

TROISIÈME PARTIE

CORRESPONDANCE

PART III

CORRESPONDENCE

I. THE SECRETARY-GENERAL OF THE UNITED NATIONS
TO THE PRESIDENT OF THE COURT

December 19th, 1949.

Sir,

I have the honour to inform you that the General Assembly of the United Nations, by a resolution adopted at its 269th plenary meeting held on 6 December, 1949, in connexion with the item of agenda "Question of South-West Africa", decided to submit the following questions to the International Court of Justice with a request for an advisory opinion :

"What is the international status of the Territory of South-West Africa and what are the international obligations of the Union of South Africa arising therefrom, in particular :

(a) Does the Union of South Africa continue to have international obligations under the Mandate for South-West Africa and, if so, what are those obligations ?

(b) Are the provisions of Chapter XII of the Charter applicable and, if so, in what manner, to the Territory of South-West Africa ?

(c) Has the Union of South Africa the competence to modify the international status of the Territory of South-West Africa, or, in the event of a negative reply, where does competence rest to determine and modify the international status of the Territory ?"

In accordance with its terms, I am transmitting herewith the aforementioned resolution¹, in two copies, one in English and one in French, both duly certified. I shall also transmit to the Court all relevant documents referred to in the said resolution, as soon as possible.

I have, etc.

(Signed) TRYGVE LIE,
Secretary-General.

2. LE GREFFIER AU MINISTRE DES AFFAIRES ÉTRANGÈRES D'AFGHANISTAN²

30 décembre 1949.

Monsieur le Ministre,

A la date du 6 décembre 1949, l'Assemblée générale des Nations Unies a adopté une résolution par laquelle elle demande à la Cour internationale de Justice un avis sur le statut international du Territoire du Sud-Ouest africain.

Le texte de cette résolution a été déposé au Greffe par lettre signée du Secrétaire général des Nations Unies en date du 19 décembre 1949. J'ai l'honneur d'en faire tenir ci-joint à Votre Excellence la copie³ certifiée conforme en la priant de bien vouloir considérer la présente

¹ See p. 8.

² Cette communication a été adressée à tous les États admis à ester devant la Cour.

³ Voir p. 8.

communication comme la notification prescrite par l'article 66, paragraphe premier, du Statut de la Cour.

Aux termes de l'ordonnance dont Votre Excellence voudra bien trouver ci-joint une copie¹, le Président de la Cour a fixé au 20 mars 1950 la date à laquelle expire le délai dans lequel des exposés écrits pourraient être présentés.

Veillez agréer, etc.

3. LE GREFFIER AU SECRÉTAIRE GÉNÉRAL DES NATIONS UNIES

30 décembre 1949.

Monsieur le Secrétaire général,

Par votre lettre en date du 19 décembre 1949, vous avez bien voulu transmettre à la Cour la copie certifiée conforme (en français et en anglais) d'une résolution du 6 décembre 1949, par laquelle l'Assemblée générale des Nations Unies demande un avis consultatif sur le statut international du Territoire du Sud-Ouest africain. Vous avez ajouté que, conformément à l'article 65 du Statut, tous documents pouvant servir à élucider la question seront transmis à la Cour le plus tôt possible.

En vous accusant la réception de votre obligeante communication, j'ai l'honneur de porter à votre connaissance que la notification de la demande d'avis aux États admis à ester en justice devant la Cour, notification prévue à l'article 66, paragraphe 1, du Statut, a été faite par mes soins aujourd'hui.

Veillez agréer, etc.

4. LE GREFFIER AU SECRÉTAIRE GÉNÉRAL DES NATIONS UNIES

5 janvier 1950.

Monsieur le Secrétaire général,

Me référant à ma lettre du 30 décembre 1949 relative à la demande d'avis consultatif sur le statut international du Territoire du Sud-Ouest africain, j'ai l'honneur de vous transmettre ci-joint copie d'une ordonnance rendue le 30 décembre 1949 par le Président de la Cour¹.

Cette ordonnance fixe au 20 mars 1950 la date à laquelle expire le délai dans lequel des exposés écrits pourraient être présentés en ladite affaire.

Veillez agréer, etc.

5. LE SECRÉTAIRE D'ÉTAT A. I. DE LA RÉPUBLIQUE D'HAÏTI AU GREFFIER

20 janvier 1950.

Monsieur le Greffier,

Il m'est agréable d'accuser la réception de votre lettre du 30 décembre écoulé n° 9470, par laquelle vous me communiquez copie certifiée

¹ Voir publications de la Cour : *Recueil des Arrêts, Avis consultatifs et Ordonnances 1949*, pp. 270-271.

conforme du texte de la résolution de l'Assemblée générale des Nations Unies adoptée le 6 décembre 1949, demandant à la Cour internationale de Justice un avis sur le statut international du Territoire du Sud-Ouest africain.

En prenant note qu'aux termes de l'ordonnance prise en conséquence, le Président de la Cour a fixé au 20 mars 1950 la date à laquelle expire le délai dans lequel des exposés écrits pourront être présentés, je vous informe que le Gouvernement d'Haïti n'a pas l'intention de soumettre d'exposés sur cette question.

Recevez, etc.

(Signé) LOUIS RAYMOND,
Secrétaire d'État *a. i.*

6. THE SECRETARY-GENERAL OF THE UNITED NATIONS TO THE PRESIDENT
OF THE COURT

January 23rd, 1950.

Sir,

I have the honour to inform you that I have designated Mr. Ivan Kerno, Assistant Secretary-General in charge of the Legal Department, as the representative of the Secretary-General in the proceedings of the Court concerning the request for an advisory opinion on the international status of South-West Africa made in Resolution 338 (IV) of the General Assembly adopted on 6 December, 1949.

Mr. Kerno is authorized to present, in the name of the Secretary-General, written or oral statements which may be of assistance to the Court in the consideration of this matter.

I have, etc.

(Signed) TRYGVE LIE,
Secretary-General.

7. LE SOUS-SECÉTAIRE DU MINISTÈRE DES RELATIONS EXTÉRIEURES DU
GUATEMALA AU GREFFIER

15 février 1950.

Senor Escribano,

Tengo el agrado de referirme a la atenta nota número 9470, de fecha 30 de diciembre último, en la cual me comunicó usted que el Presidente de la Corte Internacional de Justicia fijó el 20 de marzo de 1950 como fecha límite para recibir exposiciones escritas relacionadas con la consulta de la Asamblea General de las Naciones Unidas sobre el status internacional del Africa Sudoccidental.

Adjunta envío a usted copia de la exposición formulada por la Delegación de Guatemala en la IV Sesión de la Asamblea General de las Naciones Unidas¹, que contiene los puntos de vista de mi Gobierno con respecto a este asunto.

Aprovecho la oportunidad para suscribirme de usted, con distinción, etc.

(Signé) EDUARDO DE LEON S.,
Subsecretario de Relaciones Exteriores.

¹ Non reproduite.

8. LE GREFFIER AU SOUS-SECRÉTAIRE DU MINISTÈRE DES RELATIONS
EXTÉRIEURES DU GUATEMALA (*télégramme*)

28 février 1950.

9987. Recu votre lettre 2178 du 15 février avec annexes concernant statut Sud-Ouest africain *stop* Déclarations formulées par délégué Guatemala 24 novembre figurent en résumé dans comptes rendus Quatrième Commission déposés par Secrétaire général Nations Unies en application Statut article 65 para. 2 *stop* Votre texte intégral pourrait être considéré comme exposé écrit Guatemala présenté conformément statut article 66 para. 2 *stop* Toutefois nécessaire dans ce cas que texte soit français ou anglais conformément Règlement article 43 para. 2 *stop* Confirme expiration délai 20 mars.

