SPEECH BY H.E. MR. ABDULQAWI A. YUSUF, PRESIDENT OF THE INTERNATIONAL COURT OF JUSTICE, ON THE OCCASION OF THE SEVENTY-FOURTH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY

30 October 2019

Mr. President,

Excellencies,

Distinguished Delegates,

Ladies and Gentlemen,

It is an honour for me to address the General Assembly for the second time in my tenure as President of the Court as it considers the annual report of the International Court of Justice. The Court greatly appreciates the interest shown in and support given to its work by this august Assembly.

At the outset, I would like to take this opportunity to congratulate H.E. Mr. Tijjani Muhammad-Bande on his election as President of the Seventy-fourth Session of this eminent Assembly and wish him every success in carrying out this distinguished role.

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Since 1 August 2018 — the starting-date of the period covered by the Court's annual report — the Court's docket has remained full, with 16 contentious cases currently pending before the Court despite the fact that a number of other cases have been disposed of during the past year. As my presentation today will show, the cases before the Court involve States from all regions of the world and touch on a wide range of issues, including questions of consular protection, the formation of customary rules of international law in the area of decolonization, and maritime and territorial disputes.

Over the course of the year, the Court has held hearings in five contentious cases and one advisory procedure. It began with hearings in two pending cases involving claims by the Islamic Republic of Iran against the United States of America concerning alleged breaches by the Respondent of a 1955 bilateral Treaty of Amity. The first set of oral proceedings was on a request for the indication of provisional measures submitted by Iran and the second was on preliminary objections raised by the United States. The Court then held hearings on the merits in a case brought by the Republic of India against the Islamic Republic of Pakistan, concerning alleged violations of the consular rights of an Indian national. This was followed by hearings on the request for the indication of provisional measures submitted by the United Arab Emirates in a case brought against it by Qatar concerning allegations of racial discrimination. More recently, oral proceedings were held on preliminary objections raised by the Russian Federation in a case brought against it by Ukraine concerning allegations of terrorism financing and racial discrimination. In addition, the Court heard the oral statements of participants in the advisory procedure concerning the status of the Chagos Archipelago, which was held as a result of a request made by this Assembly.

In the period under review, the Court delivered three Judgments, one Advisory Opinion and two orders on provisional measures. On 1 October 2018, it rendered its Judgment on the merits in the case concerning the *Obligation to Negotiate Access to the Pacific Ocean (Bolivia* v. *Chile)*. On 13 February 2019, it delivered its Judgment on the preliminary objections in the case concerning

Certain Iranian Assets (Islamic Republic of Iran v. *United States of America)*. On 25 February 2019, the Court gave its Advisory Opinion on the *Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965*. Finally, on 15 July 2019, it delivered its Judgment on the merits in the *Jadhav* case *(India* v. *Pakistan)*.

In addition to numerous procedural orders, the Court issued two Orders on requests for the indication of provisional measures: the first one on 3 October 2018 related to the case concerning *Alleged Violations of the 1955 Treaty of Amity, Economic Relations, and Consular Rights* between the Islamic Republic of Iran and the United States of America. The second was rendered on 14 June 2019 in the case concerning *Application of the International Convention on the Elimination of All Forms of Racial Discrimination* between Qatar and the United Arab Emirates.

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As is customary, I will now give a brief account of the substance of the decisions and the opinion delivered by the Court in the period under review. I used the opportunity of last year's allocution to give an overview of the Court's Judgment in the case between Bolivia and Chile mentioned in my introduction, since the Court rendered that decision in the autumn of 2018. I will thus focus today on the other decisions rendered by the Court in the period under review, beginning with the Judgment of 13 February 2019 on the preliminary objections raised by the United States in the case concerning *Certain Iranian Assets*.

