

uncio-charter material & related papers - approved text of the charter by article  
- article 64

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May 26, 1945

MEMORANDUM

TO: Mr. Charles Darlington  
Executive Officer  
Coordinating Committee

The following paragraphs dealing with the International Court of Justice for insertion in Chapter VII of the Charter, were approved by Committee IV/1 May 26, 1945:

(1) The Statute is based upon the Statute of the Permanent Court of International Justice.

(2) All parties to the Charter are ipso facto parties to the Statute of the International Court of Justice.

(3) Conditions under which States not parties to the Charter may become parties to the Statute of the International Court of Justice shall be determined in each case by the General Assembly upon recommendation of the Security Council.

It was agreed that these paragraphs should appear as paragraphs 3, 5, 6, respectively, of Chapter VII with paragraph 3 approved by the Committee on May 22, transmitted on that date to you, appearing as paragraph 4. Chapter VII, as approved by the Committee, should, therefore, appear as follows:

Paragraph 1

A tribunal to be called the International Court of Justice is hereby established as the principal judicial organ of the United Nations.

Paragraph 2

The Court shall be constituted and shall function in accordance with the annexed Statute which forms an integral part of the Charter of the United Nations.

Paragraph 3

The Statute is based upon the Statute of the Permanent Court of International Justice.

Paragraph 4

Nothing in this Charter shall prevent the parties from entrusting the solution of their differences to other Tribunals by virtue of agreements already in existence or which may be concluded in the future.

Paragraph 5

All parties to the Charter are ipso facto parties to the Statute of the International Court of Justice.

Paragraph 6

Conditions under which States not parties to the Charter may become parties to the Statute of the International Court of Justice shall be determined in each case by the General Assembly upon recommendation of the Security Council.

Norman J. Padelford  
Executive Officer  
Commission IV