9. THE GENERAL COUNSEL AND PRINCIPAL DIRECTOR OF THE LEGAL
DEPARTMENT OF THE UNITED NATIONS TO THE REGISTRAR

March 1st, 1950.

Sir,

I wish to refer to the letter from the Secretary-General to the President of the International Court of Justice LEG 46/05(5) HTL dated 19 December, 1949, transmitting a request by the General Assembly for an advisory opinion on a question in connexion with the agenda item "Question of South-West Africa".

In accordance with Article 65 of the Statute of the International Court of Justice, I am transmitting to you to be made available to the Court that part of the relevant documents likely to throw light upon the question which you by cable No. 19 have agreed to print¹. A list of these documents is enclosed. I certify that the mimeographed documents are authentic documents of the United Nations Conference on International Organization, San Francisco, 1945, and the photostats are true copies of authentic documents of the conference. The documents which are being prepared by the Secretariat will be transmitted as soon as the printing of the dossier is complete.

A note concerning printing which was prepared by the Bureau of Documents is attached to the documents.

As the mimeographed documents are taken from the United Nations archives, it is requested that they be returned. If the Court desires certified copies for its permanent records, one of the printed copies may be certified here and returned to you.

I have, etc.

(Signed) A. H. FELLER,
General Counsel and Principal Director,
Legal Department.

¹ See pp. 37 *et seq.*

10. MR. ROBERT DELSON, LEAGUE FOR THE RIGHTS OF MAN, TO THE REGISTRAR

March 7th, 1950.

Re request for advisory opinion concerning the international status of South-West Africa

Dear Sir,

In my capacity as a member of the Board of Directors of the International League for the Rights of Man, and as its counsel with respect to the above-mentioned matter, I herewith advise you that the League desires to take advantage of the provisions of Article 66, paragraph 2, of the Statute of the Court, which provides that the Registrar shall notify any international organization considered by the Court or the President as likely to be able to furnish information on the question, that the Court will be prepared to receive written statements or hear oral statements relating to the question which is the subject matter of an advisory opinion to be rendered by the Court.

I am enclosing herewith¹ a copy of a pamphlet entitled *Presenting the International League of the Rights of Man*, which describes the character of this organization. You will note that the League is the successor on American soil of an agency formed many years ago in Paris to co-ordinate the activities of the various Leagues for the Rights of Man in European and other countries.

Its officers and advisers include many of the outstanding defenders of human rights. For many years the League has been actively concerned with the propagation of human rights throughout the world. It is recognized as a consultative organization by the Economic and Social Council.

The League is in a position to furnish information on this question since it has been actively interested in this matter for some time. The Rev. Michael Scott, who appeared before the Fourth Committee of the last General Assembly, came to the United States as the League's consultant before the Human Rights Commission. The League is in the possession of very extensive information and data concerning the matter and has made an extensive research into the legal issues concerned, so that it would further the purposes of the Court and the extension and preservation of human rights if the Court or the President determine that the League should be authorized to furnish a written or oral statement of this matter.

At this time the League specifically requests that it be granted the right to furnish a written statement herein.

Inasmuch as the expiry date for the deposit of such written statement has been fixed as March 20, 1950, it is respectfully urged that an immediate decision be made in this matter or that in the alternative the time to file such a statement by the League be extended for a further reasonable period.

If this request should be granted it is also requested that the Registrar forward to me copies of any written statements heretofore made.

Respectfully yours,

(Signed) ROBERT DELSON.

¹ Not reproduced.

II. THE REGISTRAR TO MR. ROBERT DELSON, LEAGUE FOR THE RIGHTS
OF MAN

March 13th, 1950.

Dear Sir,

I beg to acknowledge the receipt of your letter of March 7, 1950, enclosing two requests to the Court on behalf of the International League for the Rights of Man.

These requests will be placed before the Court in due course.

Yours, etc.

12. THE LEGAL ADVISER OF THE DEPARTMENT OF STATE OF THE UNITED
STATES OF AMERICA TO THE REGISTRAR

March 14th, 1950.

Sir,

The receipt is acknowledged of your communication 9470, dated December 30, 1949, notifying the Government of the United States of the resolution adopted by the General Assembly of the United Nations on December 6, 1949, in which the International Court of Justice was asked for an advisory opinion on the international status of the Territory of South-West Africa, and stating that March 20, 1950, had been fixed as the time-limit for submission of written statements. The Government of the United States submits herewith the enclosed written statement on this matter¹, pursuant to Article 66 of the Statute of the Court.

Very, etc.

For the Acting Secretary of State :

(Signed) ADRIAN S. FISHER,

The Legal Adviser.

13. LE MINISTRE D'ÉGYPTE A LA HAYE AU GREFFIER

15 mars 1950.

Monsieur le Greffier,

Me référant à l'Ordonnance du 30 décembre 1949 de M. le Président de la Cour fixant au lundi 20 mars 1950 la date à laquelle expire le délai dans lequel pourront être déposés, au nom des États admis à ester devant la Cour, les exposés écrits relatifs à la question du Statut international du Sud-Ouest africain sur laquelle avait été demandé l'avis de la Cour, j'ai l'honneur de vous transmettre ci-joint l'exposé écrit du Gouvernement royal égyptien relativement à cette question².

Veuillez agréer, etc.

(Signé) MOHAMED ALY SADEK BEY,

Ministre d'Égypte.

¹ See pp. 85 et sqq.

² Voir pp. 67 et sqq.

14. THE REPRESENTATIVE OF THE PHILIPPINE GOVERNMENT TO THE REGISTRAR (*telegram*)

March 15th, 1950.

Have received instructions Philippine Government to submit oral statement on the question of South-West Africa *stop* Please enter my appearance in behalf Philippine Government and advise date public sitting *pd* please wire reply collect care Philippine Delegation CMA Palais des Nations Unies Geneva.—JOSÉ INGLES.

15. LE MINISTRE DE POLOGNE A LA HAYE AU GREFFIER

16 mars 1950.

Excellence,

On vient de m'avertir de Varsovie par téléphone que le mémorandum du Gouvernement polonais concernant la question soulevée auprès du Tribunal à propos de l'Afrique du Sud a été expédié aujourd'hui même pour La Haye. Je m'empresse d'en informer sans délai Votre Excellence afin de rendre possible la publication de la réponse polonaise avec les opinions des autres gouvernements dans le recueil prévu à cet égard.

Veuillez agréer, etc.

Le Ministre de Pologne,
(*Signé*) KSAWERY PRUSZYNSKI.

16. THE REGISTRAR TO THE REPRESENTATIVE OF THE PHILIPPINE GOVERNMENT (*telegram*)

March 16th, 1950.

10095. Your telegram March fifteenth *stop* Oral procedure probably latter half May *stop* Will keep you informed as soon as Court has fixed definite date.

17. LE GREFFIER AU MINISTRE DE POLOGNE A LA HAYE

16 mars 1950.

Monsieur le Ministre,

J'ai l'honneur d'accuser la réception de la lettre, en date du 16 mars 1950, par laquelle Votre Excellence a bien voulu me faire savoir que l'exposé écrit du Gouvernement polonais, dans l'affaire consultative qui a trait au statut international du Sud-Ouest africain, a été expédié aujourd'hui même de Varsovie à destination de La Haye.