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This case was initiated by Iran on 14 June 2016 on the basis of a compromissory clause in the 1955 bilateral Treaty of Amity, Economic Relations and Consular Rights between the two countries. The case relates to the legislative and executive acts adopted by the United States that had the practical effect of subjecting the assets and interests of Iran and Iranian entities to enforcement proceedings in the United States. Iran claimed in its Application, *inter alia*, that this was contrary to the immunities enjoyed by Iran and Iranian entities as a matter of international law and as required by the Treaty of 1955.

The United States raised five preliminary objections. In its Judgment, the Court rejected three of those objections, upheld one and found that one did not possess an exclusively preliminary character, meaning that the Court would consider it when dealing with the merits of the case. Therefore, the case will proceed to the merits stage, although it will not include claims relating to sovereign immunity, the subject of the preliminary objection which the Court upheld. Moreover, the jurisdiction of the Court to consider claims relating to the Central Bank of Iran, known as Bank Markazi, will be addressed along with the merits.

The Court had to face several interesting questions of international law in ruling on the preliminary objections raised by the United States, two of which I would like to highlight today. First of all, in ruling on one of the United States' objections, the Court had to deal with the question of whether its jurisdiction extended to potential violations of customary international law — in particular the law of sovereign immunities — when the case had been brought on the basis of a compromissory clause in a treaty. The Court answered this question in the negative, concluding that the dispute could not be considered to relate to the "interpretation or application" of the Treaty of Amity, as required by the compromissory clause, since none of the Treaty provisions invoked by

Iran referred to immunities or could actually be considered to incorporate them by reference. Therefore, the Court lacked jurisdiction to consider questions of immunities.

Secondly, in ruling on another of the United States' objections, which asked the Court to dismiss all claims of purported violations of the Treaty that were based on treatment accorded to Bank Markazi, the Court determined that it would need to examine whether or not, as a matter of treaty interpretation, a central bank was a "company" within the meaning of the 1955 treaty. This was because the Treaty only accorded rights and protections to "companies" of a contracting party. The Court considered that this was largely a question of fact, since it is the nature of the activity actually carried out which determines the characterization of the entity that engaged in it. Therefore, the Court found that, in order to answer the question, it would need to examine Bank Markazi's activities within the territory of the United States at the time of the contested measures. Given that Iran principally argued that the nature of the activities engaged in was of no relevance to the characterization of an entity as a "company" of a contracting party within the meaning of the Treaty, it had made little attempt to elaborate on the commercial activities of Bank Markazi. Consequently, the Court considered that it did not have all the facts before it to answer the question of whether or not Bank Markazi could be considered a "company" within the meaning of the 1955 Treaty. It therefore decided that the question did not possess an exclusively preliminary character and should thus be considered at the merits stage.

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Mr. President,

I will now turn to an overview of the Advisory Opinion on the *Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965*. This advisory opinion was given by the Court on 25 February 2019. It was in response to a request made by the General Assembly, as set out in resolution 71/292 adopted on 22 June 2017. These proceedings were closely followed by many United Nations Member States. A total of 31 States participated in the written proceedings and 22 States presented oral statements. The African Union also took part in both phases of the proceedings.

I would recall that the General Assembly put two questions to the Court. In order to give its opinion on the first question, namely, whether the process of decolonization of Mauritius was lawfully completed having regard to international law, the Court had to first determine the content of the law applicable to the process of decolonization.

In this regard, the Court recalled the UN Charter's consecration of respect for the principle of equal rights and self-determination of peoples as one of the purposes of the United Nations and the fact that the Charter included provisions that would enable non-self-governing territories ultimately to govern themselves. This was therefore the context in which the Court had to determine, among other issues, when the right of self-determination had become a rule of customary international law binding on all States.

In this regard, the Court stated that resolution 1514 (XV) entitled "Declaration on the Granting of Independence to Colonial Countries and Peoples", adopted in 1960 by the General Assembly, had a declaratory character with regard to the right to self-determination as a customary norm, in view of its content and the conditions of its adoption. The Court also noted that the nature and scope of the right to self-determination of peoples was reiterated in the "Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations" (resolution 2625 (XXV) of 24 October 1970).

