

**SPEECH OF HIS EXCELLENCY, JUDGE ABDULQAWI A. YUSUF, PRESIDENT
OF THE INTERNATIONAL COURT OF JUSTICE, ON THE OCCASION OF
THE SEVENTY-FIFTH ANNIVERSARY OF
THE UNITED NATIONS CHARTER**

26 June 2020

*Mr. President,
Mr. Secretary-General,
Excellencies,
Ladies and Gentlemen,*

1. It is a great pleasure for me to participate in the celebrations commemorating the 75th anniversary of the Charter of the United Nations. The instrument we celebrate today is the most innovative and trailblazing treaty in the history of international relations.

2. It laid down the foundations of the rule of law at the international level. It banned the use of force in international relations. It established the principle of equal rights and self-determination of peoples all over the world. It imposed on all States an obligation to settle their disputes peacefully.

3. Of course, all the provisions of the Charter are relevant to the work of the Court. But, two of its chapters relate directly to the mission of the Court, that is to say, the peaceful settlement of interstate disputes. These are: Chapter VI concerning the “Pacific Settlement of Disputes” in general, and Chapter XIV entitled “The International Court of Justice”, together with the Statute of the Court which is annexed to the Charter.

4. Chapter VI of the Charter establishes a multilateral framework for the peaceful settlement of disputes. It sets out the methods to be used to settle such disputes, which include the judicial settlement of disputes. In this connection, Article 36 is of particular significance. It calls upon the Security Council, when making recommendations on the settlement of international disputes, to “take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court”.

5. Chapter XIV of the Charter establishes the Court as “the principal judicial organ of the United Nations” and provides that the Statute of the Court “forms an integral part” of the Charter. This distinguishes the Court from its predecessor, the Permanent Court of International Justice. Thus, in the case of our Court, all members of the United Nations are automatically parties to its Statute.

6. The provisions of the Charter dealing with the International Court of Justice were the very first which received the full approval of a plenary Commission and of the Conference in San Francisco. For the President of Commission IV of the Conference, the adoption of these provisions before any others was encouraging because, in his words, “no peace and no true fraternity could be reached among the peoples of the earth unless it was based upon that justice of which the Court is the very symbol” (13 UNCIO, pp. 59-60).

7. These provisions presented to a war-stricken world the beacons of justice and law and offered to participating States the possibility of substituting orderly judicial processes for the vicissitudes of war and the reign of brutal force.

8. Those orderly judicial processes have now taken root in international relations. Since 1945, the Court has been seized by States in 151 contentious cases. It has also delivered 28 advisory opinions. Seventy-four States have accepted the compulsory jurisdiction of the Court.

At the same time, more than 300 treaties refer to the Court's jurisdiction for the settlement of disputes relating to their interpretation and application. At present, 17 cases are pending before the Court, involving 28 States from all 5 United Nations Regional Groups.

9. This widespread acceptance by States of the judicial settlement of disputes by the Court is due to the quality of its work over the last seven decades. The Court has broken new ground in its jurisprudence on territorial and boundary disputes, maritime delimitation, diplomatic and consular relations and the principle of equal rights and self-determination of peoples. At the same time, it stands at the forefront of the settlement of disputes relating to contemporary challenges on the protection of human rights and the environment.

10. To conclude, Mr. President, let me recall the words of the Special Rapporteur of Committee IV.1 of the San Francisco Conference, Mr. Nasrat El-Farsy of Iraq:

“We are here endeavouring to establish an International Court of Justice on firmer ground. Let us pray that this Court will succeed in holding aloft the sun of justice to enlighten all the nations of the world without distinction and wherever they may be on the face of the globe.”

11. Seventy-five years later, the Court is still spreading the bright rays of the sun of justice and of the rule of law throughout the world and offering all States the possibility of settling disputes peacefully through the law, instead of resorting to brutal force.

12. I thank you for your attention.
