



# INTERNATIONAL COURT OF JUSTICE

Start



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This basic toolkit provides a brief overview of the International Court of Justice, the principal judicial organ of the United Nations, which has its seat in The Hague, the Netherlands.

It was produced as part of a joint enterprise between the Registry of the Court and Pax Initiative. It is made available for information only and in no way involves the responsibility of the Court.



## ORIGINS

1899

1907

1920

1922

1945

1946

1947

2020

*The creation of the International Court of Justice (the Court, or ICJ) represented the culmination of a long process of developing methods for the peaceful settlement of international disputes. Such methods include negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, and resort to regional agencies or arrangements. Judicial settlement is the method applied by the Court.*

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*The delegates who took part in the First Hague Conference on the steps of the Royal Huis ten Bosch Palace in The Hague (Carnegie Foundation archives)*

## First Hague Conference

The Hague Peace Conference of 1899, convened on the initiative of the Russian Czar Nicholas II "with the object of seeking the most objective means of ensuring to all peoples the benefits of a real and lasting peace, and above all, of limiting the progressive development of existing armaments" brought together delegates from 26 different States. The Conference resulted in the adoption of a series of instruments and declarations. One of those, the 1899 Hague Convention for the Pacific Settlement of International Disputes, provided for the establishment of the Permanent Court of Arbitration.



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*The delegates who took part in the Second Hague Conference arriving at the Ridderzaal of the Dutch Parliament (Carnegie Foundation archives)*

## Second Hague Conference

In 1907, a second Hague Peace Conference revised the Convention and improved the rules governing arbitral proceedings. At that time, the United States proposed an initiative for a permanent court, which was endorsed by Germany and the United Kingdom, but the Conference was unable to reach agreement upon it. Nonetheless, the 1907 Conference served as a source of inspiration for the drafting of the Statute of the Permanent Court of International Justice years later.

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*The Advisory Committee of Jurists responsible for the drafting of the PCIJ Statute in the Japanese Room of the Peace Palace (League of Nations Archives)*

## Establishment of the PCIJ

The Permanent Court of International Justice (PCIJ) was the predecessor of the ICJ. The Statute of the PCIJ, adopted in December 1920, provided that it would be competent not only to hear and rule on any dispute of an international character submitted to it by the parties to the dispute, but also to give an advisory opinion upon any dispute or question referred to it by the Council or Assembly of the League of Nations.



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**Inaugural sitting of the PCIJ**

The PCIJ held its inaugural sitting on 15 February 1922. Between 1922 and 1940 the PCIJ dealt with 29 contentious cases between States and issued 27 advisory opinions. After the outbreak of the Second World War, the Court relocated to Geneva, leaving one judge and a few Registry officials in The Hague. It was officially dissolved in 1946.

*The inaugural sitting of the PCIJ held on 15 February 1922 in the Great Hall of Justice of the Peace Palace (PCIJ archives)*

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*One of the plenary sessions of the San Francisco Conference (UN photo)*

## Establishment of the ICJ

The ICJ was established at the San Francisco Conference held from April to June 1945, during which the UN Charter and the Statute of the Court were drawn up and signed. The Conference decided in favour of the creation of an entirely new court, which would be a principal organ of the United Nations and whose statute would be annexed to the Charter, forming an integral part of it. All Member States of the United Nations are, therefore, automatically parties to the Court's Statute.



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1907

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1945

1946

1947

2020

**Inaugural sitting of the ICJ**

The ICJ, which held its inaugural sitting on 18 April 1946, came to be the principal judicial organ of the United Nations.

*The inaugural sitting of the ICJ held on 19 April 1946 in the Great Hall of Justice of the Peace Palace (ICJ archives)*

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*First hearing in the Corfu Channel Case held on 26 February 1948 in the Great Hall of Justice of the Peace Palace (ANP photo)*

## First cases submitted to the Court

By an Application filed on 22 May 1947, the United Kingdom submitted the first contentious case to the Court against Albania after the case had previously been brought before the United Nations and, in consequence of a recommendation by the Security Council, had been referred to the Court.

On 24 November 1947, the UN General Assembly requested the first advisory opinion from the Court on the conditions of admission of a State to Membership in the United Nations.



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*A sealed and signed copy of a decision of the Court*

## Cases submitted to the Court

Between 1946 and 1 January 2020, 177 cases were entered in the General List of the Court.

