

The following information from the Registry of the International Court of Justice has been communicated to the Press:

In the case relating to the voting procedure on questions relating to reports and petitions concerning the territory of South-West Africa, the President of the International Court of Justice has decided that the Members of the United Nations should be entitled to submit to the Court, on or before March 15th, 1955, written statements of their views.

It is known that this case was submitted to the Court for Advisory Opinion in pursuance of a Resolution adopted by the General Assembly of the United Nations on November 23rd, 1954. This Resolution was in the following terms:

"The General Assembly,

Having accepted, by resolution 449 A (V) of 13 December 1950, the advisory opinion of the International Court of Justice of 11 July 1950 with respect to South-West Africa,

Having regard, in particular, to the Court's opinion on the general question, namely, "that South-West Africa is a Territory under the international Mandate assumed by the Union of South Africa on 17 December 1920", and to the Court's opinion on question (a), namely, "that the Union of South Africa continues to have the international obligations stated in Article 22 of the Covenant of the League of Nations and in the Mandate for South-West Africa as well as the obligation to transmit petitions from the inhabitants of that Territory, the supervisory functions to be exercised by the United Nations, to which the annual reports and the petitions are to be submitted, and the reference to the Permanent Court of International Justice to be replaced by a reference to the International Court of Justice, in accordance with Article 7 of the Mandate and Article 37 of the Statute of the Court;"

Having expressed, in resolution 749 A (VIII) of 28 November 1953, its opinion "that without United Nations supervision the inhabitants of the Territory are deprived of the international supervision envisaged by the Covenant of the League of Nations" and its belief "that it would not fulfil its obligation towards the inhabitants of South-West Africa if it were not to assume the supervisory responsibilities with regard to the Territory of South-West Africa which were formerly exercised by the League of Nations",

Having regard to the opinion of the International Court of Justice that "the degree of supervision to be exercised by the General Assembly should not exceed that which applied under the Mandates System, and should conform as far as possible to the procedure followed in this respect by the Council of the League of Nations" and that "these observations are particularly applicable to annual reports and petitions",

Having adopted, by resolution (IX) of 11 October 1954, a special rule F on the voting procedure to be followed by the General Assembly in taking decisions on questions relating to reports and petitions concerning the Territory of South-West Africa,

Having

Having adopted this rule in a desire "to apply, as far as possible and pending the conclusion of an agreement between the United Nations and the Union of South Africa, the procedure followed in that respect by the Council of the League of Nations",

Considering that some elucidation of the advisory opinion is desirable,

Requests the International Court of Justice to give an advisory opinion on the following questions:

- (a) Is the following rule on the voting procedure to be followed by the General Assembly a correct interpretation of the advisory opinion of the International Court of Justice of 11 July 1950:

"Decisions of the General Assembly on questions relating to reports and petitions concerning the Territory of South-West Africa shall be regarded as important questions within the meaning of Article 18, paragraph 2, of the Charter of the United Nations."?

- (b) If this interpretation of the advisory opinion of the Court is not correct, what voting procedure should be followed by the General Assembly in taking decisions on questions relating to reports and petitions concerning the Territory of South-West Africa?"

The decision taken by the President is based on Article 66, paragraph 2, of the Statute, which provides inter alia that any State entitled to appear before the Court which is considered as likely to be able to furnish information on a question submitted for advisory opinion shall be notified that the Court will be prepared to receive a written statement from it, or to hear an oral statement made on its behalf.

In the present case, the Registrar, when notifying the Members of the United Nations of the President's decision, has informed them that the Court would probably begin the oral proceedings at the end of April 1955.

The Hague, December 16th, 1954.
