

ARCHIVES

I.C.J.

Communiqué No. 62/12

(Unofficial)

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

The Court held a public sitting on Monday, 14 May 1962, at 10.30 a.m., at the Peace Palace at The Hague.

At this sitting, the Court began the hearing of oral statements in connection with the request for an Advisory Opinion submitted to it by the General Assembly of the United Nations in the matter of the Financial Obligations of Members of the United Nations (Article 17, paragraph 2, of the Charter).

The President recalled that the opinion of the Court was sought on the following question:

"Do the expenditures authorized in General Assembly resolutions 1583 (XV) and 1590 (XV) of 20 December 1960, 1595 (XV) of 3 April 1961, 1619 (XV) of 21 April 1961 and 1633 (XVI) of 30 October 1961 relating to the United Nations operations in the Congo undertaken in pursuance of the Security Council resolutions of 14 July, 22 July and 9 August 1960 and 21 February and 24 November 1961, and General Assembly resolutions 1474 (ES-IV) of 20 September 1960 and 1599 (XV), 1600 (XV) and 1601 (XV) of 15 April 1961, and the expenditures authorized in General Assembly resolutions 1122 (XI) of 26 November 1956, 1089 (XI) of 21 December 1956, 1090 (XI) of 27 February 1957, 1151 (XII) of 22 November 1957, 1204 (XII) of 13 December 1957, 1337 (XIII) of 13 December 1958, 1441 (XIV) of 5 December 1959 and 1575 (XV) of 20 December 1960 relating to the operations of the United Nations Emergency Force undertaken in pursuance of General Assembly resolutions 997 (ES-I) of 2 November 1956, 998 (ES-I) and 999 (ES-I) of 4 November 1956, 1000 (ES-I) of 5 November 1956, 1001 (ES-I) of 7 November 1956, 1121 (XI) of 24 November 1956 and 1263 (XIII) of 14 November 1958, constitute 'expenses of the Organization' within the meaning of Article 17, paragraph 2, of the Charter of the United Nations?"

The President then said that notice of the request for an Advisory Opinion had been given to all States entitled to appear before the Court, and the Court had received from the Secretary-General of the United Nations a dossier of documents likely to throw light on the question. Furthermore, pursuant to Article 66, paragraph 2, of the Statute of the Court, the States Members of the United Nations were notified that they were considered as likely to be able to furnish information on the question and that the Court was prepared to receive written statements from them within a time-limit fixed for that purpose. The following States, which are mentioned in English alphabetical order, exercised the right thus made available to them by transmitting to the Court written statements or letters, namely, Australia, Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, France, Greece, Ireland, Italy, Japan, Netherlands, Portugal, Republic of South Africa, Spain, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta. The Governments of Mexico and Poland had referred to the points of view expressed by their respective representatives in the course of the debates within the United Nations.

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The President announced that the desire to be heard in the course of the present proceedings had been expressed by the Governments of Australia, Canada, Ireland, Italy, Netherlands, Norway, Union of Soviet Socialist Republics, United Kingdom and United States of America. The representative of the Union of Soviet Socialist Republics having been unable to be present at The Hague before the opening of the hearings, no general agreement could be reached as to the order in which the representatives would speak. That being so, the President had been informed that the speakers who, according to alphabetical order, would first address the Court, had, for reasons of personal convenience, agreed in requesting that the representative of Canada should first be heard and he called upon the representative of Canada.

The representative of Canada began his statement. He will continue it at the next hearing which will open on 15 May 1962 at 10.30 a.m.

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The following is the list of the representatives of the nine States who will present oral statements:

<u>State</u>	<u>Representatives</u>
<u>Australia</u>	Sir Kenneth Bailey, C.B.E., Solicitor-General
<u>Canada</u>	Mr. Marcel Cadieux, Deputy Under-Secretary and Legal Adviser for the Department of External Affairs
<u>Ireland</u>	Mr. Aindrias Ó Caoimh, S.C., Attorney-General Mr. Seán Morrissey, B.L., Legal Adviser of the Department of External Affairs
<u>Italy</u>	Professor Riccardo Monaco, Head of Department for Contentious Diplomatic Questions, Ministry of Foreign Affairs
<u>Netherlands</u>	Professor W. Riphagen, Legal Adviser to the Ministry of Foreign Affairs
<u>Norway</u>	Mr. Jens Evensen, Director-General, Ministry of Foreign Affairs
<u>Union of Soviet Socialist Republics</u>	Mr. G. I. Tunkin, Professor, Director of the Juridical- Treaty Department of the Ministry of Foreign Affairs Mr. A. F. Sokirkin, Counsel
	<u>United Kingdom</u>

<u>State</u>	<u>Representatives</u>
<u>United Kingdom of Great Britain and Northern Ireland</u>	The Rt. Hon. Sir Reginald Manningham-Buller, Q.C., M.P., Attorney-General Mr. Geoffrey Lawrence, Q.C. Mr. F. A. Vallat, C.M.G., Q.C., Foreign Office Legal Adviser
<u>United States of America</u>	The Honorable Abram L. Chayes, Legal Adviser, Department of State Mr. Stephen M. Schwebel, Assistant Legal Adviser to the Department of State for United Nations Affairs

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Note for representatives of the Press with regard to
communiqués issued during the hearings in the matter of the
Financial Obligations of Members of the United Nations
(Article 17, paragraph 2, of the Charter)

Since representatives of the Press can be present at each sitting and obtain at the end of each day the verbatim record of the day's proceedings, the Registry does not propose to publish during the hearings the customary communiqués which merely indicate the names of the speakers and the date of the next hearing. However, an exception will be made whenever the next hearing is fixed for a date other than the following day.

The Hague, 14 May 1962.
