

*Extract from:*

# UNITED NATIONS JURIDICAL YEARBOOK

1962

Part Three. Judicial decisions on questions relating the United Nations and related inter-governmental organizations

Chapter VII. Decisions of international tribunals



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TABLE OF CONTENTS (continued)

	<u>Page</u>
2. SECRETARIAT OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION . . . . .	280
(a) Meaning of the term "nationals" in article 3, paragraph (c) of the Convention against Discrimination in Education (1960) . . . . .	281
(b) Interpretation of certain provisions of the Convention concerning the International Exchange of Publications (1958) and of the Convention concerning the Exchange of Official Publications and Government Documents between States (1958) . . . . .	283
3. SECRETARIAT OF THE INTERNATIONAL TELECOMMUNICATION UNION . . . . .	286
PART THREE: JUDICIAL DECISIONS ON QUESTIONS RELATING TO THE UNITED NATIONS AND RELATED INTER-GOVERNMENTAL ORGANIZATIONS . . . . .	287
CHAPTER VII: DECISIONS OF INTERNATIONAL TRIBUNALS . . . . .	288
1. INTERNATIONAL COURT OF JUSTICE	
Certain expenses of the United Nations (Article 17, paragraph 2, of the Charter): Advisory Opinion of 20 July 1962 . . . . .	288
2. INTERNATIONAL COURT OF JUSTICE	
South West Africa Cases (Ethiopia <u>v.</u> South Africa; Liberia <u>v.</u> South Africa), Preliminary Objections: Judgement of 21 December 1962 . . . . .	289
CHAPTER VIII: DECISIONS OF NATIONAL TRIBUNALS . . . . .	290
1. FRANCE: LOWER COURT OF THE SEINE	
Essayan <u>v.</u> Jouve: Judgement of 1 October 1962	
Officials of the United Nations are immune from legal process only in respect of acts performed by them in their official capacity (article V, section 18 (a), of the Convention on the Privileges and Immunities of the United Nations) - The ordinary law of diplomatic immunity does not apply . . . . .	290

PART THREE

JUDICIAL DECISIONS ON QUESTIONS RELATING TO THE UNITED NATIONS  
AND RELATED INTER-GOVERNMENTAL ORGANIZATIONS

CHAPTER VII

DECISIONS OF INTERNATIONAL TRIBUNALS

1. INTERNATIONAL COURT OF JUSTICE

Certain expenses of the United Nations (Article 17, paragraph 2, of the Charter): Advisory Opinion of 20 July 1962 1/

On 20 July 1962 the International Court of Justice delivered an advisory opinion on the question put to it by the General Assembly in resolution 1731 (XVI) of 20 December 1961. By 9 votes to 5, the Court was of opinion that the expenditures authorized in certain General Assembly resolutions enumerated in the request for opinion, relating to the United Nations operations in the Congo and in the Middle East undertaken in pursuance of Security Council and General Assembly resolutions likewise enumerated in the request, were "expenses of the Organization" within the meaning of Article 17, paragraph 2, of the Charter. There were appended to the opinion of the Court separate opinions by Judges Sir Percy Spender, Sir Gerald Fitzmaurice and Morelli, a declaration by Judge Spiropoulos, and dissenting opinions by President Winiarski and Judges Basdevant, Moreno Quintana, Koretsky and Bustamante y Rivero.

A detailed summary of this advisory opinion appears in the Annual Report of the Secretary-General of the United Nations on the work of the Organization, 16 June 1962-15 June 1963.<sup>2/</sup>

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1/ I.C.J. Reports 1962, p. 151.

2/ Official Records of the General Assembly, Eighteenth Session, Supplement No. 1 (A/5501), pp. 121-124.

## 2. INTERNATIONAL COURT OF JUSTICE

### South West Africa Cases (Ethiopia v. South Africa; Liberia v. South Africa). Preliminary Objections: Judgement of 21 December 1962 1/

On 21 December 1962 the Court delivered its Judgement in the South West Africa cases (Preliminary Objections). By 8 votes to 7 the Court found that it had jurisdiction to adjudicate upon the merits of the dispute. There were appended to the Judgement of the Court separate opinions by Judges Bustamante y Rivero and Jessup and Judge ad hoc Sir Louis Mbanefo, dissenting opinions by President Winiarski, Judge Basdevant, Judges Sir Percy Spender and Sir Gerald Fitzmaurice jointly, Judge Morelli and Judge ad hoc van Wyk, and a declaration of dissent by Judge Spiropoulos.

A detailed summary of this judgement appears in the Annual Report of the Secretary-General of the United Nations on the work of the Organization, 16 June 1962-15 June 1963.<sup>2/</sup>

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1/ I.C.J. Reports 1962, p. 319.

2/ Official Records of the General Assembly, Eighteenth Session, Supplement No. 1 (A/5501), pp. 124-127.