J'espère que ce document arrivera dans le délai prévu qui, comme Votre Excellence le sait, a été fixé au lundi 20 mars 1950, par l'Ordonnance du 30 décembre 1949.

En remerciant Votre Excellence de son obligeante communication, j'ai l'honneur, etc.

18. THE REGISTRAR TO MR. ROBERT DELSON, LEAGUE FOR THE RIGHTS OF MAN (*telegram*)

March 16th, 1950.

10133. Your letter March 7 *re* advisory opinion South-West Africa *stop* Am instructed to let you know that International Court Justice is prepared to receive from you before April 10 1950 a written statement of the information likely to assist Court in its examination of legal questions put to it in Assembly request concerning South-West Africa *stop* This information confined to legal questions must not include any statement of facts which Court has not been asked to appreciate *stop* Court does not contemplate resorting further to League for Rights of Man in present case.

19. THE MINISTER OF THE UNION OF SOUTH AFRICA AT THE HAGUE TO THE REGISTRAR

March 16th, 1950.

Sir,

With reference to your letter No. 9470 of 30th December, 1949, I have the honour to transmit herewith the Statement of the Government of the Union of South Africa on South-West Africa¹.

It would be greatly appreciated if you would kindly acknowledge receipt.

I have, etc.

(Signed) D. B. BOSMAN,
Minister.

20. LE SECRÉTAIRE GÉNÉRAL DU MINISTÈRE DES AFFAIRES ÉTRANGÈRES DE POLOGNE AU GREFFIER

16 mars 1950.

Monsieur,

Vu l'Ordonnance du Président de la Cour du 30 décembre 1949, j'ai l'honneur de vous faire tenir, ci-joint, l'exposé écrit² du Gouvernement polonais relatif à la question sur laquelle a été demandé l'avis de la Cour.

Veuillez agréer, etc.

(Signé) STEFAN WIERBOWSKI,
Ambassadeur,
Secrétaire général du
ministère des Affaires étrangères.

¹ See pp. 72 *et* *sqq.*

² Voir pp. 152 *et* *sqq.*

21. THE EMBASSY OF THE UNITED STATES OF AMERICA AT THE HAGUE
TO THE REGISTRAR

March 17th, 1950.

The Embassy of the United States of America has the honor to transmit a letter¹ dated March 14, 1950, from the Office of the Legal Adviser of the Department of State to the Registrar of the International Court of Justice. This letter encloses the written statement of the United States on questions submitted to the International Court of Justice by the United Nations General Assembly in its Resolution 338 (IV) dated December 6, 1949, regarding the international status of the Territory of South-West Africa.

22. THE UNDER-SECRETARY TO THE GOVERNMENT OF INDIA, MINISTRY
OF EXTERNAL AFFAIRS, TO THE REGISTRAR

March . . . , 1950.

Sir,

In reply to your letter No. LM/EAA 9470 dated the 30th December, 1949, dealing with the question submitted to the Court for advisory opinion on the international status of the Territory of South-West Africa and upon instructions from the Government of India, I have the honour to submit herewith a written statement² embodying the views of the Government on this question.

I have, etc.

(Signed) SHRI T. J. NATRAJAN,
Under-Secretary.

23. MR. GORDON F. MUIRHEAD TO THE REGISTRAR

March 17th, 1950.

Dear Sir,

International status of South-West Africa

In connexion with the above matter I am enclosing herewith a statement of facts and a statement of law³, which I am requested to forward to you by the Rev. Michael Scott in his capacity as adviser to the International League for the Rights of Man.

Owing to the fact that we were not aware until recently of the Court's order that any statements had to be submitted by the 20th instant, it was impossible to collect the necessary information in time for a single statement to be prepared in conjunction with the League's legal advisers in New York. It is possible that you will already have received a statement from them, in which event I should be obliged if you would kindly treat the enclosed statements as additional ones on behalf of the League.

¹ See No. 12, p. 325.

² .. pp. 140 *et seq.*

³ Not reproduced.

I understand that the League's legal advisers are in communication with you regarding the status of the League as an "international organization" within the meaning of the Statute of the Court.

I should, therefore, be obliged if the enclosed statements could be submitted to the Court.

I would also inform you that, should the Court desire to hear oral evidence, the Rev. Scott would be willing to attend for that purpose.

Yours, etc.

(Signed) GORDON F. MUIRHEAD.

24. LE MINISTRE DE POLOGNE A LA HAYE AU GREFFIER

20 mars 1950.

Excellence,

J'ai l'honneur de faire suivre à Votre Excellence l'exposé écrit¹ du Gouvernement polonais, dans l'affaire consultative qui a trait au statut international du Sud-Ouest africain, reçu ce jour même.

Veillez agréer, etc.

Le Ministre de Pologne,
(Signé) KSAWERY PRUSZYNSKI.

25. THE REGISTRAR TO MR. GORDON F. MUIRHEAD

March 20th, 1950.

Sir,

International status of South-West Africa

I have received your letter of March 17, 1950, enclosing a statement of law and a statement of facts which you want to deposit on behalf of the Rev. Michael Scott, who is, you state, an adviser to the International League for the Rights of Man.

I regret to say that I have no information to this effect from the League. This Organization has requested permission to submit a statement to the Court, and the Court has acceded to its request. Further communications in this matter should, therefore, emanate from the headquarters of that organization.

Yours, etc.

26. LE GREFFIER AU SOUS-SECRÉTAIRE DU MINISTÈRE DES RELATIONS
EXTÉRIEURES DU GUATEMALA (*télégramme*)

20 mars 1950.

10150. Délai dépôt exposés écrits en affaire Sud-Ouest africain expire aujourd'hui *stop* Mon télégramme 9987 28 février 1950 resté sans réponse *stop* Sauf avis contraire télégraphique immédiat devrai conclure que votre Gouvernement renonce à dépôt.

¹ Voir pp. 152 et sqq.

27. THE ASSISTANT SECRETARY-GENERAL IN CHARGE OF THE LEGAL DEPARTMENT, UNITED NATIONS, TO THE REGISTRAR

March 20th, 1950.

Sir,

I wish to refer to the letter from the Secretary-General to the President of the International Court of Justice (LEG 46/05(5)HTL) dated 19 December, 1949, transmitting a request by the General Assembly for an advisory opinion on the question of South-West Africa.

In pursuance of *General Assembly Resolution 338 (IV) of 6 December, 1949*, and in accordance with Article 65 of the Statute of the Court, I wish to inform you that the Secretary-General has now forwarded to the Court thirty dossiers containing the documents which, in his opinion, are likely to throw light upon the question.

Seventeen of the dossiers were sent on 17 March, 1950, by air express; thirteen others were dispatched by surface mail. I would be very much obliged if you could make these dossiers available to the members of the Court, together with the documents of the United Nations Conference on International Organization and the League of Nations document: "The Mandates System—Origin, Principles, Application", which were sent to you previously.

A classified list of United Nations documents contained in the dossiers is in preparation and will be airmailed to you shortly.

I would be grateful if you could inform me of any request for additional documents on the question of South-West Africa which the Court may express.

You will find enclosed two lists: one in English and one in French, of the documents which the Secretary-General has transmitted. I hereby certify that the United Nations documents are true copies of texts as they appear or will appear in the final official records of the United Nations; that the documents of the United Nations Conference on International Organization are true copies of authentic documents of the conference deposited in the archives of the United Nations; that the *League of Nations documents* are true copies of the texts as they appear in the official publications of the League of Nations; that the excerpts from the Treaty of Versailles are true copies of the text as reproduced in the official publications of the British Government, His Majesty's Stationery Office, London, 1919; that the excerpt from the Treaty of Berlin of 25 August, 1921, is a true copy of the text as published in the *League of Nations Treaty Series*; and that the South-West Africa Constitution Act is a true copy of the text as it appears in the *Laws of South-West Africa, 1925*, published by order of the Administrator of South-West Africa.

