

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

CASE CONCERNING THE
AERIAL INCIDENT OF
27 JULY 1955
(UNITED STATES OF AMERICA *v.* BULGARIA)
ORDER OF 30 MAY 1960

1960

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE DE
L'INCIDENT AÉRIEN DU
27 JUILLET 1955
(ÉTATS-UNIS D'AMÉRIQUE *c.* BULGARIE)
ORDONNANCE DU 30 MAI 1960

This Order should be cited as follows:

*“Case concerning the Aerial Incident of 27 July 1955
(United States of America v. Bulgaria),
Order of 30 May 1960 : I.C.J. Reports 1960, p. 146.”*

La présente ordonnance doit être citée comme suit :

*« Affaire de l'incident aérien du 27 juillet 1955
(États-Unis d'Amérique c. Bulgarie),
Ordonnance du 30 mai 1960 : C. I. J. Recueil 1960, p. 146. »*

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INTERNATIONAL COURT OF JUSTICE

YEAR 1960

30 May 1960

1960
30 May
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No. 36

CASE CONCERNING THE
AERIAL INCIDENT OF

27 JULY 1955

(UNITED STATES OF AMERICA *v.* BULGARIA)

ORDER

Present: President KLAESTAD; *Vice-President* ZAFRULLA KHAN;
Judges BASDEVANT, HACKWORTH, WINIARSKI, BADAWI,
ARMAND-UGON, KOJEVNIKOV, MORENO QUINTANA,
CÓRDOVA, WELLINGTON KOO, SPIROPOULOS, Sir Percy
SPENDER, ALFARO; *Deputy-Registrar* GARNIER-COIGNET.

The International Court of Justice,

composed as above,

after deliberation,

having regard to Article 48 of the Statute of the Court and to
Article 69 of the Rules of Court,

Makes the following Order:

Having regard to the Application, dated 24 October 1957 and
filed in the Registry of the Court on 28 October, by which the
Government of the United States of America instituted proceedings
against the Government of the People's Republic of Bulgaria with
regard to the damage suffered by American nationals, passengers

on board an aircraft of El Al Israel Airlines Ltd., which was destroyed on 27 July 1955 by Bulgarian fighter aircraft;

Having regard to the Orders of 26 November 1957, 27 January, 19 May, 12 August and 8 October 1958, fixing or extending the time-limits for the filing of the Memorial of the Government of the United States of America and of the Counter-Memorial of the Government of the People's Republic of Bulgaria;

Having regard to the Memorial filed by the Government of the United States of America within the time-limit fixed;

Having regard to the Preliminary Objections filed by the Government of the People's Republic of Bulgaria within the time-limit fixed for the filing of the Counter-Memorial;

Having regard to the Order of 9 September 1959, recording that the proceedings on the merits were thereby suspended and fixing 9 November 1959 as the time-limit within which the Government of the United States of America might present a written statement of its Observations and Submissions with regard to the Preliminary Objections;

Having regard to the Order of 23 October 1959, extending that time-limit to 9 February 1960 at the request of the Agent for the Government of the United States of America;

Having regard to the written statement filed within the time-limit thus extended by the Government of the United States of America and containing its Observations and Submissions with regard to the Preliminary Objections;

Whereas the Agents of the Parties were informed on 18 March 1960 that the Court had decided to open the oral proceedings with regard to the Preliminary Objections on 1 June 1960;

Whereas the Registry received on 16 May 1960 a communication from the Agent for the Government of the United States of America referring to Article 69 of the Rules of Court and requesting the discontinuance of the proceedings and the removal of the case from the Court's List;

Whereas, on 17 May 1960, the Registry, referring to Article 69, paragraph 2, of the Rules of Court, transmitted a copy of that communication to the Agent for the Government of the People's Republic of Bulgaria;

Whereas in reply the Registry, on 18 May 1960, received from the Agent for the Government of the People's Republic of Bulgaria a communication stating that "the Government of the People's Republic of Bulgaria does not oppose discontinuance and has no objection to formulate";

THE COURT

places on record the communications thus received from the two Governments Parties to the case;

and consequently orders that the case shall be removed from the Court's List.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this thirtieth day of May one thousand nine hundred and sixty, 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 States of America and to the Government of the People's Republic of Bulgaria, respectively.

(Signed) Helge KLAESTAD,
President.

(Signed) GARNIER-COIGNET,
Deputy-Registrar.