

Institution:	Permanent Court of International Justice		
Type:	Judgment		
Title:	<i>Interpretation of Judgment No. 3</i> (Interpretation of Para. 4 of the Annex following Article 179 of the Treaty of Neuilly)		
Requested by:	Government of Greece		
Party(ies):	Bulgaria v. Greece		
Dated:	March 26th, 1925		
Initiated: ¹	November 27th, 1924		
Session:	Chamber of Summary Procedure		
General List No.:	13		
No. (by type):	Judgment № 4		
Authoritative Lang.:	French		
Language in File:	English Only		
Link:	http://www.worldcourts.com/pcij/eng/decisions/1925.03.26_neuilly/		
Official Publication:	Publications of the Permanent Court of International Justice; Series A. No. 4; Collection of Judgments A.W. Sijthoff's Publishing Company, Leyden, 1925.		
Citation:	PCIJ, Ser. A., No. 4, 1925.		
Language of the Official Publication:	French & English		
Content:			
	Judgment	<i>in file</i> pp. 01-04	<i>in original</i> pp. [03-08]

In the text below original pagination is provided in [square brackets].

By using this document you provide your consent to the Terms and Conditions that can be found at <http://www.worldcourts.com/index/eng/terms.htm>, which provide among other things, that you agree to:

- use this document for personal (non-commercial) and/or educational use only;
- not to alter any part of this document by any means;
- not to upload this document on the internet server or make it available to any other internet user by any means and for any purpose (including educational and personal); or make it available to others who could upload this document on the internet server or make it available to other internet users by any means and for any purpose (including educational and personal) on you behalf or not, with or without your permission.

Although, best efforts have been made to ensure absence of errors, you agree that this document is provided to you without any warranty as to the accuracy of information, and you will use it at your own risk.

¹ date when the request for an advisory opinion or application was filed with the court Registry.

[4] Permanent Court of International Justice

Before: MM. LODER, | *Former President of the Court, President;*
HUBER, | *President of the Court;*
WEISS, | *Vice-President of the Court.*

The Court,
sitting as a Chamber of Summary Procedure,
composed as stated above;

WHEREAS, by its judgment of September 12th, 1924, the Court gave its decision in the dispute set out in the special agreement signed at Sofia on March 18th, 1924, on behalf of the Government of His Majesty the King of the Bulgars and of the Government of the Greek Republic, and arising in connection with the jurisdiction of the arbitrator appointed by M. Gustave Ador under paragraph 4 of the Annex to Section IV of Part IX of the Treaty of Peace signed at Neuilly on November 27th, 1919 ;

WHEREAS, by a letter dated November 27th, 1924, the Agent representing the Greek Government before the Court in this suit, on behalf of his Government requested the Court, in accordance with Article 60 of the Statute, to furnish him with an authoritative and, as far as possible, detailed interpretation of the judgment of [5] September 12th, 1924, more especially in regard to the question whether, under that judgment, the claims in question may only be paid from the proceeds of the sale of Bulgarian property situated in Greek territory;

WHEREAS the Court, on receipt of this request, invited the Agent of the Greek Government to be so good as to furnish it with exact information as to the points to which the request for an interpretation contained in the letter of November 27th, 1924, referred;

WHEREAS the Court communicated the text of this letter to the Agent of the Government of His Majesty the King of the Bulgars in this suit, in order that he might submit any relevant observations;

WHEREAS, by a letter dated December 30th, 1924, the Greek Agent informed the Court that the interpretation desired by his Government related to the exact scope of the second paragraph of the operative part of the judgment of September 12th, 1924, and that in

particular it was desired that the meaning of that portion concerned of the judgment should be defined having regard to three aspects of the question, namely :

(a) "the possible existence, according to the terms of the judgment, of Bulgarian property in Greece which might be used to realize sums awarded by the arbitrator;

(b) "the possibility, under the terms of the judgment, of liquidating Bulgarian landed property in Greece with a view to realizing such sums;

(c) "the right of Greece, under the terms of the judgment, to apply to the Reparation Commission with a view to obtaining a redistribution between the Allied Powers of the total capital sum at which the obligation to make reparation imposed upon Bulgaria was fixed";

