

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

SOUTH WEST AFRICA CASES

(ETHIOPIA *v.* UNION OF SOUTH AFRICA;
LIBERIA *v.* UNION OF SOUTH AFRICA)

ORDER OF 20 MAY 1961

1961

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRES DU SUD-OUEST AFRICAIN

(ÉTHIOPIE *c.* UNION SUD-AFRICAINE;
LIBÉRIA *c.* UNION SUD-AFRICAINE)

ORDONNANCE DU 20 MAI 1961

This Order should be cited as follows:

*“South West Africa Cases (Ethiopia v. Union of South Africa ;
Liberia v. Union of South Africa),
Order of 20 May 1961: I.C.J. Reports 1961, p. 13.”*

La présente ordonnance doit être citée comme suit:

*« Affaires du Sud-Ouest africain (Éthiopie c. Union sud-africaine ;
Libéria c. Union sud-africaine),
Ordonnance du 20 mai 1961: C. I. J. Recueil 1961, p. 13. »*

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Makes the following Order :

Having regard to the Application filed in the Registry on 4 November 1960 on behalf of the Government of Ethiopia, instituting proceedings before the Court against the Union of South Africa relating to a dispute concerning the interpretation and application of the Mandate for South West Africa;

Having regard to the Application filed in the Registry on the same date and at the same time on behalf of the Government of Liberia, instituting proceedings before the Court against the Union of South Africa relating to a dispute concerning the interpretation and application of the said Mandate;

Having regard to the Order of 13 January 1961 in the South West Africa case (Ethiopia *v.* Union of South Africa) and the Order of the same date in the South West Africa case (Liberia *v.* Union of South Africa), fixing time-limits for the filing of the Memorials and the Counter-Memorials in these cases;

Having regard to the Memorial filed on behalf of the Government of Ethiopia within the time-limit so fixed;

Having regard to the Memorial filed on behalf of the Government of Liberia within the same time-limit;

Having regard to the letters of 28 March 1961 by which respectively the Agent for the Government of Ethiopia requested that a time-limit be fixed within which that Government might notify its intention to exercise its right to choose a Judge *ad hoc* and might state the name of the person chosen; and the Agent for the Government of Liberia formulated a similar request in respect of that Government;

Whereas all Governments which, in proceedings before the Court, come to the same conclusion, must be held to be in the same interest;

Whereas the submissions set out in the Applications are *mutatis mutandis* identical, and the texts of the Applications themselves are, except in a few minor respects, identical;

Whereas the submissions set out in the Memorials are *mutatis mutandis* identical, and the texts of the Memorials themselves are, except in a few minor respects, identical;

Whereas, accordingly, for the purposes of the present case, the Governments of Ethiopia and Liberia are in the same interest before the Court and are therefore, so far as the choice of a Judge *ad hoc* is concerned, to be reckoned as one party only;

THE COURT

Joins the proceedings instituted by the Applications of the Government of Ethiopia and the Government of Liberia;

Finds that the Government of Ethiopia and the Government of Liberia are in the same interest;

Fixes 15 November 1961 as the time-limit within which the Government of Ethiopia and the Government of Liberia, acting in concert, may choose a single Judge *ad hoc*.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this twentieth day of May, one thousand nine hundred and sixty-one, in four copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of Ethiopia, to the Government of Liberia and to the Government of the Union of South Africa, respectively.

(Signed) B. WINIARSKI,
President.

(Signed) GARNIER-COIGNET,
Registrar.