

STATEMENT BY MR. BAJU BAN RYAN, MEMBER OF PARLIAMENT, ON AGENDA ITEM 70  
– REPORT OF THE INTERNATIONAL COURT OF JUSTICE AT THE 65<sup>TH</sup> SESSION OF THE  
UNITED NATIONS GENERAL ASSEMBLY ON OCT OBER 28, 2010

Mr. President,

It gives me great pleasure to address this plenary session of the General Assembly on the report of the principal judicial organ of the United Nations, the International Court of Justice.



I would like to thank the President of the International Court of Justice for his comprehensive and lucid presentation of the Report of the Court.

Mr. President,

The International Court of Justice is the principal judicial organ of the United Nations. It was established, along with the other organs of the United Nations, to save future generations from the scourge of war and to find means of settling inter-State disputes through peaceful means by the application of international law.

The Court still remains the only judicial body with legitimacy derived from the Charter, enjoying general jurisdiction. All other international judicial institutions have specific competence and lack general jurisdiction of a universal nature.

The Statute of the ICJ has been made an integral part of the Charter. This is a status which is unique to the ICJ and not enjoyed by any other International Court or Tribunal established till date.

All States are free to approach the Court for the resolution of their disputes with other States. Under article 36 of the Charter, the Security Council may also recommend to the parties to refer their legal disputes to the International Court of Justice while the General Assembly and the Security Council may seek advisory opinions from the Court.

These provisions clearly indicate the central role given to the ICJ within the UN system.

Mr. President,

The judgments of the Court have played an important role in interpreting and clarifying the rules of international law as well as its progressive development and codification. The Court has performed its judicial functions while remaining cautious in respecting political realities, sentiments of States and its own Statute.

The Court has emphasized on the rule of law and the role of international law in regulating inter-state relations even though inter-state relations are necessarily political in nature. The Court has contributed significantly towards settling legal disputes between Sovereign States, thus promoting the rule of law in international relations.

Mr. President,

India firmly believes that due to the Court's unique position in the UN system, no other judicial organ in the world can have the same capacity for dealing with international problems as the ICJ has.

Since its inception, the Court has dealt with a wide variety of complex legal issues. It has pronounced judgments in areas covering territorial and maritime delimitation, diplomatic protection, environmental concerns, racial discrimination, violation of human rights and application of international treaties and conventions. These judgments have played an important role in the progressive development and codification of international law.

Presently there are four new contentious cases and one new advisory proceeding before the Court. These cases deal with a diversity of subjects ranging from diplomatic

relations to jurisdiction and enforcement of judgments in civil and commercial matters and an administrative matter related to the International Labour Organization. The Court is also dealing with geographic issues as in the case of whaling in Antarctica.

The cases before the Court involve countries from all around the world, involving States from Europe, Latin America, Africa and Asia, thus reflecting the Court's universality.

Mr. President,

The growing acceptance of the Court's jurisdiction by States further highlights the importance of the Court and confidence of the States in the Court's ability to resolve their legal disputes. This has increased the work load of the Court manifold. As of 31 July 2010, the number of contentious cases on the docket of the Court stood at 15 as compared to 13 last year.

To enable the Court to fulfill its task, it is necessary that the Court is provided with adequate resources so that it can respond efficiently and in a timely manner to the expectations of States which submit their disputes to it for settlement.

Thank You, Mr. President.

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