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ORIGINAL: ENGLISH

REPORT OF THE CHAIRMAN OF THE COMMITTEE  
OF EXPERTS CONCERNING THE CONDITIONS ON  
WHICH JAPAN MAY BECOME A PARTY TO THE  
STATUTE OF THE INTERNATIONAL COURT OF  
JUSTICE

1. The Security Council, at its 641st meeting on 23 November 1953, decided to refer to the Committee of Experts, for consideration and report, a letter dated 26 October 1953 to the Secretary-General from the Permanent Observer of Japan to the United Nations (S/3126), transmitting a cablegram dated 24 October 1953 from the Minister for Foreign Affairs of Japan, in which the latter expressed the desire to know the conditions on which Japan could become a party to the Statute of the International Court of Justice. Under Article 93, paragraph 2, of the Charter, those conditions are to be determined by the General Assembly upon the recommendation of the Security Council.
2. The Committee met on 27 November 1953 to consider the communication from the Government of Japan. During the discussion most representatives expressed support for the application of Japan. The Committee decided by 10 votes to none, with one abstention (USSR), to adopt a Lebanese proposal to advise the Security Council to send the following recommendation to the General Assembly:

"The Security Council recommends that the General Assembly, in accordance with Article 93, paragraph 2, of the Charter, determine the conditions on which Japan may become a party to the Statute of the International Court of Justice, as follows:

"Japan will become a party to the Statute on the date of the deposit with the Secretary-General of the United Nations of an instrument, signed on behalf of the Government of Japan and ratified as may be required by Japanese constitutional law, containing:

"(a) acceptance of the provisions of the Statute of the International Court of Justice;

"(b) acceptance of all the obligations of a Member of the United Nations under Article 94 of the Charter; and

"(c) an undertaking to contribute to the expenses of the Court such equitable amount as the General Assembly shall assess from time to time, after consultation with the Japanese Government."

3. During the discussion it was pointed out that the conditions recommended in the case of Japan were not intended to constitute a precedent to be followed in any future case under Article 93, paragraph 2, of the Charter.

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