I have, etc.

(Signed) DR. IVAN S. KERNO,
Assistant Secretary-General
in charge of the Legal Department.

28. LE SOUS-SECRÉTAIRE DU MINISTÈRE DES RELATIONS EXTÉRIEURES
DU GUATEMALA AU GREFFIER (*télégramme*)

21 mars 1950.

1054. Sus 9987 y 10150 Gobierno Guatemala no depositara texto ya que su opinión consta en informe Secretario General O.N.U. transmitido conforme artículo 65 Estatuto. — E. DE LEON. S.

29. THE REGISTRAR TO THE ASSISTANT SECRETARY-GENERAL IN CHARGE
OF THE LEGAL DEPARTMENT, UNITED NATIONS (*telegram*)

March 23rd, 1950.

10188 cable 32. Beginning Tuesday sixteenth May ten thirty a.m. Court will hold public meetings to hear oral statements advisory case concerning international status South-West Africa stop Following Governments have submitted written statements Egypt Union of South Africa U.S.A. India Poland stop Following request Board Directors International League Rights of Man Court stated prepared receive from League before April tenth written statement information likely assist in considering legal questions Assembly put to Court stop Following Governments so far signified intention presenting oral statement their behalf Union South Africa and Philippine Republic....

30. THE REGISTRAR TO THE EXTERNAL AFFAIRS DEPARTMENT OF THE
GOVERNMENT OF INDIA (*telegram*)¹

March 23rd, 1950.

10189. Beginning Tuesday sixteenth May ten thirty a.m. Court will hold public meetings to hear oral statements advisory case concerning international status South-West Africa stop Following Governments have submitted written statements Egypt Union of South Africa U.S.A. India Poland stop Following request Board Directors International League Rights of Man Court stated prepared receive from League before April tenth written statement stop Following Governments so far signified intention presenting oral statement their behalf Union South Africa and Philippine Republic oral statement also to be presented behalf Secretary-General United Nations.

31. LE GREFFIER AU MINISTRE DES AFFAIRES ÉTRANGÈRES
D'AFGHANISTAN²

24 mars 1950.

Monsieur le Ministre,

A la date du 30 décembre 1949, j'ai transmis à Votre Excellence la copie de la résolution par laquelle l'Assemblée générale des Nations

¹ The same communication was also sent to the Governments of the Philippine Republic and of the United States of America.

² Cette communication a été adressée à tous les États admis à ester devant la Cour.

Unics a demandé à la Cour internationale de Justice un avis consultatif sur le statut international du Sud-Ouest africain. Je vous ai également fait savoir que la date d'expiration du délai dans lequel la Cour était disposée à recevoir des exposés écrits en cette affaire avait été fixée au 20 mars 1950.

J'ai aujourd'hui l'honneur de vous faire connaître que, dans ce délai, des exposés écrits ont été présentés par les Gouvernements de l'Égypte, de l'Union sud-africaine, des États-Unis d'Amérique, de l'Inde et de la Pologne. Vous voudrez bien trouver ci-joint [sous pli séparé] un volume imprimé où se trouvent reproduits les exposés¹ dont il s'agit, ainsi que le bordereau des documents que le Secrétaire général des Nations Unies a joints à la demande d'avis aux termes de l'article 65, paragraphe 2, du Statut².

A la suite d'une démarche du Comité de direction de la Ligue internationale des Droits de l'Homme, la Cour s'est déclarée disposée à recevoir de cette ligue, avant le 10 avril 1950, l'exposé écrit des renseignements susceptibles de l'éclairer dans l'examen des questions juridiques que l'Assemblée générale des Nations Unies lui a posées, ses renseignements devant se limiter à ces questions juridiques, sans comporter l'exposé de faits dont l'appréciation n'est pas soumise à la Cour. Je ne manquerai pas de vous communiquer, en temps voulu, copie de l'exposé écrit que la Ligue présenterait dans ces conditions.

J'ai également l'honneur de vous faire connaître que la Cour tiendra, à partir du mardi 16 mai 1950, à 10 h. 30, des audiences pour entendre les exposés oraux qui seront présentés au nom du Secrétaire général des Nations Unies et des gouvernements qui désireraient le faire : le Gouvernement de l'Union sud-africaine et le Gouvernement des Philippines m'ont fait connaître que telle était leur intention.

Au cas où il entrerait dans les intentions de votre Gouvernement de participer à la procédure orale, je vous serais obligé de bien vouloir m'en informer aussitôt que possible, de préférence par télégramme, et au plus tard le samedi 6 mai 1950 ; j'attacherais du prix à connaître en même temps le nom de la personne que votre Gouvernement désignerait comme son représentant, et à savoir en quelle langue l'exposé sera présenté. Je rappelle à cet égard à Votre Excellence que les langues officielles de la Cour sont le français et l'anglais, d'autres langues pouvant être employées sur autorisation de la Cour, à la condition que la partie intéressée prenne toutes dispositions pour assurer la traduction en l'une ou l'autre des langues officielles (Statut, article 39, paragraphe 3 ; Règlement, article 58, paragraphe 2).

Veuillez agréer, etc.

32. THE REGISTRAR TO THE SECRETARY-GENERAL OF THE UNITED NATIONS

24th March, 1950.

Sir,

With reference to the request for an advisory opinion transmitted to the Court under the Resolution of the General Assembly of the United Nations of 6th December, 1949, I have the honour to send herewith,

¹ Voir pp. 67-154.

² " " 10-35.

for your information, five copies of a volume containing the printed text of the observations presented by the governments in regard to this question (international status of South-West Africa) ¹. These Governments are: Egypt, the Union of South Africa, the United States of America, India and Poland.

These observations have been communicated under Article 66, paragraph 4, of the Court's Statute, to States which have sent in such statements, and also, for their information, to the other States which had received the special and direct communication mentioned in paragraph 2 of the same article, that is to say, to all the other States entitled to appear before the Court.

Following a request by the Board of Directors of the International League for the Rights of Man, the Court stated that it was prepared to receive from the League before 10th April, 1950, a written statement of the information which was likely to assist it in considering the legal questions which the General Assembly put to the Court, and that such information should confine itself to these legal questions, and should not include a statement of facts which the Court had not been asked to consider. I shall not fail to communicate to you in due course a copy of the written statement submitted by the League under these terms.

I further have the honour to inform you that beginning on Tuesday, 16th May, 1950, at 10.30 a.m., the Court will hold public meetings in order to hear the oral statements which will be presented on behalf of the Secretary-General of the United Nations and of such governments as may wish to do so: the Government of the Union of South Africa and the Government of the Philippine Republic have informed me that such is their intention.

I have, etc.

33. LE REPRÉSENTANT DU SECRÉTAIRE GÉNÉRAL DES NATIONS UNIES
AU GREFFIER

24 mars 1950.

Monsieur le Greffier,

J'ai l'honneur d'accuser réception de votre communication d'après laquelle la Cour a fixé au 16 mai 1950 le début de la procédure orale dans l'affaire du statut international du Sud-Ouest africain.

Je me permets de vous informer qu'avec la permission de la Cour, je me propose de présenter un exposé oral, au nom du Secrétaire général.

Je serai accompagné de MM. Marc Schreiber et Blaine Sloan, du Département juridique.