By recognizing the right to self-determination as one of the "basic principles of international law", that Declaration confirmed its normative character under customary international law.

The Court thus arrived at the conclusion that, in terms of the applicable law, the right to self-determination was a customary rule of international law already in the mid-1960s.

The Court, after recalling that the right to self-determination of the peoples concerned was defined in resolutions 1514 (XV) and 2625 (XXV) by reference to the entirety of a non-self-governing territory, noted that both State practice and *opinio juris* at the relevant time confirmed the customary law character of the right to territorial integrity of a non-self-governing territory as a corollary of the right to self-determination. As a result, the peoples of non-self-governing territories were entitled to exercise their right to self-determination in relation to their territory as a whole, and the integrity of that territory must be respected by the administering Power. It follows that any detachment by the administering Power of part of a non-self-governing territory, unless based on the freely expressed and genuine will of the people of the territory concerned, would be considered contrary to the right to self-determination.

In light of this, the Court found that, as a result of the Chagos Archipelago's unlawful detachment and its incorporation into a new colony, the process of decolonization of Mauritius was not lawfully completed when Mauritius acceded to independence in 1968.

The Court then addressed the second question put to it by the General Assembly regarding the consequences under international law arising from the continued administration of the Chagos Archipelago by the United Kingdom. The Court stated that, in light of its earlier finding on the non-completion of the decolonization process, the continued administration of the Chagos Archipelago constituted an internationally wrongful act. Thus, the Court concluded that the United Kingdom had an obligation to bring to an end its administration of the Chagos Archipelago as rapidly as possible. The Court added that, since respect for the right to self-determination is an obligation *erga omnes*, all States have a legal interest in protecting that right; in the same vein, all Member States must co-operate with the United Nations to put into effect the modalities required to ensure the completion of the decolonization process.

The *Chagos* advisory opinion highlighted the usefulness of advisory opinions for the organs and agencies of the United Nations. Advisory proceedings provide legal clarity by enabling the Court to determine the current status of specific principles and rules of international law. Indeed, following the Court's advisory opinion, the Assembly affirmed, in accordance with that opinion, that the decolonization of Mauritius had not been lawfully completed, and proceeded to set out the modalities and time frame for the withdrawal by the United Kingdom of its colonial administration.

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I now turn to the Judgment rendered on 17 July 2019 by the Court on the merits in the *Jadhav* case, a case brought by India and involving the Islamic Republic of Pakistan. This case was instituted by India following the arrest and detention of an Indian national, Mr. Kulbhushan Sudhir Jadhav, who was accused by Pakistan of acts of espionage. In April 2017, Mr. Jadhav was sentenced to death by a military court in Pakistan. India argued that consular access was being denied to its national in violation of the 1963 Vienna Convention on Consular Relations (which I will refer to simply as the "Vienna Convention").

In its Judgment, the Court found that Pakistan had violated its obligations under Article 36 of the Vienna Convention and that appropriate remedies were due in this case.

The Court had to address several issues regarding the interpretation and application of the Vienna Convention in the specific circumstances of the case.

One of the issues that the Court had to examine was the question of whether the rights relating to consular access, set out in Article 36 of the Vienna Convention, were in any manner to be excluded in a situation where the individual concerned was suspected of carrying out acts of espionage. The Court noted in that regard that there is no provision in the Vienna Convention containing a reference to cases of espionage; nor does the Article concerning consular access, Article 36, exclude from its scope certain categories of persons, such as those suspected of espionage. Therefore, the Court concluded that Article 36 of the Vienna Convention was applicable in full to the case at hand.

