

- (1) It rejected Spain's contention that Belgium's discontinuance in 1961 precluded it from bringing the present proceedings.
- (2) It rejected Spain's contention that the jurisdiction of the Court to hear this case was based on an article of a treaty between Spain and Belgium, but that this particular article, which provided for referral of disputes to the Permanent Court of International Justice, had lapsed in 1946 when the Permanent Court came to an end. The Court declared that it was competent to hear the case because the treaty provision had merely fallen into abeyance in 1946 and was reactivated in 1955 when Spain became a party to the Statute of the International Court of Justice.
- (3) It joined to merits Spain's objection that the acts complained of by Belgium took place in relation to a Canadian juristic entity and that Belgium had no right in international law to protect the interests of its nationals who were shareholders in the company.
- (4) It joined to merits Spain's objection that Belgium had failed to exhaust local remedies.

The Court fixed July 1, 1965, as the time limit for filing the Counter-Memorial of Spain.

### The Secretariat

The administrative functions of the United Nations have been entrusted to the Secretariat, with a Secretary-General at the helm. According to Article 97 of the Charter, the Secretary-General is appointed by the General Assembly upon the recommendation of the Security Council and he, in turn, employs the necessary staff for the proper discharge of his duties.

Under the Charter, the Secretary-General's functions are : to act as the chief administrative officer of the Organization and to appoint the staff of the Secretariat under regulations established by the Assembly; to bring to the attention of the Security Council any matter which, in his opinion, may threaten the maintenance of international peace and security; and to make an annual report to the General Assembly on the work of the Organization. Consequently, he is responsible both for carrying out the instructions given to him by the Security Council and the General Assembly in connection with the Organization's normal activities and the attainment of its basic objectives under the Charter, and for bringing to the attention of the Council and the Assembly those problems and proposals which he considers require