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Institution:	Permanent Court of International Justice
Type:	Order
Full Title:	<i>Denunciation of the Treaty of November 2nd, 1865, between China and Belgium.</i>
Requested by:	Application of the Belgium Government
Party(ies):	Belgium vs. China
Dated:	February 21st, 1928
Initiated: <sup>1</sup>	November 26th, 1926
Session:	Thirteenth (Extraordinary) Session
General List No.:	27
No. (by type):	N/A
Authoritative Lang.:	French
Language in File:	English Only
Link:	<a href="http://www.worldcourts.com/pcij/eng/decisions/1928.02.21_belgium_china/">http://www.worldcourts.com/pcij/eng/decisions/1928.02.21_belgium_china/</a>
Citation:	PCIJ, Ser. A., No. 14, 1928.
Official Publication:	Publications of the Permanent Court of International Justice Series A – No. 14; Collection of Judgments A.W. Sijthoff's Publishing Company, Leyden, 1928.
Language of the Official Publication:	French & English

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Content:		<i>in file</i>	<i>in original</i>
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<sup>1</sup> date when the request for an advisory opinion or application was filed with the court Registry



Wednesday, January 5th, 1927;

for the Counter-Case, by the Respondent,

Wednesday, March 16th, 1927;

for the Reply, by the Applicant,

Wednesday, April 6th, 1927;

for the Rejoinder, by the Respondent,

Wednesday, June 8th, 1927;

Whereas, by communications dated January 17th, May 2nd and June 14th, 1927, the Belgian Government, stating that the Belgian and Chinese Governments had decided by mutual agreement to re-open negotiations for the conclusion of a new treaty to replace that of 1865, submitted to the Court requests for successive extensions of the time allowed to the Chinese Government for the presentation of its Counter-Case;

As, furthermore, by decisions given by the President of the Court on January 20th and May 10th, 1927, and by a decision given by the Court on June 18th, 1927, these requests, which appeared to be intended to meet the desires of the Chinese Government, which had not, at all events, opposed the extensions sought, were successively granted;

Whereas the Court, by its Order of June 18th, 1927, decided to fix as follows the subsequent times for the written proceedings in the suit between Belgium and China concerning the termination by China of the Chinese-Belgian Treaty of November 2nd, 1865:

for the Counter-Case, by the Respondent,

Wednesday, February 15th, 1928; [6]

for the Reply, by the Applicant,

Sunday, April 1st, 1928;

for the Rejoinder, by the Respondent,

Tuesday, May 15th, 1928;

Whereas, by a letter addressed to the Registrar of the Court on February 14th, 1928, the Agent for the Belgian Government in the case requested the Court, having regard to the terms of Article 33, paragraph 2, of the Rules, to decide that the filing of the Counter-Case by the respondent Government should be regarded as valid after the expiration of the time fixed for the presentation of that document, provided however that it were effected by February 25th, 1928;

As, furthermore, by a decision dated February 21st, 1928, the Court granted this request

which appeared to be intended to meet a desire of the Chinese Government;

Whereas, by a further communication of February 20th, 1928, addressed to the Registrar of the Court, the Agent for the Belgian Government has requested that the subsequent times in the written proceedings should again be extended by six months;

Considering that this request is submitted as being also in accordance with a desire on the part of the Chinese Government;

That, furthermore, the object of the extension sought appears to be to enable the two Governments, if possible, to continue their negotiations for the conclusion of a new treaty;

Considering that, in these circumstances, this request should be granted;

The Court

*Decides*, in accordance with the provisions of Article 33 of the Rules of Court, to fix as follows the subsequent times for the written proceedings in the case between Belgium and China concerning the termination by China of the Chinese-Belgian Treaty of November 2nd, 1865:

for the Counter-Case, by the Respondent,

Wednesday, August 15th, 1928; [7]

for the Reply, by the Applicant,

Monday, October 1st, 1928;

for the Rejoinder, by the Respondent,

Thursday, November 15th, 1928.

Done in French and English, the French text being authoritative, at the Peace Palace, The Hague, this twenty-first day of February, nineteen hundred and twenty-eight.

*(Signed)* D. Anzilotti,

President.

*(Signed)* Å. Hammarskjöld,

Registrar.