

## INTERNATIONAL COURT OF JUSTICE

YEAR 1947

Order of December 12th, 1947.

1947.  
December 12th.  
General List:  
No. 3.

REQUEST FOR ADVISORY OPINION  
ON THE CONDITIONS OF ADMISSION  
OF A STATE TO MEMBERSHIP  
IN THE UNITED NATIONS  
(ARTICLE 4 OF THE CHARTER)

The President of the International Court of Justice,  
Having regard to Articles 48 and 66 of the Statute,  
Having regard to Article 37 of the Rules of Court,

Whereas the General Assembly of the United Nations on  
November 17th, 1947, adopted a Resolution in which it asked the  
Court for an advisory opinion on the following question :

Is a Member of the United Nations which is called upon,  
in virtue of Article 4 of the Charter, to pronounce itself by  
its vote, either in the Security Council or in the General  
Assembly, on the admission of a State to membership in the  
United Nations, juridically entitled to make its consent to  
the admission dependent on conditions not expressly provided  
by paragraph 1 of the said Article? In particular, can such  
a Member, while it recognizes the conditions set forth in that  
provision to be fulfilled by the State concerned, subject its  
affirmative vote to the additional condition that other States  
be admitted to membership in the United Nations together  
with that State?

Whereas the text of the Resolution was despatched by the Sec-  
retary-General of the United Nations on November 24th, 1947, and  
whereas, in a telegram dated December 10th, 1947, the Secretary-  
General stated that this despatch constituted the official notifica-  
tion of the request for an advisory opinion ;

Whereas the Registrar, on December 12th, 1947, forwarded a copy of the General Assembly's Resolution to all States entitled to appear before the Court, asking them to regard this communication as the notice required by Article 66, paragraph 1, of the Statute ;

Whereas moreover, the question submitted by the Assembly for advisory opinion mentions Article 4 of the Charter of the United Nations, and the special and direct communication provided for in Article 66, paragraph 2, of the Statute has therefore been addressed to the Governments of States signatories to that instrument ;

*Decides,*

In virtue of Article 66 of the Statute,

To fix Monday, the 9th of February, 1948, as the date of expiry of the time-limit within which written statements relating to the question on which the Court's opinion has been asked may be filed in the name of such States admitted to appear before the Court as may desire to present them, without prejudice to the oral statements provided for in Article 66, paragraph 2, of the Statute, for the purpose of hearing which the Court might hold public sittings.

Done in English and French, the French text being authoritative, at the Peace Palace, The Hague, this twelfth day of December, one thousand nine hundred and forty-seven.

*(Signed)* J. G. GUERRERO,

President.

*(Signed)* E. HAMBRO,

Registrar.