Veuillez agréer, etc.

(Signé) IVAN S. KERNO,
Représentant du Secrétaire général.

¹ See pp. 67-154.

34. THE EXTERNAL AFFAIRS DEPARTMENT OF THE GOVERNMENT OF INDIA
TO THE REGISTRAR (*telegram*)

March 25th, 1950.

29034. Acknowledging receipt of your telegram No. 10189 dated 25th March 1950 Government of India would also like to be given opportunity for making oral statement they will be grateful to be informed when their turn for being heard is likely to be reached.—
FOREIGN.

35. THE REGISTRAR TO THE EXTERNAL AFFAIRS DEPARTMENT OF THE
GOVERNMENT OF INDIA (*telegram*)

March 25th, 1950.

10205. Your cable 29034 presence representatives for oral hearings would be necessary from May fifteenth probably four or five days.

36. THE MINISTER OF THE UNION OF SOUTH AFRICA AT THE HAGUE TO
THE REGISTRAR

March 28th, 1950.

Sir,

I have the honour to acknowledge the receipt of your letter No. 10187 of 24th March, 1950, in connexion with the request of the General Assembly of the United Nations for an advisory opinion on the international status of South-West Africa.

A copy of the printed volume containing the statements of the Governments of Egypt, the Union of South Africa, the United States of America, India and Poland and a list of the documents which the Secretary-General of the United Nations appended to the request for opinion in accordance with Article 65, paragraph 2, of the Statute has been forwarded to the Secretary for External Affairs in Cape Town.

In regard to the oral hearing beginning on Tuesday, 16th May, 1950, at 10.30 a.m., I have to state that my Government intends to participate.

Provisionally it is expected that my Government will be represented by Dr. L. C. Steyn, K.C., Senior Law Adviser of the Department of Justice, Pretoria, assisted by Dr. L. Wessels, Law Adviser of the same Department. As soon as definite information in this regard is received and also in connexion with the language in which the statement will be made, I will not fail to communicate with you again.

I have, etc.

(Signed) D. B. BOSMAN,
Minister.

37. L'AMBASSADEUR DE BELGIQUE A LA HAYE AU GREFFIER

28 mars 1950.

Monsieur le Greffier,

J'ai l'honneur d'accuser la réception de votre office du 24 mars 1950, n° 10187, par lequel vous avez bien voulu me faire tenir des exemplaires des exposés écrits présentés à la Cour internationale de Justice sur le statut du Sud-Ouest africain.

Mon Gouvernement m'ayant fait savoir, il y a un mois, qu'il étudiait l'opportunité pour la Belgique de prendre part aux débats, je porte à sa connaissance que sa participation éventuelle à la procédure orale doit vous être notifiée, au plus tard, le 6 mai prochain.

Si tel était le cas, son exposé serait évidemment fait en français, seule langue diplomatique du Gouvernement belge.

Veuillez agréer, etc.

Pour l'Ambassadeur :
le Conseiller de l'ambassade,
(Signé) P. POSWICK.

38. THE CHARGÉ D'AFFAIRES OF THE AUSTRALIAN LEGATION AT THE HAGUE TO THE REGISTRAR

March 28th, 1950.

Sir,

In reply to your letter of 24th March, 1950, receipt of which is acknowledged with thanks, I have the honour to inform you that Australia does not propose to intervene in the matter of the request for an advisory opinion on the international status of the Territory of South-West Africa. No written or oral statement will therefore be presented on behalf of the Australian Government.

I have, etc.

(Signed) P. R. HEYDON,
Chargé d'Affaires *a.i.*

39. THE ASSISTANT SECRETARY-GENERAL IN CHARGE OF THE LEGAL DEPARTMENT, UNITED NATIONS, TO THE REGISTRAR

March 31st, 1950.

Sir,

I wish to refer to my letter LEG 46/05(5) MS dated March 20, 1950, in which I informed you that documents on the question of South-West Africa have been forwarded to the Court. The classified list of United Nations documents¹ mentioned in that letter has now been prepared and is being air-mailed to you under separate cover.

I have, etc.

(Signed) DR. IVAN S. KERNO,
Assistant Secretary-General
in charge of the Legal Department.

¹ See pp. 10-35.

40. LE MINISTRE DES AFFAIRES ÉTRANGÈRES DU LUXEMBOURG AU GREFFIER

31 mars 1950.

Monsieur le Greffier,

J'ai l'honneur d'accuser réception de votre obligeante lettre n° 10187 du 24 mars 1950 concernant la question du statut international du Sud-Ouest africain et j'ai l'honneur de vous informer que le Gouvernement du Grand-Duché de Luxembourg n'a pas l'intention de présenter un exposé oral dans cette affaire.

Veuillez agréer, etc.

(Signé) BECH.

41. THE DEPARTMENT OF STATE OF THE UNITED STATES OF AMERICA TO THE REGISTRAR

March 31st, 1950.

Sir,

The receipt is acknowledged of your communication 10187 dated March 24, 1950, notifying the Government of the United States of America that beginning on Tuesday, May 16, 1950, the International Court of Justice will hold public meetings in order to hear oral statements on the question of the international status of South-West Africa, and requesting that you be informed as soon as possible, and at the latest by Saturday, May 6, 1950, if this Government intends to participate in the oral proceedings. I have the honour to inform you that the Government of the United States does not intend to present any oral statement at that time concerning the question which the General Assembly on December 6, 1949, submitted to the International Court of Justice for an advisory opinion.

Very, etc.

For the Secretary of State :
(Signed) ADRIAN S. FISHER,
The Legal Adviser.

42. LE MINISTRE DES RELATIONS EXTÉRIEURES DU HONDURAS AU GREFFIER

3 de abril de 1950.

Señor E. Hambro,

Tengo la honra de avisar a usted recibo de su nota n° 10187 de 24 de marzo último referente a la opinión consultativa solicitada por La Asamblea General de las Naciones Unidas a esa Honorable Corte con respecto al estatuto internacional de Sur-Oeste Africano, lo mismo que del volumen impreso en el cual se reproducen las exposiciones por escrito presentadas por los Gobiernos de Egipto, Unión Sudafricana, Estados Unidos de América, India y Polonia, y el balance de los documentos de la Secretaría General de las Naciones Unidas que incluye la demanda de la opinión mencionada.

Quedo enterado de que la Liga Internacional de los Derechos del Hombre presentará una exposición por escrito, y de que la Corte tendrá audiencias a partir del 16 de mayo próximo para escuchar las exposiciones orales que serán presentadas en nombre de la Secretaría de las Naciones Unidas y de los Gobiernos que deseen hacerlo.

Al tomar debida nota de este último punto, me permito informar a usted que mi Gobierno no tiene por ahora intención de formular exposición oral alguna al respecto, y que en caso contrario avisará a usted cablegráficamente antes del 6 de mayo comunicándole el nombre de la persona que lo representará y el idioma en que la exposición será presentada.

De usted, etc.

(*Signé*) [Illisible.]

43. THE MINISTRY OF FOREIGN AFFAIRS AND COMMONWEALTH RELATIONS
OF PAKISTAN TO THE REGISTRAR

April 4th, 1950.

Sir,

I am directed to acknowledge receipt of your letter No. 10187, dated the 24th March, 1950, regarding the international status of South-West Africa, and to say that the Government of Pakistan do not propose to participate in the oral proceedings.

I have, etc.

(*Signed*) FARHAT ALI,
for Secretary to the Government of Pakistan.