Another interesting legal question that the Court had to address was whether a bilateral agreement on consular access concluded between the two Parties in 2008 could be read as excluding the applicability of the Vienna Convention. The Court considered that this was not the case. More precisely, the Court noted that under the Vienna Convention, Parties were able to conclude only bilateral agreements that confirm, supplement, extend or amplify the provisions of that instrument. Having examined the 2008 Agreement, the Court came to the conclusion that it could not be read as denying consular access in the case of an arrest, detention or sentence made on political or security grounds, and that it did not displace obligations under Article 36 of the Vienna Convention.

The Court was also called upon to interpret the meaning of the expression "without delay" in the notification requirements of Article 36 of the Vienna Convention. The Court noted that in its case law, the question of how to determine what was meant by the term "without delay" depended on the given circumstances of a case. Taking into account the particular circumstances of the *Jadhav* case, the Court noted that Pakistan's making of the notification some three weeks after Mr. Jadhav's arrest constituted a breach of its obligation to inform India's consular post "without delay", as required by the provisions of the Vienna Convention.

I now come to the crux of the Court's ruling, where the Court considered the reparation and remedies to be granted, after it had found that the rights to consular access had been violated. In line with its earlier jurisprudence in other cases dealing with breaches of the Vienna Convention, the Court found that the appropriate remedy was effective review and reconsideration of the conviction and sentence of Mr. Jadhav. The Court moreover clarified what it considered to be the requirements of effective review and reconsideration. It stressed that Pakistan must ensure that full weight is given to the effect of the violation of the rights set forth in the Vienna Convention and guarantee that the violation and the possible prejudice caused by the violation are fully examined. While the Court left the choice of means to provide effective review and reconsideration to Pakistan, it noted that effective review and reconsideration presupposes the existence of a procedure that is suitable for this purpose and observed that it is normally the judicial process that is suited to this task.

The Court is pleased to note that, following its ruling, it received a communication dated 1 August 2019 from Pakistan confirming its commitment to implementing the Judgment of 17 July 2019 in full. In particular, Pakistan stated that Mr. Jadhav had been immediately informed of his rights under the Vienna Convention and that the consular post of the High Commission of India in Islamabad had been invited to visit him on 2 August 2019.

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Mr. President,

As far as the substantive orders rendered by the Court in the period under review are concerned, I have already covered during last year's address the Order delivered on 3 October 2018 in the case concerning *Alleged Violations of the 1955 Treaty of Amity, Economic Relations, and Consular Rights (Islamic Republic of Iran* v. *United States of America)*. My review will therefore be limited to the Order of 14 June 2019 rejecting the Request for the indication of provisional measures submitted by the United Arab Emirates in the case concerning *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar* v. *United Arab Emirates)*.

This second case was instituted on 11 June 2018 and concerned allegations on the part of Qatar that the UAE had enacted and implemented a series of discriminatory measures directed at Qataris based expressly on their national origin resulting in human rights violations. I recall that in parallel with its Application, Qatar filed a request for the indication of provisional measures and that, by an Order dated 23 July 2018, the Court indicated certain provisional measures directed at the UAE and also indicated that both Parties must refrain from any action which might aggravate or extend the dispute or make it more difficult to resolve. On 22 March 2019, the UAE, in turn, requested the Court to indicate certain provisional measures aimed at preserving its procedural rights.

In particular, the UAE asked the Court to order that Qatar immediately withdraw its Communication submitted to the Committee on the Elimination of Racial Discrimination, and that Qatar immediately take steps to ensure that it did not impede the UAE in its attempts to assist Qatari citizens, including by unblocking access to a website through which Qatari citizens could apply for a permit to return to the UAE. The Court, however, considered that the requested measures did not concern plausible rights of the UAE under the International Convention on the Elimination of All Forms of Racial Discrimination.

The UAE also asked the Court to indicate measures related to the non-aggravation of the dispute. In accordance with the Court's case law, such measures could only be indicated as an addition to specific measures to protect rights of the Parties. Therefore, having found that the conditions for the indication of specific provisional measures had not been met in this instance, the Court could not indicate measures only with respect to the non-aggravation of the dispute. Moreover, such measures had already been prescribed by the Court in its Order of 23 July 2018 and remained binding on the Parties.

