

THE INTERNATIONAL COURT OF JUSTICE

The International Court of Justice is the principal judicial organ of the United Nations. It functions in accordance with the Charter of the United Nations and with a Statute which is annexed to and forms an integral part of the Charter.

The new International Court is the successor to the former Permanent Court of International Justice which was established in 1920 under the Covenant of the League of Nations. It was felt by some delegations at San Francisco that because of the good record of the Permanent Court, and in order to preserve its continuity and traditions, the identity of the Court should be maintained. One of the drawbacks to this was the existence of a constitutional link between the Court and the League of Nations, which was to be superseded by the United Nations. This and other practical difficulties made the creation of a new Court desirable. The principle of continuity of legal tradition was, however, recognized by basing the Statute of the new Court upon that of the Permanent Court. Similarly, the rules of court adopted by the new Court in May, 1946, were based upon those which had been adopted by the Permanent Court. It has been said that the new Court is in effect "little more than a re-christening and a reorientation of the old one".

OFFICIAL LANGUAGES

English and French were retained as the official languages of the Court. It was provided, however, that any party may be authorized to use another language. The Court continues to sit at the Hague (in the Palace of Peace), but may hold sittings elsewhere.

All Members of the United Nations are automatically parties to the Statute of the Court. Non-Members of the Uni-

ted Nations may become parties to the Statute, upon the recommendation of the Security Council, on conditions to be determined in each case by the General Assembly. Thus far, Switzerland is the only state for which the necessary conditions have been set by the

or "National Groups", may nominate four candidates, not more than two of whom may be of the committee's own nationality. The General Assembly and the Security Council, voting independently, elect the judges of the Court from those nominated. Successful candidates must have an absolute



INTERNATIONAL COURT IN SESSION

Sir Hartley Shawcross is presenting the United Kingdom case in the Corfu Channel dispute. Judge Read of Canada is seated to the extreme right. (U.N. Photo)

General Assembly. On July 28 of this year, the Government of Switzerland deposited with the Secretary General its instrument of acceptance to become a party to the Statute. By doing so, it accepted the conditions laid down by the General Assembly.

NATIONAL GROUPS

The new Court consists of fifteen judges, nine of whom form a quorum. No two judges may be nationals of the same State. Candidates for election as judges of the Court are nominated by committees appointed by the Governments who are parties to the Statute of the Court. These committees,

dates must have an absolute majority in both the Assembly and the Council. Judges serve for nine years, five retiring every three years. The terms of office, therefore, of five judges elected at the first election in 1946 expire at the end of six years. These are determined by lot. Retiring judges are eligible for re-election. The President and the Vice-President of the Court, whose terms of office are for three years, are elected by the Court itself from among the judges.

The National Group of Canada has recently nominated four persons as candidates for election to the Court, to re-