

COUR INTERNATIONALE DE JUSTICE

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RECUEIL DES ARRÊTS,  
AVIS CONSULTATIFS ET ORDONNANCES

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INTERPRÉTATION DES TRAITÉS DE PAIX  
CONCLUS AVEC LA BULGARIE,  
LA HONGRIE ET LA ROUMANIE

**ORDONNANCE DU 5 MAI 1950**

**1950**

INTERNATIONAL COURT OF JUSTICE

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REPORTS OF JUDGMENTS,  
ADVISORY OPINIONS AND ORDERS

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INTERPRETATION OF PEACE TREATIES  
WITH BULGARIA, HUNGARY  
AND ROMANIA

**ORDER OF MAY 5th, 1950**

La présente ordonnance doit être citée comme suit :

« *Interprétation des Traités de paix,*  
*Ordonnance du 5 mai 1950 :*  
*C. I. J. Recueil 1950, p. 121.* »

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This Order should be cited as follows :

“*Interpretation of Peace Treaties, Order of May 5th, 1950 :*  
*I.C.J. Reports 1950, p. 121.*”

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## INTERNATIONAL COURT OF JUSTICE

YEAR 1950

1950  
May 5th  
General List:  
No. 8

Order made on May 5th, 1950

INTERPRETATION OF PEACE TREATIES  
WITH BULGARIA, HUNGARY  
AND ROMANIA

The President of the International Court of Justice,  
Having regard to Articles 48, 63, 66 and 68 of the Statute,  
Having regard to Article 37 of the Rules of Court,

*Makes the following Order :*

Whereas, on the 22nd October, 1949, the General Assembly of the United Nations adopted a Resolution by the terms of which it requested the Court for an Advisory Opinion on the following questions :

- “I. Do the diplomatic exchanges between Bulgaria, Hungary and Romania on the one hand and certain Allied and Associated Powers signatories to the Treaties of Peace on the other, concerning the implementation of Article 2 of the Treaties with Bulgaria and Hungary and Article 3 of the Treaty with Romania, disclose disputes subject to the provisions for the settlement of disputes contained in Article 36 of the Treaty of Peace with Bulgaria, Article 40 of the Treaty of Peace with Hungary, and Article 38 of the Treaty of Peace with Romania ?”

In the event of an affirmative reply to Question I :

- “II. Are the Governments of Bulgaria, Hungary and Romania obligated to carry out the provisions of the Articles

referred to in Question I, including the provisions for the appointment of their representatives to the Treaty Commissions ?”

In the event of an affirmative reply to Question II and if within thirty days from the date when the Court delivers its opinion, the Governments concerned have not notified the Secretary-General that they have appointed their representatives to the Treaty Commissions, and the Secretary-General has so advised the International Court of Justice :

“III. If one party fails to appoint a representative to a Treaty Commission under the Treaties of Peace with Bulgaria, Hungary and Romania where that party is obligated to appoint a representative to the Treaty Commission, is the Secretary-General of the United Nations authorized to appoint the third member of the Commission upon the request of the other party to a dispute according to the provisions of the respective Treaties ?”

In the event of an affirmative reply to Question III :

“IV. Would a Treaty Commission composed of a representative of one party and a third member appointed by the Secretary-General of the United Nations constitute a Commission, within the meaning of the relevant Treaty articles, competent to make a definitive and binding decision in settlement of a dispute ?”

Whereas, in the Advisory Opinion which it delivered on March 30th, 1950, the Court gave an affirmative reply to Questions I and II mentioned above ;

Whereas, by a telegram received in the Registry of the Court on May 2nd, 1950, the Acting Secretary-General of the United Nations advised that within thirty days from the date when the Court delivered its Opinion, he had not been notified by the Government of Bulgaria, the Government of Hungary or the Government of Romania that any of these Governments had appointed its representative to the Treaty Commissions ;

Whereas, on the 7th November, 1949, the Registrar gave notice, on the one hand, in pursuance of paragraph 2 of Article 66, of the Statute, to States that signed the Peace Treaties concerned and are entitled to appear before the Court, and, on the other hand, in pursuance of paragraph 1 of Article 63, and of Article 68 of the Statute, to the other signatory States of these Peace Treaties, that the Court was prepared to receive written statements relating to the question :

1. Appoints Monday, June 5th, 1950, as the date of expiry of the time-limit within which the aforesaid States may file written statements relating to Questions III and IV of the Resolution quoted above.

2. 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 fifth day of May, one thousand nine hundred and fifty.

(Signed) BASDEVANT,  
President.

(Signed) GARNIER-COIGNET,  
Deputy-Registrar.