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Mr. President,

Excellencies,

Distinguished Delegates,

Ladies and Gentlemen,

Since my address last year before the Assembly, Guatemala and Belize brought on 7 June 2019 by means of a Special Agreement a dispute before the Court concerning Guatemala's territorial, insular and maritime claim. One innovative aspect about this case is the democratic and participative approach adopted by Guatemala and Belize in deciding to bring their dispute for resolution to the Court. Indeed, in accordance with the Special Agreement, before seising the Court, both countries first held national referendums in order to ascertain whether their respective

populations supported the idea of submitting the dispute to the Court for final settlement. Following a positive response in both referendums, the case was submitted to the Court by a notification made by the two countries. The Court welcomes the possibility to, once again, provide assistance to two neighbouring countries, in a dispute relating to the critical question of borders.

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This concludes my summary of the Court's judicial activities over the last year. I would now like to take the opportunity to touch on a few important non-judicial matters.

To begin, I wish to refer to the ongoing initiative of the Court to ensure that its Rules and methods of work correspond to its changing requirements. In particular, in the past year, the Court has decided to revise several Articles of its Rules of Court. These amendments were considered in detail by the Court's Rules Committee, and afterwards by its plenary. I am pleased to announce that this process has so far led to the amendment of a first set of Articles, namely Articles 22, 23, 29, 76 and 79 of the Rules of Court. These new amendments were promulgated on 21 October 2019 and took effect on that date. The amendment of other rules is under consideration by the Court. I would like to take a few moments to briefly explain the amendments adopted.

First of all, the Court introduced amendments to Article 22, 23 and 29 of the Rules of Court. Articles 22 and 23 concern the election of the Registrar and Deputy-Registrar, respectively, while Article 29 sets out the process by which a Registrar or Deputy-Registrar may be removed from office. As part of the Court's ongoing modernization, Article 22 has been amended to eliminate the requirement that a candidate for the post of Registrar be proposed by a Member of the Court. This nomination procedure has been replaced by the publication of a vacancy announcement and the solicitation of applications in order to ensure an open and transparent competition which would allow for a larger pool of highly qualified candidates. The period of time before the end of an incumbent's term when such a vacancy announcement will be issued has been extended from three to six months, so that the Court will have adequate time to recruit candidates of the highest calibre from amongst all UN Member States. With regard to the process by which a Registrar or Deputy-Registrar may be removed from office under Article 29 of the Rules, this provision has been modified so as to bring greater clarity in terms of the procedural modalities to be followed. All three Articles have also been amended so as to make them gender neutral.

Secondly, the Court has amended Article 76 of its Rules, which concerns the revocation or modification of decisions concerning provisional measures. As Member States are no doubt aware, the power of the Court to indicate binding provisional measures to either or both parties to a pending dispute provides an important safeguard to parties in cases in which there is an urgent threat of irreparable prejudice to their rights pending the Court's judgment on the merits. The amendment to Article 76 seeks to clarify that the Court can revoke or modify its Orders on provisional measures both at the request of a party and on its own initiative. This is of course subject to the Rules of Court.

Finally, the Court has amended Article 79 of the Rules of Court, which concerns preliminary objections. This Article in fact allows for two procedures: one when preliminary objections are raised by a party and another when preliminary questions of jurisdiction or admissibility are identified by the Court. In order to better distinguish these two different scenarios, the Court decided to restructure the sub-paragraphs of Article 79 and divide them into three parts. In this new re-organization, Article 79 deals exclusively with preliminary questions identified by the Court, Article 79*bis* addresses preliminary objections raised by the Parties, and Article 79*ter* concerns general procedural issues applicable to both scenarios.