44. THE EXTERNAL AFFAIRS DEPARTMENT OF THE GOVERNMENT OF
INDIA TO THE REGISTRAR (*telegram*)

April 5th, 1950.

461 AFRI 29036. Your letter 10187 March 24th *stop* Oral proceedings regarding advisory opinion on South-West Africa *stop* India's representative will be Shree B. N. Rau *stop* This is however subject to confirmation *stop* Statement will be made in English.—FOREIGN.

45. THE MINISTER OF THE UNION OF SOUTH AFRICA AT THE HAGUE TO
THE REGISTRAR

April 5th, 1950.

Sir,

I have the honour to refer to your letter No. 10187 of 24th March, 1950, and to inform you that my Government has now stated that the Union of South Africa will be represented at the oral hearings by Dr. L. C. Steyn, K.C., Senior Law Adviser of the Union Government. He will be assisted by Dr. Louis Wessels, Law Adviser.

Should circumstances arise making it impossible for Dr. Steyn to attend or making it necessary for him to leave The Hague before the conclusion of the hearings, the Government will be represented by Mr. H. T. Andrews, Ambassador Extraordinary and Plenipotentiary of the Union of South Africa at Paris.

My Government has also intimated that the statement will be made in English.

I have, etc.

(Signed) D. B. BOSMAN,
Minister.

46. THE SECRETARY OF EXTERNAL AFFAIRS OF NEW ZEALAND TO THE REGISTRAR

April 5th, 1950.

Sir,

I am directed by the Minister of External Affairs to acknowledge receipt of your letter 10187 of 24 March, 1950, concerning the action that it is proposed to take by the International Court of Justice in connexion with the advisory opinion on the international status of South-West Africa.

I have noted that written statements have been submitted by the Governments of Egypt, the Union of South Africa, the United States of America, India and Poland, and that a printed volume containing these statements, together with other documents provided by the Secretary-General of United Nations, has been forwarded under separate cover.

In connexion with the determination of the Court to hold public meetings as from 16 May, 1950, in order to hear oral statements which will be presented on behalf of the Secretary-General of United Nations and such other governments as may wish to do so, I have the honour to inform you that the Government of New Zealand does not intend to participate in the oral proceedings.

I have, etc.

(Signed) J. V. WILSON,
Secretary of External Affairs.

47. LE GREFFIER AU MINISTRE D'ÉGYPTE A LA HAYE ¹

6 avril 1950.

Monsieur le Ministre,

J'ai l'honneur de vous transmettre sous ce pli un exemplaire de la traduction en français et en anglais², selon le cas, des exposés écrits qui ont été présentés, dans l'autre langue officielle de la Cour, en l'affaire consultative qui a trait au statut international du Sud-Ouest africain.

Ces traductions, qui ont été établies par le Greffe à l'usage des membres de la Cour, sont dépourvues de tout caractère officiel.

Veuillez agréer, etc.

¹ La même communication a été adressée à tous les États qui ont présenté des exposés écrits ou qui ont fait connaître leur intention de présenter un exposé oral.

² Non reproduite.

48. LE GREFFIER AU MINISTRE DES AFFAIRES ÉTRANGÈRES DES PAYS-BAS

6 avril 1950.

Monsieur le Ministre,

Me référant à l'Accord conclu le 26 juin 1946 entre le Gouvernement des Pays-Bas et la Cour internationale de Justice, j'ai l'honneur de porter à la connaissance de Votre Excellence que, dans l'affaire relative au statut international du Sud-Ouest africain, le Gouvernement de l'Union de l'Afrique du Sud a désigné comme représentants près la Cour internationale de Justice :

M. le Dr L. C. Steyn, K. C.,
Conseiller juridique principal du Gouvernement,

assisté par :

M. le Dr L. Wessels,
Conseiller juridique.

Veuillez agréer, etc.

49. LE MINISTÈRE DES AFFAIRES ÉTRANGÈRES DE FRANCE AU GREFFIER

6 avril 1950.

Monsieur le Greffier,

J'ai l'honneur d'accuser réception et de vous remercier de votre lettre du 24 mars dernier à laquelle était annexé le volume imprimé contenant les exposés écrits présentés par divers gouvernements à la Cour à l'occasion de l'avis consultatif sur le statut international du Sud-Ouest africain.

Je vous serais obligé, lorsqu'une traduction française, même officieuse, de ces documents aura été faite, de bien vouloir m'en adresser cinq ou six exemplaires.

Veuillez agréer, etc.

Le Ministre plénipotentiaire
Directeur du Secrétariat des Conférences,
(Signé) O. BROUSTRA.

50. LE SECRÉTAIRE D'ÉTAT A. I. DES RELATIONS EXTÉRIEURES D'HAÏTI AU GREFFIER

8 avril 1950.

Monsieur le Greffier,

J'ai bien reçu votre lettre du 24 mars écoulé, n° 10187, par laquelle vous m'annoncez l'envoi d'un volume imprimé où se trouvent reproduits les exposés écrits présentés par les Gouvernements de l'Égypte, de l'Union sud-africaine, des États-Unis d'Amérique, de l'Inde et de la Pologne concernant l'avis consultatif sollicité de la Cour internationale de Justice sur le statut international du Sud-Ouest africain.

J'ai noté également que la Cour tiendra, à partir du mardi 16 mai 1950, des audiences pour entendre les exposés oraux que voudraient faire certains gouvernements et que les Gouvernements de l'Union sud-africaine et des Philippines ont fait connaître que telle était leur intention.

C'est pour moi l'occasion de vous informer que, sur cette question, le Gouvernement haïtien ne compte présenter aucun exposé oral.

Recevez, etc.

(Signé) LOUIS RAYMOND,
Secrétaire d'État *a. i.*

51. THE ASSISTANT SECRETARY-GENERAL IN CHARGE OF THE LEGAL DEPARTMENT, UNITED NATIONS, TO THE REGISTRAR

April 10th, 1950.

Sir,

I have the honour to transmit to the Court for whatever action may be considered appropriate a letter from R. H. Swale to the Secretary-General requesting that he be heard as a witness in the advisory proceedings concerning the international status of South-West Africa.

I have, etc.

(Signed) IVAN S. KERNO,
Assistant Secretary-General
in charge of the Legal Department.

Annex to No. 51

MR. R. H. SWALE TO THE SECRETARY-GENERAL OF THE UNITED NATIONS

Johannesburg, January 20th, 1950.

Sir,

I have the honour to offer my services as a witness before the Court to be held at The Hague, before fifteen judges, to decide whether the mandate of the ex-German mandated Territory of South-West Africa shall be granted to the Government of the Union of South Africa, or whether the mandate of that Territory shall be granted to an international committee.

I claim to be heard as a witness before the said Court because I am a chief of the Zulus in South Africa.

Because I raised the natives of German South-West Africa in rebellion against the Germans in 1903 known as the Herero rebellion.

The Germans never had an opportunity to arrest me for this crime while I was negotiating with the native chiefs, because I carried on all my negotiations with them from British Bechuanaland. I never went further west than Haakskeen Pan, near Rietfontein, in British territory, where I got in touch with Jacob Masengo, one of the leaders in the subsequent rebellion, who lived near there, and then with Hendrik Witbooi.

Because I know more of the reasonable wants and wishes of the native population of the mandated Territory of South-West Africa than anyone else, I claim a right to be heard on their behalf.

I have, etc.

(Signed) R. H. SWALE.

52. LE MINISTRE DES RELATIONS EXTÉRIEURES DU PÉROU AU GREFFIER

13 de abril de 1950.

