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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

After consultation with my predecessor, the Ambassador of the
Union of Soviet Socialist Republics, I circulate for the information of
.... the members of the Security Council the attached letter dated 23 September
from the President of the General Assembly.

I shall consult members of the Council about an early meeting to deal
with the question raised by the President of the Assembly.

(Signed) CARADON
President of the Security Council

Letter dated 23 September 1969 from the President of the General Assembly addressed to the President of the Security Council

I have the honour to recall that, at its 1758th plenary meeting on 20 September 1969, the General Assembly approved, without objection, the recommendation of the General Committee (A/7700, paragraph 12, item 93) for the inclusion in the agenda of the Assembly's twenty-fourth regular session of an item entitled "Amendment to Article 22 of the Statute of the International Court of Justice (Seat of the Court) and consequential amendments to Articles 23 and 28." At the same meeting, the General Assembly, again on the advice of the General Committee, allocated this item to the Sixth Committee.

The item in question was submitted for inclusion in the provisional agenda of the twenty-fourth session of the General Assembly by the International Court of Justice (A/7591 and Add.1), pursuant to the power vested in it by Article 70 of the Statute of the Court. Article 69 of the same Statute provides that:

"Amendments to the present Statute shall be effected by the same procedure as is provided by the Charter of the United Nations for amendments to that Charter, subject however to any provisions which the General Assembly upon recommendation of the Security Council may adopt concerning the participation of states which are parties to the present Statute but are not Members of the United Nations."

It will be recalled that, in addition to Members of the United Nations, who are ipso facto parties to the Statute of the Court, Liechtenstein, San Marino and Switzerland are also parties to the Statute pursuant to paragraph 2 of Article 93 of the Charter. The conditions on which these States may participate in the election of members of the Court were laid down in resolution 264 (III) adopted by the General Assembly, upon the recommendation of the Security Council, on 8 October 1948.

In view of the inclusion in the agenda of the twenty-fourth regular session of the General Assembly of an item relating to amendments to the Statute of the Court, the Security Council may wish, at an early date, to recommend to the General Assembly for adoption, under Article 69 of the Statute, provisions concerning the participation of States which are parties to the Statute but are not Members of the United Nations in the procedure for effecting amendments to the

Statute. The Assembly will wish to consider the recommendation of the Security Council in this respect before the discussion of the item in question is undertaken in the Sixth Committee.

Accept, etc.

(Signed) Angie E. BROCKS