Mr. President,

The Court recognizes that in order to carry out its judicial work in an efficient and orderly manner, it must be able to rely on Rules and methods of work that are clear and, whenever necessary, updated to give the proper guidance to a modern court. Thus, despite a heavy case load, the Court remains committed to the review of its rules and methods of work, in particular in order to be able to deal with such a heavy case load in an efficient manner.

This modernization effort also extends to improving the work environment in the Registry of the Court and updating its Staff Rules and Regulations.

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In this context, I am pleased to report that by an exchange of letters between the President of the Court and the Secretary-General of the United Nations, completed on 16 January 2019, the Court has now fully associated itself with the United Nations internal justice system. Given the unique character of the Court and the administrative autonomy of its Registry vis-à-vis the United Nations Secretariat, a certain amount of time was needed to determine exactly how this would work and to put in place all the necessary practical arrangements. The Court is pleased that Registry staff members will now have at their disposal all the services available through the United Nations internal justice system. In particular, staff members will now be able to receive support in their informal dispute resolution efforts from the United Nations Ombudsman and Mediation Services, and seek advice from the Office of Staff Legal Assistance. If informal means are unsuccessful, they will be able to resolve disputes formally through the management evaluation process, the United Nations Dispute Tribunal and the United Nations Appeals Tribunal. The decision to associate itself fully with the United Nations internal justice system was taken after thorough consultation with the Registry staff and is part of a series of measures, which includes the hiring of a part-time staff welfare officer, aimed at contributing to a more positive working environment at the Peace Palace.

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Mr. President,

I now turn to the matter of the Court's budget, which, compared to the institution's considerable responsibilities under its mandate and its growing case load, remains extremely modest, representing less than 1 per cent of the regular budget of the United Nations. The Court is cognizant of the fact that the United Nations as a whole is currently facing financial constraints, which has led to a cash flow crisis. In these difficult circumstances, the Court understands the efforts made by the Organization's other organs and programmes in seeking to reduce budgetary expenses. However, it is important to strike the right balance between budgetary austerity and the absolute need to ensure the integrity of the Court's judicial functions and its ability to carry out its statutory mission. The Court must be given the means to carry out its work in the service of sovereign States and the international community, in accordance with the relevant provisions of the Charter and the Court's Statute. These statutory obligations mean that the Court has no control over the volume of its work. It cannot foresee the number of contentious cases and advisory proceedings that will make up its docket in a given year or the number of urgent incidental proceedings, such as requests for provisional measures of protection, that it will be called upon to deal with. Unlike other organs of the United Nations, it does not have programmes which may be cut or expanded. It cannot turn away Governments that have submitted disputes to it or put such disputes on hold for

years due to budgetary cuts. There is therefore a real sense of disquiet that the budgetary restrictions in place may undermine the Court's ability to meet the challenges of its substantial workload at a time when the case load of the Court keeps increasing. It is, of course, in the interests of the entire Organization that the Court is able to fully achieve its guiding purposes of justice and the rule of law, in a manner which moreover constitutes without a doubt an extremely cost-effective means of settling disputes peacefully.

I wish to stress this point at a time when the number of cases on the Court's docket remains very high.

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Mr. President,

Allow me to address one further matter, namely the Court's Judicial Fellowship Programme, which is an arrangement that allows interested universities to nominate their recent law graduates to pursue their training in a professional context at the Court for a nine-month period each year. The participating universities are responsible for providing the necessary financial resources to their candidates during their fellowship at the Court. The Court has already made a number of efforts to involve the widest possible range of universities in its Judicial Fellowship Programme. Over the years, the programme has been expanded, broadening the geographical distribution of the sponsoring institutions. Those institutions have in turn been encouraged to present candidates from a range of nationalities and backgrounds. Nevertheless, the same financial conditions continue to apply, meaning that only those universities with sufficient resources, which are most frequently from developed countries, are able to participate in the programme and to nominate fellows.

