

At the time the United Nations was established in the late 1940's, it was given jurisdiction in the member states over all matters not essentially domestic. At that time, and in the so-called Connally Amendment, the United States interposed a reservation that it would give final determination to what matters are or are not "essentially domestic".

The Connally Amendment has been argued and re-argued throughout the length and breadth of the United States. Recently, the Maryland State Bar Association adopted recommendations by a committee which had studied the subject, and these recommendations are abundantly worthy of serious thought by the people of this country.

Essentially, the recommendation of the State Bar Association was that first, we should not repeal the Connally Amendment; and secondly, that we should not leave it in its present form. The Bar Association recommended that the Connally Amendment should be rewritten so as more fully to protect our independence, domestic freedom, and national sovereignty, while, at the same time, restating our belief in the principles of world peace, through law, to the maximum extent practical under present world conditions; now, therefore, be it

*Resolved by the General Assembly of Maryland,* That this body recommends a withdrawal of our present acceptance of the jurisdiction of the International Court of Justice, and the substitution therefor of a new acceptance embodying the following new features:

1. Subject to an over-riding condition of reciprocity, the unconditional acceptance of the jurisdiction of the Court in disputes relating to claims for money damages, arising out of actions or omissions of a state which has caused injury to the person or property of a national of another state.

2. An exception from our acceptance of the jurisdiction of the Court as to disputes involving enumerated items, such as, but not necessarily limited to, tariffs, immigration, atomic energy, off-shore rights, changes in the value of currency, and such other matters as may be or may have traditionally been considered within our domestic jurisdiction.

3. A national security reservation, modeled generally after the British and French declarations excepting from the Court's jurisdiction disputes arising out of such matters as war, international hostilities and military occupation, or our rights in canals, waterways, military, naval and air bases, or any other matter affecting the defense of the United States or its national security.

4. In lieu of our present privilege of withdrawal, a provision similar to that of the United Kingdom, reserving the right to add to, amend or withdraw any reservations to our declaration of acceptance of the jurisdiction of the Court without prior notice, and be it further

*Resolved,* That the Secretary of the Senate of Maryland be directed to send copies of this Resolution, under the Great Seal of the State of Maryland, to the Senate Foreign Relations Committee of the Senate of the United States, and to each of the two Senators from the State of Maryland in the Senate of the United States.

Approved May 3, 1961.