

# Oxford Reports on International Law

## **Legal Status of the South-Eastern Territory of Greenland, Norway v Denmark, Order, (1933) PCIJ Series A/B no 55, ICGJ 305 (PCIJ 1933), 11th May 1933, League of Nations (historical) [LoN]; Permanent Court of International Justice (historical) [PCIJ]**

**Date:** 11 May 1933

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**Jurisdiction:** League of Nations (historical) [LoN]; Permanent Court of International Justice (historical) [PCIJ]

**Parties:** Norway  
Denmark

**Judges/Arbitrators:** MM Adatci (President); M Guerrero (Vice-President); Baron Rolin-Jaequemyns; Count Rostworowski; MM Fromageot; Anzilotti; Urrutia; Sir Cecil Hurst; Schücking; Negulesco; Jhr Van Eysinga; M Wang

**Procedural Stage:** Order

**Previous Procedural Stage(s):**

Order; *Legal Status of the South-Eastern Territory of Greenland, Norway v Denmark*, PCIJ Series A/B no 48; ICGJ 297 (PCIJ 1932), 2 August 1932

Interim Measures of Protection, Order; *Legal Status of the South-Eastern Territory of Greenland, Norway v Denmark*, PCIJ Series A/B no 48; ICGJ 298 (PCIJ 1932), 3 August 1932

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**Subject(s):**

International courts and tribunals, procedure

**Core Issue(s):**

Whether the withdrawal of applications instituting proceedings by Norway and Denmark should be noted and the case be considered as terminated.

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## Decision - full text

Paragraph numbers have been added to this decision by OUP

*Present* : MM. Adatci, *President* ; Guerrero, *Vice-President* ; Baron Rolin-Jaequemyns, Count Rostworowski, MM. Fromageot, Anzilotti, Urrutia, Sir Cecil Hurst, MM. Schucking, Negulesco, Jhr. Van Eysinga, M. Wang, *Judges*.

The Permanent Court of International Justice,

composed as above,

after deliberation,

*Makes the following Order* :

- 1** Having regard to Article 48 of the Statute of the Court ;
- 2** Having regard to Article 61 of the Rules of Court ;
- 3** Having regard, on the one hand, to the Application transmitted to the Registrar of the Court, on July 18th, 1932, by the Norwegian Chargé d'affaires at The Hague, instituting proceedings against the Danish Government in regard to the legal status of certain parts of the south-eastern territory of Greenland ;
- 4** Whereas this Application indicates the subject of the dispute as follows : “By a Royal Decree of July 12th, 1932, the Royal Norwegian Government has placed the south-eastern territory of Greenland situated between latitudes 63° 40’ and 60° 30’, North under the sovereignty of Norway” ;
- 5** Having regard, on the other hand, to the Application transmitted the same day, July 18th, 1932, to the Registrar of the Court, by the Danish Minister at The Hague, instituting proceedings on behalf of the Danish Government against the Norwegian Government concerning the legal status of the same parts of South-Eastern Greenland ;
- 6** Whereas this Application indicates the subject of the dispute as follows : “By a royal proclamation dated the 12th instant [July 1932], the Norwegian Government declared that it has proceeded to occupy the territory situated between latitudes 63° 40’ and 60° 30’ North on the east coast of Greenland, which territory is subject to the sovereignty of the Crown of Denmark” ;
- 7** Having regard to the Order of August 2nd, 1932, whereby the Court joined the two suits ;
- 8** Having regard to the Order of March 24th, 1933, whereby the Court, pursuant to an agreement reached between the Parties, and after successive extensions, finally fixed the time limits for the filing of the Cases and Counter-Cases in the two suits as June 1st and July 15th, 1933, on the last of which dates the suits would become ready for hearing ;
- 9** Whereas, by a letter dated April 18th, 1933, the Agent of the Norwegian Government, who is also Chargé d'affaires *a. i.* at The Hague, informed the Court that by a Royal Decree of April 7th, 1933, the said Government had revoked the Royal Proclamation of July 12th, 1932, whereby certain parts of South-Eastern Greenland had been declared subject to the

sovereignty of Norway and that, in these circumstances, it withdrew the Application of July 18th, 1932, instituting proceedings in regard to the legal status of these territories ;

**10** Whereas, by a letter dated April 18th, 1933, the Agent of the Danish Government, who is also Danish Minister at The Hague, for his part, informed the Court that the Royal Norwegian Government having, on April 12th, 1933, notified the Royal Danish Government of the withdrawal of “its declaration of occupation in respect of certain territories in South-Eastern Greenland promulgated on July 12th, 1932”, the Danish Government, pursuant to Article 61 of the Rules of Court, withdrew its Application instituting proceedings of July 18th, 1932 ;

**11** For These Reasons,

The Court,

Noting the declarations made on April 18th, 1933, by the Royal Norwegian Government and by the Royal Danish Government announcing the withdrawal of their respective Applications instituting proceedings of July 18th, 1932,

Declares that the proceedings in regard to the legal status of the part of the south-eastern territory of Greenland which forms the subject of the Norwegian and Danish Applications of July 18th, 1932, are terminated ;

**12** Decides that the said suits shall be removed from the Court's list.

Done in English and French, the French text being authoritative, at the Peace Palace, The Hague, this eleventh day of May, one thousand nine hundred and thirty-three, in three copies, one of which shall be placed in the archives of the Court and the others transmitted to the Royal Government of Norway and to the Royal Government of Denmark respectively.

*(Signed)* M. Adatci,

President of the Court.

*(Signed)* Å. Hammarskjold,

Registrar of the Court.