It is therefore felt that improvements in the way in which the candidates are funded are warranted to ensure as broad a range as possible of participating fellows from all parts of the world. To give further impetus to the possibility of having a diverse group of participants in the programme, the Court is of the view that it is necessary to establish a Trust Fund for the Court's Judicial Fellowship Programme. The Court would like to seek the approval of the General Assembly for the creation of such a trust fund, the terms of reference of which are being elaborated in collaboration with the UN Secretariat, as are the practical aspects of its administration. A proposal to this effect will be formally presented early next year to the Assembly, and we hope it will meet with your approval.

Before I come to my closing remarks, I would like to provide a brief update on the asbestos-related situation at the Peace Palace, a matter of concern which I raised during my address to you last year. To recall the background, in 2016, following inspections of the premises, the Peace Palace was found to be contaminated with asbestos. As a result, the Dutch authorities decided that major works should be undertaken to completely decontaminate and, at the same time, renovate the building. In order to do this, it is understood that the Peace Palace will have to close and that the Registry of the Court, including the Court's Library and Archives, will have to be temporarily relocated to other premises for a few years. As the Peace Palace houses the Court's principal court room — the Great Hall of Justice — any new premises would also have to include a suitable space for the purpose of holding hearings, as well as additional dedicated areas for use by the judges, the parties and the press. In my speech last year, I drew the attention of the Assembly to the fact that we had not yet received sufficient information from the Dutch authorities about their plans for the renovation of the Peace Palace. I am pleased to inform you today that, on 14 October 2019, I received a reassuring letter from the Minister for Foreign Affairs of the Netherlands, H.E. Mr. Stef Blok, in which he emphasized the importance that the Government of the Netherlands attaches to the presence of the ICJ at the Peace Palace in The Hague. He informed

me that discussions between the Dutch Government and the Carnegie Foundation, the owner of the Peace Palace, are currently ongoing and until an agreement is reached between them, preparations for the renovation of the Peace Palace will be put on hold. Consequently, the Minister suggested that this intervening period may be used for discussions between the Court and his office with regard to appropriate arrangements to ensure a smooth off-site relocation of the Registry and other Court services. These discussions will hopefully start on my return to The Hague.

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Mr. President,

Excellencies,

Distinguished Delegates,

Ladies and Gentlemen,

Almost a century ago, the Statute of the Permanent Court of International Justice, the Court's predecessor, was approved by the Assembly of the League of Nations. Any doubts about the establishment of a permanent court of international justice have since been dispelled and the fears of those worried about the dangers of a *"gouvernement des juges"* have failed to materialize. Quite the contrary, those voices have been silenced. States regard the Court as a guardian of the rule of law at the international level. States have, on many occasions — including in this very hall — expressed their great appreciation for the work of the Court. It is most encouraging to see that an ever-increasing number of States are placing their trust in the Court to find a lasting judicial settlement to their disputes, on occasion amidst geopolitical realities characterized by tension.

Even with the most seemingly intractable disputes, a ruling of the Court can signal the starting-point for a new era in bilateral relations between disputing parties, and mark an end to long-standing differences. It is equally encouraging to see the continued relevance of the Court's advisory procedure, which enables the Court to provide authoritative pronouncements on complex legal issues arising in the context of the work of the main organs and institutions of the United Nations system.

Finally, Mr. President,

As an example of the growing trust placed in the work of the Court, I am delighted to report to the Assembly that on 30 September 2019, the Registry of the Court received a depositary notification concerning the declaration of the Republic of Latvia accepting the jurisdiction of the Court as compulsory. At present, therefore, there are 74 States from all continents have recognized as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice. Much remains to be done before the Court is empowered to settle all disputes between all States, and to anchor even further the rule of law at the international level. The pace might be slow; but the trend towards a wider acceptance of the compulsory jurisdiction of the Court in the international community is quite clear.

Mr. President,

Excellencies,

Distinguished Delegates,

Ladies and Gentlemen,

I thank you for giving me the opportunity to address you today, and I wish this seventy-fourth session of the General Assembly every success.

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