

INTERNATIONAL COURT OF JUSTICE

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REPORTS OF JUDGMENTS,  
ADVISORY OPINIONS AND ORDERS

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CASE CONCERNING THE  
AERIAL INCIDENT OF

27 JULY 1955

(UNITED KINGDOM *v.* BULGARIA)

ORDER OF 3 AUGUST 1959

**1959**

COUR INTERNATIONALE DE JUSTICE

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RECUEIL DES ARRÊTS,  
AVIS CONSULTATIFS ET ORDONNANCES

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AFFAIRE RELATIVE A  
L'INCIDENT AÉRIEN DU

27 JUILLET 1955

(ROYAUME-UNI *c.* BULGARIE)

ORDONNANCE DU 3 AOÛT 1959

This Order should be cited as follows:

*“Case concerning the Aerial Incident of 27 July 1955  
(United Kingdom v. Bulgaria),  
Order of 3 August 1959: I.C.J. Reports 1959, p. 264.”*

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La présente ordonnance doit être citée comme suit :

*« Affaire relative à l'incident aérien du 27 juillet 1955  
(Royaume-Uni c. Bulgarie),  
Ordonnance du 3 août 1959: C. I. J. Recueil 1959, p. 264. »*

<b>Sales number</b> <b>N° de vente :</b>	<b>211</b>
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## INTERNATIONAL COURT OF JUSTICE

YEAR 1959

3 August 1959

1959  
3 August  
General List:  
No. 37CASE CONCERNING THE  
AERIAL INCIDENT OF  
27 JULY 1955  
(UNITED KINGDOM *v.* BULGARIA)

## ORDER

The President of the International Court of Justice,  
having regard to Article 48 of the Statute of the Court and to  
Article 69 of the Rules of Court;

Having regard to the Application, dated 19 November 1957 and  
filed in the Registry of the Court on 22 November 1957, by which  
the Government of the United Kingdom of Great Britain and Nor-  
thern Ireland instituted proceedings before the Court against the  
Government of the People's Republic of Bulgaria with regard to the  
losses sustained by citizens of the United Kingdom and Colonies by  
reason of the destruction, on 27 July 1955, by the Bulgarian anti-  
aircraft defence forces, of an aircraft belonging to El Al Israel  
Airlines Ltd.;

Having regard to the Order of 26 November 1957, whereby  
2 June 1958 was fixed as the time-limit for the filing of the Memorial  
of the Government of the United Kingdom;

Having regard to the Order of 27 January 1958, whereby 9 Decem-  
ber 1958 was fixed as the time-limit for the filing of the Counter-  
Memorial of the Government of Bulgaria;

Having regard to the Order of 19 May 1958, whereby, having  
regard to a request of the Agent for the Government of the United  
Kingdom, the time-limits so fixed were extended, for the Memorial,  
to 2 September 1958 and, for the Counter-Memorial, to 9 June 1959;

Having regard to the Memorial filed by the Government of the United Kingdom within the time-limit fixed;

Having regard to the Order of 27 May 1959, whereby, at the request of the Agent for the Government of Bulgaria, the time-limit for the filing of the Counter-Memorial of the Government of Bulgaria was extended to 10 August 1959;

Whereas, in a letter dated 8 July 1959, and addressed to the Registrar, the Agent for the Government of the United Kingdom stated:

“By direction of Her Majesty’s Principal Secretary of State for Foreign Affairs, and in accordance with Article 69 of the Rules of Court, I have the honour to request you to inform the Court of the decision of the Government of the United Kingdom to discontinue the proceedings instituted by means of the Application dated November 19, 1957.”

Whereas, by a letter of 10 July 1959, the Registrar informed the Agent of the Government of Bulgaria that the President of the Court, pursuant to Article 69, paragraph 2, of the Rules of Court, had fixed a time-limit expiring on 7 August 1959, within which the Bulgarian Government was to state whether it opposed the discontinuance of the proceedings, and that if no objections were raised by that Government within this time-limit, acquiescence would be presumed;

Whereas by a letter dated 25 July 1959 the Agent for the Government of Bulgaria informed the Registrar that his Government did not oppose the discontinuance of the proceedings;

Places on record the discontinuance by the Government of the United Kingdom of the proceedings instituted by the Application filed on 22 November 1957;

Orders that the case shall be removed from the Court’s list.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this third day of August, one thousand nine hundred and fifty-nine, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the United Kingdom of Great Britain and Northern Ireland and to the Government of the People’s Republic of Bulgaria, respectively.

(Signed) Helge KLAESTAD,  
President.

(Signed) S. AQUARONE,  
Acting Registrar.