WHEREAS the Agent of the Bulgarian Government submitted to the Court by letter dated December 30th, 1924, a Memorandum containing his observations regarding the aforesaid request for an interpretation;

WHEREAS the Court has not considered it necessary to institute oral proceedings in this case;

Having regard to the Court's judgment of September 12th, 1924;

Having regard to the above-mentioned documents submitted by the Parties;

Having regard to Article 60 of the Statute;

WHEREAS the Agent of the Bulgarian Government, in his letter [6] of December 30th, 1924, submitted observations regarding the Greek Government's request for an interpretation, without disputing the Court's jurisdiction to give such interpretation; and as therefore the Court has jurisdiction to do so as the result of this agreement between the Parties, so that there is no need for the Court to consider in the present case whether, in the absence of a definite dispute between the Parties regarding the interpretation of the judgment of September 12th, 1924, the requisite jurisdiction could be based exclusively on the unilateral request made by the Greek Government;

WHEREAS, under the terms of the special agreement of March 18th, 1924, the Court was called upon to determine the precise meaning of the last sentence of the first subparagraph (French text) of paragraph 4 of the Annex to Section IV, Part IX, of the Treaty of Neuilly, replying in particular to the two following questions:

"(1) Does the text above quoted authorize claims for acts committed even outside Bulgarian territory as constituted before October 9th, 1915, in particular in districts occupied by Bulgaria after her entry into the war?

"(2) Does the text above quoted authorize claims for damages incurred by claimants not only as regards their property, rights and interests, but also as regards their person, arising out of ill-treatment, deportation, internment or other similar acts?"

As, having regard to the manner in which the dispute was defined, the interpretation desired by the Parties related only to the basis and extent of the obligations mentioned in the clause in question, the applicability of which was taken for granted in the special agreement;

As, therefore, the question did not, on this submission, arise whether and to what extent the sentence in question was in fact applicable as between the Parties, apart from the question of its applicability as between other signatories of the Treaty of Neuilly;

WHEREAS the Greek request, when seeking an interpretation of the judgment of September 12th, in regard to the question whether that judgment sanctions the liquidation by Greece of Bulgarian property in Greek territory with a view to realizing sums which may be awarded by the arbitrator appointed by M. Ador, [7] is clearly based on a different conception unknown to the special agreement, namely, that there is some doubt as to the applicability of the sentence in question as between the Parties;

As this view is corroborated by the observations of the Agent of the Bulgarian Government, who submits that, in the present case, the aforesaid sentence is inapplicable having regard to the terms of Article 177, letter *i*, the interpretation of which the Court, however, was not asked to give under the special agreement of March 18th, 1924;

WHEREAS the Greek Government, in its request asking for an interpretation of the judgment of September 12th in regard to the question whether, under that judgment, the claims in question can be satisfied only from the proceeds of the sale of Bulgarian property situated in Greek territory, though adopting, as regards the applicability of the sentence in dispute, the same standpoint as the special agreement, envisages a matter other than the determination of the basis and extent of the obligations referred to in the clause in question;

As the same observation applies with regard to the question concerning the right of Greece, under the terms of the judgment, to apply to the Reparation Commission with a view

to obtaining a redistribution amongst the Allied Powers of their claim on Bulgaria in respect of reparation;

WHEREAS an interpretation - given in accordance with Article 60 of the Statute - of the judgment of September 12th, 1924, cannot go beyond the limits of that judgment itself, which are fixed by the special agreement;

FOR THESE REASONS,

The Court declares

That the request of the Greek Government for an authoritative interpretation of the judgment of September 12th, 1924, in accordance with Article 60 of the Statute, cannot be granted. [8]

Done in French and English, the French text being authoritative.

At the Peace Palace, The Hague, this twenty-sixth day of March, one thousand nine hundred and twenty-five, in three copies, one of which is to be placed in the archives of the Court and the others to be forwarded to the Agents of the Government of His Majesty the King of the Bulgars and of the Government of the Greek Republic respectively.

(Signed) Loder,
President.

(Signed) Å. Hammarskjöld,
Registrar.