. 12.”*

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La présente ordonnance doit être citée comme suit :

*« Affaire de l'Antarctique (Royaume-Uni c. Argentine),  
Ordonnance du 16 mars 1956 : C.I. J. Recueil 1956, p. 12. »*

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INTERNATIONAL COURT OF JUSTICE

1956  
March 16th  
General List :  
No. 26

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YEAR 1956

March 16th, 1956

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ANTARCTICA CASE  
(UNITED KINGDOM *v.* ARGENTINA)

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ORDER

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*Present :* *President* HACKWORTH ; *Vice-President* BADAWI ; *Judges* BASDEVANT, WINIARSKI, KLAESTAD, READ, HSU MO, ARMAND-UGON, KOJEVNIKOV, Sir Muhammad ZAFRULLA KHAN, Sir Hersch LAUTERPACHT, MORENO QUINTANA, CORDOVA ; *Registrar* LÓPEZ OLIVÁN.

The International Court of Justice,  
composed as above,  
after deliberation,  
having regard to Articles 36 and 48 of the Statute of the Court,

*Makes the following Order :*

Whereas, on May 4th, 1955, there was filed in the Registry an Application by the Government of the United Kingdom of Great Britain and Northern Ireland instituting proceedings before the Court against the Republic of Argentina concerning a dispute relating to the sovereignty over certain islands and lands in the Antarctic which lie between longitudes 25° and 74° West and to the southwards of latitude 60° South ;

Whereas the Application was duly communicated by the Registry on May 6th, 1955, to the Minister for Foreign Affairs and Public Worship of the Argentine Republic ;

Whereas the Application was also duly communicated by the Registry to the Members of the United Nations through the Secretary-General of the United Nations, and to the other States entitled to appear before the Court ;

Whereas the Application contains the following :

"42. The United Kingdom Government ... declares that it hereby submits to the jurisdiction of the Court for the purposes of the case referred to the Court in the present Application... The Argentine Government has not, so far as the United Kingdom Government is aware, yet filed any declaration accepting the Court's jurisdiction, either generally under Article 36 (2) of the Statute or specially in the present case. The Argentine Government, which has frequently expressed its adherence to the principle of judicial settlement of international disputes, is, however, legally qualified to submit to the jurisdiction of the Court in this case. Consequently, upon notification of the present Application to the Republic of Argentina by the Registrar in accordance with the Rules of Court, the Argentine Government, under the settled jurisprudence of the Court, can take the necessary steps to that end, and thereby cause the Court's jurisdiction in the case to be constituted in respect of both Parties.

43. The United Kingdom Government finds the jurisdiction of the Court on the foregoing considerations and on Article 36 (1) of the Court's Statute : ..."

Whereas, in a communication from the Minister for Foreign Affairs and Public Worship of Argentina to the Registrar, set out in a letter to the Registrar of August 1st, 1955, from the Ambassador of Argentina to the Netherlands, it is stated :

"... the Argentine Government has several times had occasion to indicate in notes addressed to Her Britannic Majesty's Embassy in Buenos Aires that it cannot consent to the question of sovereignty over the Antarctic territories of Argentina which it is sought to raise being referred for decision to any international Court of Justice or Arbitration Tribunal. By this present note, my Government reaffirms its refusal in the most express way with regard to the jurisdiction of this Court and with regard to any possibility that it should be seized as such to deal with this case."

Whereas a copy of the above-mentioned letter was communicated by the Registrar to the Agent for the Government of the United Kingdom by a letter dated August 3rd, 1955 ;

Whereas, in a letter dated August 31st, 1955, addressed to the Registrar, the Agent for the Government of the United Kingdom stated that it regarded the letter of August 1st, 1955, from the

Argentine Ambassador to the Netherlands as amounting to a rejection of the jurisdiction of the International Court of Justice for the purposes of the present case ;

Whereas, in these circumstances, the Court finds that it has not before it any acceptance by the Government of Argentina of the jurisdiction of the Court to deal with the dispute which is the subject of the Application submitted to it by the United Kingdom Government and that therefore it can take no further steps upon this Application ;

THE COURT

orders that the case shall be removed from the list.

Done in English and French, the English text being authoritative, at the Peace Palace, The Hague, this sixteenth day of March, one thousand nine hundred and fifty-six, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the United Kingdom of Great Britain and Northern Ireland and to the Government of the Republic of Argentina, respectively.

*(Signed)* GREEN H. HACKWORTH,  
President.

*(Signed)* J. LÓPEZ OLIVÁN,  
Registrar.

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