

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE RELATIVE A LA
SOUVERAINETÉ SUR CERTAINES
PARCELLES FRONTALIÈRES

(BELGIQUE / PAYS-BAS)

ORDONNANCE DU 12 DÉCEMBRE 1957

1957

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

CASE
CONCERNING SOVEREIGNTY
OVER CERTAIN FRONTIER LAND

(BELGIUM / NETHERLANDS)

ORDER OF DECEMBER 12th, 1957

La présente ordonnance doit être citée comme suit :

« *Affaire relative à la souveraineté sur certaines parcelles frontalières, Ordonnance du 12 décembre 1957: C. I. J. Recueil 1957, p. 194.* »

This Order should be cited as follows:

“*Case concerning sovereignty over certain frontier land, Order of December 12th, 1957: I.C.J. Reports 1957, p. 194.*”

N° de vente : **175**
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INTERNATIONAL COURT OF JUSTICE

YEAR 1957December 12th, 1957

1957
December 12th
General List:
No. 38CASE
CONCERNING SOVEREIGNTY
OVER CERTAIN FRONTIER LAND
(BELGIUM/NETHERLANDS)

ORDER

The President of the International Court of Justice,
having regard to Articles 40 and 48 of the Statute of the Court,
having regard to Articles 30 and 37 of the Rules of Court,

Whereas by a letter of November 26th, 1957, received in the Registry on November 27th, the Minister for Foreign Affairs *a.i.* of the Netherlands transmitted to the Registry a certified true copy of a Special Agreement concluded between the Government of the Kingdom of Belgium and the Government of the Kingdom of the Netherlands and signed at The Hague on March 7th, 1957, by which the Court is requested to determine whether the sovereignty over the parcels of land shown in the survey and known from 1836 to 1843 as Nos. 91 and 92, Section A, Zondereygen, belongs to the Kingdom of Belgium or the Kingdom of the Netherlands;

Whereas the Minister for Foreign Affairs *a.i.* of the Netherlands also attached to his letter a certified true copy of the Certificate of the exchange of instruments of ratification of the Special Agreement which took place at Brussels on November 19th, 1957;

Whereas, by his said letter, the Minister for Foreign Affairs *a.i.* of the Netherlands stated that Mr. W. Riphagen, Legal Adviser

to the Ministry for Foreign Affairs, had been appointed as Agent for the Government of the Netherlands for the purposes of this case;

Whereas Article III of the Special Agreement provides that it shall be notified to the Court by the Kingdom of the Netherlands;

Whereas, by a letter of November 28th, 1957, the Government of the Kingdom of Belgium was duly informed of the notification to the Registry of the Special Agreement;

Whereas, by a letter of December 5th, 1957, the Belgian Ambassador to the Netherlands notified the Court of the appointment by his Government of M. Y. Devadder, Legal Adviser to the Ministry for Foreign Affairs, as its Agent for the purposes of this case;

Whereas Article II of the Special Agreement recites the agreement of the Parties that, without prejudice to any question as to the burden of proof and having regard to Article 37 of the Rules of Court, the written proceedings should consist of

- (1) a Memorial of the Kingdom of Belgium to be submitted to the Court within three months of the notification of the Agreement;
- (2) a Counter-Memorial of the Kingdom of the Netherlands to be submitted within three months of delivery of the Memorial of the Kingdom of Belgium;
- (3) a Reply of the Kingdom of Belgium followed by a Rejoinder of the Kingdom of the Netherlands to be delivered within such times as the Court may order;

Whereas there is no objection to taking this agreement into account;

Fixes February 27th, 1958, as the time-limit for the filing of the Memorial of the Government of the Kingdom of Belgium, and May 29th, 1958, as the time-limit for the filing of the Counter-Memorial of the Government of the Kingdom of the Netherlands;

And reserves the subsequent procedure for further decision.

Done in French and English, the French text being authoritative, at the Peace Palace, The Hague, this twelfth day of December, one thousand nine hundred and fifty-seven, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Kingdom of Belgium and to the Government of the Kingdom of the Netherlands, respectively.

(Signed) GREEN H. HACKWORTH,
President.

(Signed) J. LÓPEZ OLIVÁN,
Registrar.