

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

CASE CONCERNING RIGHTS OF
NATIONALS OF THE UNITED STATES
OF AMERICA IN MOROCCO
(FRANCE / UNITED STATES OF AMERICA)
ORDER OF OCTOBER 31st, 1951

1951

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE RELATIVE AUX DROITS
DES RESSORTISSANTS
DES ÉTATS-UNIS D'AMÉRIQUE
AU MAROC
(FRANCE / ÉTATS-UNIS D'AMÉRIQUE)
ORDONNANCE DU 31 OCTOBRE 1951

LEYDE
SOCIÉTÉ D'ÉDITIONS
A. W. SIJTHOFF

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This Order should be cited as follows :

*“Case concerning rights of nationals of the United States
of America in Morocco, Order of October 31st, 1951 :
I.C.J. Reports 1951, p. 109.”*

La présente ordonnance doit être citée comme suit :

*« Affaire relative aux droits des ressortissants
des États-Unis d'Amérique au Maroc, Ordonnance du
31 octobre 1951 : C. I. J. Recueil 1951, p. 109. »*

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INTERNATIONAL COURT OF JUSTICE

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October 31st, 1951

CASE CONCERNING RIGHTS OF
NATIONALS OF THE UNITED STATES
OF AMERICA IN MOROCCO
(FRANCE / UNITED STATES OF AMERICA)

ORDER

*Present : Vice-President GUERRERO, Acting President for this case ;
President BASDEVANT ; Judges ALVAREZ, HACKWORTH,
WINIARSKI, ZORIČIĆ, DE VISSCHER, Sir Arnold McNAIR,
KLAESTAD, BADAWI PASHA, READ, HSU MO ; 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 Articles 62 and 69 of the Rules of Court,

Makes the following Order :

Having regard to the Preliminary Objection in the case concerning rights of nationals of the United States of America in

Morocco, filed by the United States Government on June 21st, 1951, that is to say, within the time-limit fixed for the filing by that Government of the Counter-Memorial in that case ;

Having regard to the Order of June 25th, 1951, fixing August 6th, 1951, as the time-limit for the presentation by the Government of the French Republic of a written statement of its observations and submissions in regard to the Objection ;

Having regard to the said written statement, presented within the time-limit fixed ;

Having regard to the decision of the Court of October 4th, 1951, requesting the Agent for the Government of the French Republic to clarify the capacity in which the French Republic was proceeding in that case, and, in particular, to specify whether it was appearing both on its own account and as Protecting Power in Morocco ;

Having regard to the letter dated October 6th, 1951, which reached the Registry on October 9th, and of which a copy was the same day sent to the Agent for the Government of the United States of America, by which the Agent for the Government of the French Republic, in answer to the Court's request, stated that the Government of the French Republic was prepared, in order to dispel the doubts remaining in the mind of the Government of the United States of America, to supplement its observations and submissions in regard to the Objection by specifying that the French Republic was proceeding in the case both on its own account and as Protecting Power in Morocco, the judgment of the Court to be binding upon France and Morocco ;

Whereas by a letter dated October 22nd, 1951, which reached the Registry on October 25th, the Agent for the Government of the United States of America referred to the letter, dated October 6th, from the Agent for the Government of the French Republic, and stated that, having regard to the terms of that letter, the Government of the United States of America was prepared to withdraw its Objection ;

Whereas by a letter dated October 25th, 1951, a copy of the communication from the Agent for the Government of the United States of America was transmitted to the Agent for the Government of the French Republic, who was requested, pursuant to Article 69 of the Rules, to state as soon as possible whether he opposed this withdrawal ;

Whereas by a letter dated October 27th, 1951, which reached the Registry on October 29th, the Agent for the Government of the French Republic stated that he did not oppose the withdrawal of the Objection ;

THE COURT

places on record the discontinuance by the Government of the United States of America of the proceedings instituted by the Preliminary Objection filed on June 21st, 1951 ;

orders that the said proceedings shall be removed from the Court's list ;

records that the proceedings on the merits, suspended by the Objection, are resumed ;

fixes as time-limits for the filing of

the Counter-Memorial of the Government of the United States of America, December 20th, 1951 ;

the Reply of the Government of the French Republic, February 15th, 1952 ;

the Rejoinder of the Government of the United States of America, April 11th, 1952.

Done in English and French, the English text being authoritative, at the Peace Palace, The Hague, this thirty-first day of October, one thousand nine hundred and fifty-one, in three copies, of which one will be placed in the Archives of the Court and the others will be transmitted to the Governments of the United States of America and of the French Republic respectively.

(Signed) J. G. GUERRERO,
Vice-President.

(Signed) E. HAMBRO,
Registrar.