

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

CASE OF THE MONETARY GOLD
REMOVED FROM ROME IN 1943
(ITALY *v.* FRANCE, UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND AND
UNITED STATES OF AMERICA)

ORDER OF JULY 1st, 1953

1953

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE DE L'OR MONÉTAIRE
PRIS A ROME EN 1943
(ITALIE *c.* FRANCE, ROYAUME-UNI DE GRANDE-
BRETAGNE ET D'IRLANDE DU NORD ET
ÉTATS-UNIS D'AMÉRIQUE)

ORDONNANCE DU 1^{er} JUILLET 1953

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SOCIÉTÉ D'ÉDITIONS
A. W. SIJTHOFF

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PUBLISHING COMPANY

This Order should be cited as follows :

*“Case of the monetary gold removed from Rome in 1943,
Order of July 1st, 1953 : I.C.J. Reports 1953, p. 37.”*

La présente ordonnance doit être citée comme suit :

*« Affaire de l'or monétaire pris à Rome en 1943,
Ordonnance du 1^{er} juillet 1953 : C.I. J. Recueil 1953, p. 37. »*

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INTERNATIONAL COURT OF JUSTICE

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 No. 19

CASE OF THE MONETARY GOLD
 REMOVED FROM ROME IN 1943
 (ITALY *v.* FRANCE, UNITED KINGDOM OF GREAT
 BRITAIN AND NORTHERN IRELAND AND
 UNITED STATES OF AMERICA)

ORDER

The Vice-President of the International Court of Justice, Acting President in this case,

having regard to Articles 40 and 48 of the Statute of the Court,
 having regard to Articles 32 and 37 of the Rules of Court ;

Whereas on May 19th, 1953, the Italian Minister at The Hague deposited in the Registry a Declaration under which, with reference to the Resolution of the Security Council of the United Nations dated October 15th, 1946, the Italian Government accepts the jurisdiction of the Court, in accordance with the Charter of the United Nations and subject to the conditions of the Statute and Rules of Court, in respect of the disputes referred to under (*b*) of the "Statement to accompany publication of the Agreement" of April 25th, 1951, between the Governments of the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the United States of America for the submission to an arbitrator of certain claims with respect to gold looted by the Germans from Rome, and undertakes to comply in good faith with the decision or decisions of the Court in the said disputes and to accept all the obligations of a Member of the United Nations under Article 94 of the Charter,

Whereas the Italian Minister at The Hague, duly authorized by his Government and as its Agent, filed, at the same time as the Declaration accepting the jurisdiction of the Court, an Application

instituting proceedings before the Court against the Governments of the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, regarding the disposal of a quantity of monetary gold removed from Rome in 1943,

Whereas the Application refers to, and quotes the terms of, the "Statement to accompany the publication of the Agreement" of April 25th, 1951, mentioned above,

Whereas the said Statement provides that in certain circumstances Italy may make an application to the Court and that the three Governments mentioned above accept its jurisdiction,

Whereas the Application thus specifies the provisions on which the Applicant founds the jurisdiction of the Court,

Whereas the Application also states the nature of the claim and gives a succinct statement of the facts and grounds on which the claim is based ;

Whereas, therefore, the Application fulfils the formal conditions laid down by the Rules of Court,

Whereas, by a letter dated May 22nd, 1953, the Minister for Foreign Affairs of the French Republic notified the appointment of M. André Gros, Legal Adviser of the Ministry, as Agent of the French Government,

Whereas, by a letter dated June 5th, 1953, the Secretary of State of the United States of America notified the appointment of the Honorable Herman Pnleger, the Legal Adviser of the Department of State, as Agent of the Government of the United States,

Whereas, by a letter dated June 24th, 1953, Her Majesty's Ambassador at The Hague notified the appointment of Mr. G. G. Fitzmaurice, Legal Adviser to the Foreign Office, as Agent of the Government of the United Kingdom,

Whereas the Agents of the Parties have stated their views with regard to questions of procedure, the Agents of the Italian Government and of the Government of the United Kingdom of Great Britain and Northern Ireland having proposed that a time-limit of four months should be provided for each of the first two Pleadings,

Whereas there is no objection to this proposal ;

Fixes as follows the time-limits for the filing by the Parties of the said Pleadings :

for a Memorial by the Government of the Italian Republic :
November 2nd, 1953 ;

for Counter-Memorials by the Governments of the French Republic, the United Kingdom of Great Britain and Northern Ireland and the United States of America : March 2nd, 1954 ;

And reserves the rest of the procedure for further decision.

Done in English and French, the English text being authoritative, at the Peace Palace, The Hague, this first day of July, one thousand nine hundred and fifty-three, in five copies, one of which will be placed in the archives of the Court and the others will be transmitted to the Governments of the Italian Republic, of the French Republic, of the United Kingdom of Great Britain and Northern Ireland and of the United States of America, respectively.

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

(Signed) GARNIER-COIGNET,
Deputy-Registrar.