**President Abdulqawi Ahmed Yusuf - Somalia**

Member of the Court since 6 February 2009;

President of the Court since 6 February 2018



*Click on the silhouettes to find out more about the composition of the Court.*

The President and Vice-President are elected by the Members of the Court every three years by secret ballot. The election is held on the date of Court's triennial renewal or shortly thereafter. An absolute majority is required and there are no conditions of nationality. The President and Vice-President may be re-elected. The President presides at all meetings of the Court; he or she directs its work and supervises its administration, with the assistance of a Budgetary and Administrative Committee and various other committees, all composed of Members of the Court. During judicial deliberations, the President has a casting vote in the event of votes being tied. The Vice-President replaces the President in his or her absence, in the event of his or her inability to perform his or her duties, or in the event of a vacancy in the presidency. In the absence of the Vice-President, this role falls to the senior judge.



**Vice-President Xue Hanqin - China**

Member of the Court since 29 June 2010;  
Vice-President of the Court since 6 February 2018



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**Mr. Philippe Gautier - Belgium**  
Registrar since 1 August 2019



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The Court appoints its Registrar from among candidates proposed by Members of the Court. He or she is elected for a term of seven years and may be re-elected. The Deputy-Registrar, who is elected in the same way as the Registrar, assists the Registrar and acts as Registrar in the latter's absence.

The Registry is the permanent administrative secretariat of the Court. It is accountable to the Court alone. Since the Court is both a court of justice and an international organization, the Registry's tasks are not only those of a service helping in the administration of justice - with Sovereign States as litigants - but also those of an international secretariat. Its activities are judicial and diplomatic, as well as administrative.



**Judge Nawaf Salam - Lebanon**

Member of the Court since 6 February 2018



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The International Court of Justice is composed of 15 Judges (or Members) elected to nine-year terms of office by the United Nations General Assembly and the Security Council. In order to ensure a degree of continuity, one third of the Court is elected every three years. Once elected, a Member of the Court is a delegate neither of the government of his or her own country nor of that of any other State. The Court may not include more than one national of the same State. Judges are eligible for re-election.

**Judge James Richard Crawford - Australia**

Member of the Court since 6 February 2015



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**Judge Dalveer Bhandari - India**

Member of the Court since 27 April 2012



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**Judge Giorgio Gaja - Italy**

Member of the Court since 6 February 2012



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**Judge Antônio Augusto Cançado Trindade - Brazil**

Member of the Court since 6 February 2009



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**Judge Ronny Abraham - France**

Member of the Court since 15 February 2005



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**Judge Peter Tomka - Slovakia**

Member of the Court since 6 February 2003



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**Judge Mohamed Bennouna - Morocco**

Member of the Court since 6 February 2006



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**Judge Joan E. Donoghue - United States of America**

Member of the Court since 9 September 2010



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**Judge Julia Sebutinde - Uganda**

Member of the Court since 6 February 2012



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**Judge Patrick Lipton Robinson - Jamaica**

Member of the Court since 6 February 2015



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**Judge Kirill Gevorgian - Russian Federation**

Member of the Court since 6 February 2015



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## Judge Yuji Iwasawa - Japan

Member of the Court since 22 June 2018



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The ICJ, the principal judicial organ of the United Nations, acts as a world court. It may entertain two types of cases: legal disputes between States submitted to it by those States (contentious proceedings) and requests for advisory opinions on legal questions referred to it by the United Nations organs, its specialized agencies or affiliated organizations (advisory proceedings).

### CONTENTIOUS PROCEEDINGS

### ADVISORY PROCEEDINGS

In the exercise of its jurisdiction in contentious cases, the ICJ settles disputes of a legal nature that are submitted to it by States in accordance with international law. An international legal dispute can be defined as a disagreement on a question of law or fact, a conflict, or a clash of legal views or interests.

The procedure consists of two parts: written and oral. They are concluded by the deliberation of the Court, after which a decision is issued in a public sitting.

Only States can be parties to contentious cases. Moreover, the Court can only deal with a dispute when the States concerned have recognized its jurisdiction.

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*The Court was established in pursuance of one of the United Nation's primary purposes, namely to maintain international peace and security by pacific means and in conformity with international law. The ICJ also plays a vital role within the framework of Sustainable Development Goal 16 concerning the promotion of peace, justice, and strong and effective institutions. Between 1946 and 1 July 2019, 177 cases were entered in the General List of the Court.*



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## CONTENTIOUS PROCEEDINGS

## ADVISORY PROCEEDINGS

The advisory procedure is open to only the United Nations organs, including the General Assembly and the Security Council, as well as the 16 specialized agencies of the United Nations family or related organizations. Advisory proceedings begin with the filing of a written request for an advisory opinion addressed to the Registrar by the United Nations Secretary-General or the director or secretary-general of the entity requesting the opinion. A few days after the request has been filed, the Court draws up a list of the States and international organizations that are likely to be able to furnish information on the legal question before the Court. Similar to contentious cases, advisory proceedings of two parts: written and oral. They are concluded by the deliberation of the Court, after which the Court issues its advisory opinion in a public sitting.

