



S/3147
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ORIGINAL: ENGLISH

REPORT OF THE CHAIRMAN OF THE COMMITTEE OF EXPERTS
CONCERNING THE CONDITIONS ON WHICH SAN MARINO 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 6 November 1953 (S/3137) by which the Secretary of State for Foreign Affairs of the Republic of San Marino informed the Secretary-General of the Republic's desire to become a party to the Statute of the International Court of Justice and asked to be informed of the necessary conditions. 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 examined the question in the course of two meetings held on 27 November and 1 December 1953. On 1 December, it decided, by 10 votes to none, with one abstention (USSR), to adopt a Chilean proposal advising 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 San Marino may become a party to the Statute of the International Court of Justice, as follows:

"San Marino 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 the Republic and ratified as may be required by the constitutional law of San Marino, 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 Government of San Marino."

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

