



## International Court of Justice (ICJ)

The International Court of Justice is one of the six main organs of the United Nations. It is, actually, the successor of the Permanent Court of the International Justice (organ of the League of Nations). After the Second World War, the PCIJ and the League of Nations were replaced by the ICJ and the United Nations, respectively. It is based in the Hague, Netherlands. The ICJ operates fundamentally with the Statute of the International Court of Justice which can be found in Chapter XIV of the United Nations Charter. With this Statute, under article 93(2) of the United Nations Charter, all 192 member states of the United Nations are, indeed, parties to the ICJ. The essence of the Court follows a long tradition of justice from England and Rome.

Currently, the Court is composed by a panel of 15 judges for a term of 9 years and are elected by the UN General Assembly and Security Council. It is important to mention that no more than one judge of each nationality may be represented in the Court at the same time to protect objectivity and transparency. In this moment, the Court is overlooking four cases. There are *ad hoc* judges which are jurists that may be appointed if there are no other of the nationality of a party to a case. The President and Vice-President are elected by member of the Court every three years. On February 8, 2021, the Court elected as President, Judge Joan E. Donoghue from the United States of America and as Vice-President, Judge Kirill Gevorgian from the Russian Federation. The Court is composed by three different types of chambers: the Chamber of Summary Procedure which includes the President and the Vice-President to quickly solve important business, any chamber to discuss certain categories of cases, and lastly, any chamber to deal with a specific case.





The main objectives of the ICJ are to mediate and settle disputes between States which cannot be solved by agreements. The Court entertains two types of cases, the first one being legal disputes between States (contentious cases) and the second one being advisory opinions on legal questions. For a contentious case, the proceedings may be through a special agreement or by submitting an application. Regarding advisory opinions, they are only available to five organs of the United Nations and to 16 specialized agencies of the United Nations. In this sense, the International Court of Justice is one of the main organs of lawfulness and jurisprudence in the world. Countries seek a fair ruling in front of the most important judges from all around the globe. Its verdicts and opinions serve as a fundamental archive of justice regarding lawfulness.

Although the International Court of Justice is the highest authority regarding legal matters, it is not all-powerful. The main limitation it has lies on the five Permanent Members of the Security Council. These five nations are not bound to comply with the Court's verdicts. They can veto them and not follow what the Court has ruled on a particular case. Nonetheless, the ICJ has had important progress since its creation in 1945. It has entertained 179 cases through March 2021, and it has ruled on affairs regarding land frontiers, ocean limits, sovereignty of a territory, no use of force and violence, violations to human rights, diplomatic relations, hostage situations, asylum rights, economic rights, and among other issues that have been of great relevance in the world.

### **References:**

Academy 4SC. (2021, March 18). *International Court of Justice: World's Highest Court*.

Retrieved October 7, 2021, from <https://academy4sc.org/video/international-court-of-justice-worlds-highest-court/>

Britannica. (2021). *International Court of Justice | Definition, Cases, Purpose, & Facts*.

Encyclopedia Britannica. Retrieved October 7, 2021, from <https://www.britannica.com/topic/International-Court-of-Justice>





ICJ. (2021a). *Home* | *International Court of Justice*. Retrieved October 7, 2021, from <https://www.icj-cij.org/en>

ICJ. (2021b). *The Court* | *International Court of Justice*. Retrieved November 3, 2021, from <https://www.icj-cij.org/en/court>

UN. (2021). *Corte Internacional de Justicia*. Retrieved October 7, 2021, from <https://www.un.org/es/icj/>

United Nations. (2016, April 18). *Los aportes más trascendentales de la Corte Internacional de Justicia*. Noticias ONU. Retrieved November 3, 2021, from <https://news.un.org/es/audio/2016/04/1413881>