Señor Secretario,

Con referencia a la atenta nota de Vuestra Señoría n° 10187, de fecha 24 de marzo último, cumpla con poner en su conocimiento de que el Gobierno peruano no participará en el proceso oral sobre el estatuto internacional del Sud-Oeste Africano.

Aprovecho la oportunidad, etc.

(Signé) ERNESTO RODRIGUEZ,
Ministro de Relaciones Exteriores.

53. THE REGISTRAR TO THE MINISTER FOR FOREIGN AFFAIRS OF HONDURAS

April 14th, 1950.

Sir,

I have the honour to acknowledge receipt of your letter of 3rd April, 1950, informing the International Court of Justice that the Government of the Republic of Honduras does not intend to present an oral statement on the question of the international status of South-West Africa, and will notify the Court by cablegram before 6th May, 1950, if it should modify its decision in this respect.

Regarding the language in which communications are to be sent and presented to the International Court of Justice, I wish to remind you that the official languages of the Court are English and French.

I have, etc.

54. LE GREFFIER AU MINISTRE DES AFFAIRES ÉTRANGÈRES DE FRANCE

14 avril 1950.

Monsieur le Ministre,

Par sa lettre en date du 6 avril 1950 (Secrétariat des Conférences 227) Votre Excellence a bien voulu accuser la réception du volume imprimé contenant les exposés écrits présentés à la Cour par divers gouvernements à l'occasion de l'avis consultatif sur le statut international du Sud-Ouest africain, et m'a demandé de lui faire parvenir cinq ou six exemplaires de la traduction, même officieuse, de ces documents en français.

En réponse, j'ai l'honneur de vous faire savoir que, d'ordinaire, les traductions sont établies à l'usage des membres de la Cour.

J'ai l'honneur de transmettre à Votre Excellence six exemplaires des traductions¹ des exposés qui ont été présentés. Je dois cependant attirer votre attention sur le fait que ces traductions ne présentent aucun caractère officiel.

Veuillez agréer, etc.

55. THE REGISTRAR TO MR. R. H. SWALE

April 17th, 1950.

Sir,

Your letter of January 20th, 1950, addressed to the Secretary-General of the United Nations has just reached me.

On the instructions of the President of the Court, I have the honour to inform you that the request for an advisory opinion concerning the international status of the Territory of South-West Africa involves only legal questions. It is therefore believed that it will not be necessary to call witnesses during the hearings.

I have, etc.

56. THE REGISTRAR TO THE ASSISTANT SECRETARY-GENERAL IN CHARGE OF THE LEGAL DEPARTMENT, UNITED NATIONS

April 17th, 1950.

Sir,

I have the honour to acknowledge the receipt of your letter of April 10th, 1950, ref. LEG 46/05(5)/BS, with the enclosed letter from R. H. Swale.

I have, etc.

57. LE GREFFIER AU SECRÉTAIRE GÉNÉRAL DES NATIONS UNIES²

27 avril 1950.

Monsieur le Secrétaire général,

Me référant à ma lettre n° 10208 en date du 24 mars 1950, relative à la demande d'avis consultatif adressée à la Cour par l'Assemblée générale des Nations Unies sur le statut international du Sud-Ouest africain, j'ai l'honneur, à titre d'information, de porter à votre connaissance qu'aucun document n'a été déposé au Greffe de la Cour, par la Ligue internationale des Droits de l'Homme, dans le délai qui lui avait été imparti à cet effet à la suite d'une démarche du Comité de direction de ladite ligue.

Veuillez agréer, etc.

¹ Non reproduites.

² Cette communication a été adressée à tous les États admis à ester devant la Cour.

58. THE SECRETARY OF THE DEPARTMENT OF FOREIGN AFFAIRS OF THE PHILIPPINE REPUBLIC TO THE REGISTRAR (*telegram*)

April 29th, 1950.

1053. Reurlet March twenty-fourth have honour inform that Judge José Ingles will represent Philippine Government in oral proceedings before Intercourt on international status South-West Africa.—
SECRETARY FOREIGN AFFAIRS.

59. THE EMBASSY OF INDIA AT THE HAGUE TO THE REGISTRY

May 6th, 1950.

The Embassy of India presents its compliments to the Registry of the International Court of Justice at The Hague and has the honour to confirm that Shri B. N. Rau, India's Permanent Representative to the United Nations, will represent India at the oral proceedings in the advisory case on the international status of South-West Africa commencing on 16th May, 1950.

2. The Embassy would appreciate receiving an up-to-date set of relevant papers, and requests the Registry to keep it informed with regard to details, etc., concerning the programme to be observed in connexion with this case.

Embassy of India, The Hague.

60. THE REGISTRY TO THE EMBASSY OF INDIA AT THE HAGUE

The Registry of the International Court of Justice presents its compliments to the Embassy of India and has the honour to acknowledge receipt of its note No. 15/5/50-G of May 6th, 1950, confirming that Shri B. N. Rau, India's Permanent Representative to the United Nations, will represent India at the oral proceedings in the advisory case concerning the international status of South-West Africa.

In reply to paragraph 2 of the note, the Registry hopes that the two complete sets of documents which were sent to the Embassy have duly arrived, and is pleased to send herewith a further complete set of the relevant documents in this case. In accordance with the wishes of the Embassy, the Registry will not fail to keep it informed concerning subsequent procedure.

The Hague, May 9th, 1950.

61. MR. ASHER LANS, COUNSEL TO THE INTERNATIONAL LEAGUE FOR THE RIGHTS OF MAN, TO THE REGISTRAR

May 9th, 1950.

Dear Mr. Hambro,

As counsel to The International League for the Rights of Man, I herewith request the International Court of Justice to permit the Rev. Michael Scott, of Great Britain, and either Gordon F. Muirhead,

Esq., of the Bar of Great Britain, or Jérôme Sauerwein, Esq., of the Bar of France, to make an oral presentation before the Court, in the advisory opinion proceedings regarding the status of South-West Africa on behalf of the International League for the Rights of Man.

The Rev. Michael Scott was accredited to the Trusteeship Council and the Fourth Committee of the Assembly of the United Nations and testified before both said bodies in December, 1949, as a consultant on behalf of The International League for the Rights of Man. The League itself has official consultative status in Category "B" before the organs of the United Nations.

The Rev. Michael Scott has a unique personal knowledge of the legal and factual situations pertaining to the present proceeding.

I should appreciate if you would reply directly to me at 37, Wall Street, New York 5, New York.

Would you please cable your reply collect both to Rev. Michael Scott, c/o Friends International Center, 32, Tavistock Square, London, W.C.1., England, and to me. My cable address is "Simash", New York.

Respectfully, etc.

(Signed) ASHER LANS.

62. THE EMBASSY OF INDIA AT THE HAGUE TO THE REGISTRY

May 10th, 1950.

The Embassy of India presents its compliments to the Registry of the International Court of Justice and, with reference to its note No. 15/5/50-G, dated 6th May, 1950, has the honour to state that India will not now present an oral statement in the advisory case concerning the international status of South-West Africa as previously notified.

Embassy of India, The Hague.

63. THE DEPUTY-REGISTRAR TO THE MINISTER OF THE UNION OF SOUTH AFRICA AT THE HAGUE

May 10th, 1950.

Sir,

I have the honour to inform you that by a note dated May 10th, 1950, the Embassy of India at The Hague has advised the Registry of the International Court of Justice that India will not now present an oral statement in the advisory case concerning the international status of South-West Africa, as previously notified.

I have, etc.