Unlike the judgments rendered by the Court in contentious cases, the advisory opinions it gives are not binding, but they do carry great legal weight and moral authority.

[More information](#)

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## List of the organs and agencies authorized to request advisory opinions:

### UN Organs

General Assembly  
Security Council  
Economic and Social Council  
Trusteeship Council  
Interim Committee of the General Assembly

### Specialized Agencies

International Labour Organization (ILO)  
Food and Agriculture Organization of the United Nations (FAO)  
United Nations Educational, Scientific and Cultural Organization (UNESCO)  
World Health Organization (WHO)  
International Bank for Reconstruction and Development (IBRD)  
International Finance Corporation (IFC)  
International Development Association (IDA)  
International Monetary Fund (IMF)  
International Civil Aviation Organization (ICAO)  
International Telecommunication Union (ITU)  
World Meteorological Organization (WMO)  
International Maritime Organizations (IMO)  
International Fund for Agricultural Development (IFAD)  
World Intellectual Property Organization (WIPO)  
United Nations Industrial Development Organization (UNIDO)

### Related Organization

International Atomic Energy Agency (IAEA)



The seat of the Court is at the Peace Palace in The Hague, the Netherlands.

Built between 1907 and 1913 thanks to a generous donation from Mr. Andrew Carnegie, a Scottish-born industrialist who made his fortune in the United States, the Peace Palace is situated in seven hectares of parkland in the city of The Hague.

The granite, sandstone and red-brick building designed by the French architect Louis Cordonnier and topped by an imposing roof of greyish slate is in a predominantly neo-renaissance style. In addition to the ICJ, it houses four other institutions: the Carnegie Foundation, the Permanent Court of Arbitration, the Peace Palace Library and the Hague Academy of International Law.



*Foundation stone laying ceremony of the Peace Palace in 1907 (Courtesy of the Carnegie Foundation)*



*The Peace Palace today*





*Members of the ICJ during court hearings held in December 2019 (ICJ/UN photo)*

The ICJ, a court open only to States for contentious proceedings, and to certain organs and institutions of the United Nations system for advisory proceedings, should not be confused with the other mostly criminal judicial institutions based in The Hague and adjacent areas, such as the International Criminal Court, the Special Tribunal for Lebanon, the International Residual Mechanism for Criminal Tribunals, the Kosovo Specialist Chambers and Specialist Prosecutor's Office, or the Permanent Court of Arbitration.

The International Court of Justice has no jurisdiction to try individuals accused of war crimes or crimes against humanity. It is not a criminal court and thus does not have a prosecutor able to initiate proceedings. The Court is not a supreme court to which national courts can turn, or a court of last resort for individuals. Nor is it an appeal court for any international tribunal. It can, however, rule on the validity of arbitral awards.



## Stay Connected



E-mail:

[information@icj-cij.org](mailto:information@icj-cij.org)



Twitter Account:

[@CIJ\\_ICJ](https://twitter.com/CIJ_ICJ)



LinkedIn Account:

[International Court of Justice \(ICJ\)](#)



YouTube Channel:

[CIJ ICJ](#)

## Presentations on the work of the Court

The Information Department offers presentations to groups of between 10 and 70 persons covering the history, workings and activities of the Court. They last approximately one hour. Presentations are available in English and French, and are free of charge. No presentations are given during public hearings/sittings of the Court, or at weekends. Groups are required to make a request by filling in the application form at the [following link >>](#)

Please note that the Information Department does not offer guided tours of the Peace Palace. For such tours, please contact the Carnegie Foundation:

[Contact the Carnegie Foundation >>](#)

## Resources

### [Acts and Documents No. 6 >>](#)

It contains the Charter of the United Nations, the Statute and Rules of Court along with Practice Directions and other basic texts

### [Handbook >>](#)

This publication provides the general public with a simple, comprehensive overview of the history, composition, jurisdiction, procedure and decisions of the Court

### [Annual Reports >>](#)

Every year the Court submits a report on its activities to the United Nations General Assembly. The report covers the period from 1 August of one year to 31 July of the next