REQUEST FOR THE INCLUSION OF AN ITEM IN THE PROVISIONAL AGENDA OF THE TWENTY-FOURTH SESSION

AMENDMENT TO ARTICLE 22 OF THE STATUTE OF THE INTERNATIONAL COURT OF JUSTICE (SEAT OF THE COURT) AND CONSEQUENTIAL AMENDMENTS TO ARTICLES 23 AND 28

Draft resolution submitted by the International Court of Justice¹/

The General Assembly,

Considering that the International Court of Justice is the only principal organ of the United Nations the seat of which is specifically designated in its constitutional instrument,

Desiring to achieve uniformity in this respect as between the principal organs,

Noting that the International Court of Justice has to this effect exercised the power conferred upon it by Article 70 of its Statute by proposing amendments to Articles 22, 23 and 28 of that Statute,

1. Decides to adopt, in accordance with Article 69 of the Statute of the International Court of Justice and Article 106 of the Charter of the United Nations, the following amendments to the Statute and to submit them for ratification by States parties to the Statute:

(a) In article 22, paragraph 1, the first sentence shall be replaced by the following:

"The seat of the Court shall be at The Hague or at such other place as shall at any time be approved by the General Assembly on the recommendation of the Court.";

¹/ This draft resolution constitutes an addendum to the explanatory memorandum submitted by the International Court of Justice pursuant to rule 20 of the rules of procedure of the General Assembly (A/7591, p. 2).
(b) In Article 23, the second paragraph shall be replaced by the following:

"Members of the Court are entitled to periodic leave, the dates and duration of which shall be fixed by the Court, having in mind the distance between the seat of the Court and the home of each judge."

(c) Article 28 shall be replaced by the following:

"The chambers provided for in Articles 26 and 29 may, with the consent of the parties, sit and exercise their functions elsewhere than at the seat of the Court."

2. Calls upon States parties to the Statute to ratify the above amendments, in accordance with their respective constitutional processes, as early as possible.