64. LE GREFFIER ADJOINT AU MINISTRE DES AFFAIRES ÉTRANGÈRES DES
PAYS-BAS

10 mai 1950.

Monsieur le Ministre,

Me référant à l'Accord conclu le 26 juin 1946 entre le Gouvernement des Pays-Bas et la Cour internationale de Justice, j'ai l'honneur de porter à la connaissance de Votre Excellence que, dans l'affaire relative au statut international du Sud-Ouest africain, le Gouvernement des Philippines a désigné comme représentant près la Cour internationale de Justice :

M. le juge José Ingles,
Membre de la délégation permanente des Philippines auprès
des Nations Unies.

Veuillez agréer, etc.

65. THE DEPUTY-REGISTRAR TO THE REPRESENTATIVE OF THE SECRETARY-
GENERAL OF THE UNITED NATIONS¹

May 12th, 1950.

Sir,

I have the honour to inform you that the International Court of Justice will sit on Tuesday, May 16th, 1950, at 11 a.m., to begin the hearing of the statements to be submitted by you and by governments on the question before the Court for advisory opinion concerning the international status of South-West Africa.

The President of the Court will be glad if you will kindly call on him in his room at the Peace Palace at 10 a.m. on the above date.

The Governments of the following countries have announced their wish to be heard by the Court on the above subject :

The Union of South Africa

represented by Dr. L. C. Steyn, K.C., Senior Law Adviser of the
Department of Justice, Pretoria ;

assisted by Dr. L. Wessels, Law Adviser of the same Depart-
ment.

The Republic of the Philippines

represented by Judge José Ingles, Member of the Permanent
Delegation of the Philippines to the United Nations.

The Government of India, which had previously signified its intention of presenting an oral statement, subsequently informed the Court that it was withdrawing from the oral proceedings.

I have, etc.

¹ The same communication was also sent to the representatives of the Philippine Republic and of the Union of South Africa.

66. THE DEPUTY-REGISTRAR TO MT. ASHER LANS, COUNSEL TO THE INTERNATIONAL LEAGUE FOR THE RIGHTS OF MAN (*telegram*)

May 12th, 1950.

10628. Reference your letter May 9 regarding advisory case South-West Africa *stop* On March 16 I cabled Delson Levin Gordon 270 Broadway who on behalf your League had requested to be admitted to furnish information in above-mentioned case that Court was prepared to receive from them before April 10 written statement confined to legal questions *stop* I added that Court did not contemplate resorting further to your League in present case *stop* No other decision having been taken by the Court the oral proceedings shall only comprise statements by representative Secretary-General United Nations and representatives governments which asked to be heard *stop* Same information wired to Michael Scott *stop* As concerns written statement mentioned above I can add that none was received from your League within prescribed time-limit *semicolon* letter to you on that subject airmailed to-day.

67. THE DEPUTY-REGISTRAR TO MT. ASHER LANS, COUNSEL TO THE INTERNATIONAL LEAGUE FOR THE RIGHTS OF MAN

May 12th, 1950.

Sir,

I received to-day by air mail, in the same envelope as your letter of May 9th, 1950, to which I answered by cable, a pamphlet entitled *Statement on behalf of the International League for the Rights of Man*¹. Forty-five additional copies of the same pamphlet arrived also to-day, as printed matter, by air mail.

The firm of Delson, Levin & Gordon had requested the Court, in the name of your League, to be allowed to give information in the advisory case concerning the international status of South-West Africa. They were advised by cable dated March 16th, 1950, that the Court was prepared to receive from them, before April 10th, 1950, a written statement on the legal aspect of the question. Since the pamphlet referred to above was not deposited within that time-limit, I am sorry to be unable to include it in the proceedings.

Moreover, as a matter of form, I call your attention to the fact that your letter of May 9th, 1950, made no reference to the pamphlet enclosed in the same envelope. Also, this pamphlet bears no signature for authentication, although it does bear the printed names of the International League for the Rights of Man and of several American, British and French lawyers, including that of Mr. Robert Delson, who first applied to the Court on the matter.

Believe me, etc.

¹ Not reproduced.

**68. THE REGISTRAR TO THE REPRESENTATIVE OF THE SECRETARY-GENERAL
OF THE UNITED NATIONS¹**

May 15th, 1950.

Sir,

According to Article 60, paragraph 3, of the Rules of Court :

"A transcript of speeches or declarations made by agents, counsel or advocates shall be made available to them for correction or revision, under the supervision of the Court",

a provisional transcript of each hearing is communicated without delay to all concerned.

I should be obliged if you would inform me whether you intend to avail yourself of the right accorded you by this provision, in so far as concerns the statements which you make. Should your reply be in the affirmative, I should be grateful if you would let me have any corrections you may make as soon as possible after the hearing at which you have spoken and, in any case, before you leave The Hague.

Thanking you in advance, etc.

**69. THE REGISTRAR TO THE REPRESENTATIVE OF THE SECRETARY-GENERAL
OF THE UNITED NATIONS¹**

The Registrar of the International Court of Justice has the honour to inform the representative of the Secretary-General of the United Nations, that the Court will hold a public hearing to-morrow, Tuesday, May 23rd, at 10.30 a.m., to hear the supplementary explanations which the representative of the Union of South Africa has declared that he is ready to furnish.

The Hague, May 22nd, 1950.

**70. THE REGISTRAR TO THE REPRESENTATIVE OF THE SECRETARY-GENERAL
OF THE UNITED NATIONS¹**

June 5th, 1950.

Sir,

I have the honour to send you, under separate cover, three copies of the preliminary volume printed for the use of the members of the Court in the case for advisory opinion concerning the international status of South-West Africa. This volume contains the text of the stenographic record, duly corrected by the speakers, of the pleadings which took place from May 16th to 23rd, 1950².

I have, etc.

¹ The same communication was also sent to the representatives of the Philippine Republic and of the Union of South Africa.

² See pp. 160-317.

71. THE REGISTRAR TO THE REPRESENTATIVE OF THE SECRETARY-GENERAL OF THE UNITED NATIONS¹

July 6th, 1950.

Sir,

I have the honour to inform you that the Court has fixed Tuesday, July 11th, 1950, at 10.30 a.m., for the reading of its advisory opinion in the case concerning the international status of South-West Africa.

I have, etc.

72. LE GREFFIER AU SECRÉTAIRE GÉNÉRAL DES NATIONS UNIES

11 juillet 1950.

Monsieur le Secrétaire général,

J'ai l'honneur de vous transmettre, sous ce pli, à destination de l'Assemblée générale des Nations Unies, l'expédition scellée et signée de l'avis consultatif rendu à la date du 11 juillet 1950, par la Cour internationale de Justice, en l'affaire concernant l'interprétation du statut du Sud-Ouest africain².

Veuillez agréer, etc.

73. LE GREFFIER AU MINISTRE DES AFFAIRES ÉTRANGÈRES D'AFGHANISTAN³

Le Greffier de la Cour a l'honneur de transmettre, sous pli séparé, un exemplaire certifié conforme de l'avis consultatif rendu par la Cour internationale de Justice en l'affaire relative à l'interprétation du statut international du Sud-Ouest africain².

D'autres exemplaires seront expédiés ultérieurement par la voie ordinaire.

La Haye, le 20 juillet 1950.

¹ The same communication was also sent to the representatives of the Philippine Republic and of the Union of South Africa.

² Voir publications de la Cour : *Recueil des Arrêts, Avis consultatifs et Ordonnances 1950*, pp. 128-219.

³ Cette communication a été adressée à tous les États admis à ester devant la Cour.