

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE RELATIVE A LA PROTECTION
DE RESSORTISSANTS ET PROTÉGÉS
FRANÇAIS EN ÉGYPTÉ
(DÉSISTEMENT)

ORDONNANCE DU 29 MARS 1950

1950

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

CASE CONCERNING THE PROTECTION
OF FRENCH NATIONALS AND
PROTECTED PERSONS IN EGYPT
(DISCONTINUANCE)

ORDER OF MARCH 29th, 1950

Le présent avis doit être cité comme suit :

« *Protection de ressortissants français en Égypte,*
avis consultatif : C. I. J. Recueil 1950, p. 59. »

This Opinion should be cited as follows :

“*Protection of French nationals in Egypt,*
Advisory Opinion : I.C.J. Reports 1950, p. 59.”

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INTERNATIONAL COURT OF JUSTICE

YEAR 1950

Order made on March 29th, 1950

1950
March 29th
General List:
No. 6

CASE CONCERNING THE PROTECTION
OF FRENCH NATIONALS AND
PROTECTED PERSONS IN EGYPT
(DISCONTINUANCE)

Present : Acting-President GUERRERO ; *President* BASDEVANT ;
Judges ALVAREZ, HACKWORTH, WINIARSKI, ZORIČIĆ,
DE VISSCHER, SIR ARNOLD MCNAIR, KLAESTAD, BADAWI
PASHA, KRYLOV, READ, HSU MO, AZEVEDO ; *Registrar*
HAMBRO.

The International Court of Justice,
composed as above,
after deliberation,
having regard to Article 48 of the Statute of the Court,
having regard to Article 69 of the Rules of Court,

Makes the following Order :

Having regard to the Application, filed and registered in the Registry of the Court on October 13th, 1949, by which the Government of the French Republic, relying upon the Convention of Montreux of May 8th, 1937, regarding the abrogation of the Capitulations in Egypt, instituted proceedings against the Royal Egyptian Government in the Case concerning the Protection of French Nationals and Protected Persons in Egypt ;

Having regard to the designation of M. J. Rivière, French Ambassador at The Hague, as Agent of the French Government, and of Iskander Bey El Wahhabi, Egyptian Minister at The Hague, as Agent of the Egyptian Government, subsequently replaced in the same capacity by Mohamed Ali Sadek Bey, Egyptian Minister at The Hague ;

Whereas this Application, in accordance with Article 40, paragraph 3, of the Statute of the Court, was communicated to the

Members of the United Nations through the Secretary-General and to any other States entitled to appear before the Court ;

Whereas it was also notified, in accordance with Article 63, paragraph 1, of the Statute, to States other than those concerned in the case, which are parties to the Convention of Montreux regarding the abrogation of the Capitulations in Egypt ;

Whereas by letter dated February 21st, 1950, and registered in the Registry on February 23rd, the Agent of the French Government stated that the measures taken by the Egyptian Government against the persons, property, rights and interests of French nationals and protected persons having been withdrawn, the dispute was virtually settled ; and consequently, that the Government of the French Republic was not going on with the proceedings and requested that its case be removed from the general list of the Court, in accordance with Article 69 of the Rules of Court ;

Whereas the Egyptian Government had already taken a step in the proceedings, and that, therefore, in accordance with Article 69, paragraph 2, of the Rules, it was necessary to fix a time-limit within which this Government should state whether it opposed the discontinuance of the proceedings by the French Government ;

Whereas by letter of March 2nd, 1950, the Registrar informed the Agent of the Egyptian Government that the Court, in accordance with Article 69, paragraph 2, of the Rules, had fixed in this connexion a time-limit expiring on March 22nd, 1950, and that if no objections were raised by that Government within this time-limit, acquiescence would be presumed ;

Whereas no reply reached the Court within this time-limit ;

THE COURT

places on record the discontinuance by the French Government of the proceedings instituted by the Application of October 13th, 1949 ;

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

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

(Signed) J. G. GUERRERO,
Acting President.

(Signed) E. HAMBRO,
Registrar.