

VII

LEGAL

International Court of Justice

The International Court of Justice was established by the Charter as the principal juridical organ of the United Nations. It replaced the Permanent Court of International Justice, the Court which bore a similar relationship to the League of Nations. Since the Statute of the Court forms a part of the Charter, all members of the United Nations are parties to the Statute. In addition, three national entities which are not members of the United Nations (Switzerland, San Marino and Liechtenstein) have become parties to the Statute.

The Statute provides that the Court shall consist of fifteen independent judges elected for nine-year terms. They are elected by the General Assembly and the Security Council from a list of nominees submitted by national groups. Although the judges are elected "regardless of their nationality" the main forms of civilization and the principal legal systems of the world are represented.

No elections to the Court were held during 1961. The next general elections will take place in 1963. However, the Court, in accordance with its statute, elected for a period of three years, dating from 5 April 1961, Mr. B. Winiarski (Poland) as President and Mr. R. J. Alfaro (Panama) as Vice-President. Mr. John E. Read, who retired in February 1958, is the only Canadian who has served on the Court. No Canadian has since that time been put forward as a candidate.

Cases

During 1961 the International Court had under consideration the following cases:

- (1) The South West African Cases
(Ethiopia v. Union of South Africa)
(Liberia v. Union of South Africa)

On 4 November 1960, the Governments of Ethiopia and Liberia filed with the Court applications instituting proceedings against the Government of the Union of South Africa, each relating to a dispute concerning the interpretation and application of the Mandate for South West Africa.

The Court issued three orders dated 13 January, 20 May and 5 December 1961 respectively, dealing exclusively with certain procedural and pleading aspects of these cases.