



General Assembly

Seventy-first session

35th plenary meeting

Thursday, 27 October 2016, 3 p.m.

New York

Official Records

President: Mr. Thomson (Fiji)

*In the absence of the President, Mr. Zamora Rivas
(El Salvador), Vice-President, took the Chair.*

The meeting was called to order at 3.05 p.m.

Agenda item 70 (continued)

Report of the International Court of Justice

Report of the International Court of Justice (A/71/4)

Report of the Secretary-General (A/71/339)

Ms. Hioureas (Cyprus): It is a particular honour and pleasure for the Republic of Cyprus to address the General Assembly on its consideration of the report of the International Court of Justice (A/71/4). We are grateful to President Judge Ronny Abraham for his introduction of the report and for his insightful remarks on the work and functioning of the Court (see A/71/PV.34).

Our debate this year has special significance as we mark the seventieth anniversary of the establishment of the Court. We welcome the commemorative activities and initiatives outlined in its report. On this occasion we wish to commend the Court on its significant work as the principal judicial organ of the United Nations and to pay tribute to past and present members of the Court who have served and who serve the Court with dedication and distinction. Since its creation in 1946, the Court has heard more than 160 cases and delivered 121 judgments and 27 advisory opinions, which have contributed significantly to the maintenance of peace

and security and to the development of international law.

During the period under review, the International Court of Justice experienced a high level of judicial activity, with pending contentious cases involving States from all continents. That diverse geographical distribution of cases illustrates the universal character of the jurisdiction of the principal judicial organ of the United Nations. The cases submitted to the Court involve a wide variety of subject matters, including territorial and maritime disputes, the unlawful use of force, interference in the domestic affairs of States, violations of territorial integrity and sovereignty, economic rights, international humanitarian and human rights law, genocide, environmental damage and conservation of living resources, immunities of States and their officials, and interpretation and application of international treaties and conventions.

Such diversity of subjects illustrates the general character of the jurisdiction of the International Court of Justice. The consistently high workload demonstrates the confidence placed in the Court and the respect shown to it by States. It is imperative that the Court continue to modernize its work as a means to ensure that its work is carried out as expeditiously as possible and that it has the necessary means and resources that will continue to ensure its integrity, impartiality and independence.

As the principal judicial organ of the United Nations, the International Court of Justice does work of utmost importance to the promotion of the rule of law,

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).

16-34742 (E)



Accessible document

Please recycle



friendly relations among States and international peace and security. The Court's jurisdiction over disputes has influenced and shaped international law through the peaceful settlement of disputes.

With trust in the Court's capacity to deliver justice, in 2002 the Republic of Cyprus made a declaration for recognizing compulsory jurisdiction of the Court. To date, we are one of only 72 countries in the world to have done so. We call upon States to recognize the jurisdiction of the Court in accordance with Article 36 of the Statute of the International Court of Justice, thereby promoting and facilitating the ability of the Court to maintain and promote the rule of law throughout the world.

Mr. Xu Hong (China) (*spoke in Chinese*): It gives me great pleasure to speak under the agenda item "Report of the International Court of Justice". At the outset, please allow me, on behalf of the Chinese delegation, to express my appreciation to President Abraham of the International Court of Justice for his presentation (see A/71/PV.34). My thanks also go to all the judges and staff of the Court for their hard work over the past year.

This year marks the seventieth anniversary of the inaugural sitting of the International Court of Justice. Over the past 70 years, the Court, in faithfully implementing its mandate in accordance with the Charter of the United Nations and its own Statute, has delivered over 120 judgments and issued close to 30 advisory opinions. It has played an important role in the interpretation, application and development of the rules of international law and in the peaceful settlement of international disputes, thus making its due contribution to the maintenance of international peace and security. The performance of the Court may not be perfect, but undoubtedly, as one of the six principal organs and the principal judicial organ of the United Nations, the Court has authority and influence that cannot be replaced or matched by any other international judicial body.

Reviewing the past, we can see that it is no coincidence that the International Court of Justice has been successful in exercising its jurisdiction. It has always acted prudently and has strictly abided by the principle of the consent of States. The Court's judges, who represent major cultures and the principal legal systems of the world, have maintained a high level of professionalism, a responsible attitude and a balanced judicial approach. The judges and internal administrative organs, such as the Registry, have always

kept their independence and been free from external interference and influence by reporting to the General Assembly and the Security Council periodically and by listening to the views and comments of Member States. The Court has, to a certain extent, made it possible for the international community to exercise oversight of the Court's work. All the above have laid a solid foundation for the Court to carry out its high-quality judicial activities on the basis of objectivity and fairness.

After a journey of 70 years, the International Court of Justice now stands at a new starting point. Its workload has been rising, a fact that reflects the trust and expectation of the international community, especially disputing parties. The international community and the United Nations should continue to provide strong support to the Court for it to implement its mandate, and such support should be in response to the appeal and the concerns of the Court. That includes ensuring human and financial resources at a level commensurate with its responsibilities and status.

As a responsible member of the international community, China has always actively promoted the peaceful settlement of disputes through friendly consultations. We will continue to safeguard the international order, which is based on the purposes and principles of the Charter of the United Nations, and to maintain and promote the rule of law at the international level. We are confident that an international Court that faithfully carries out its mandate according to the Charter and its own Statute will continue to be the model and guide for other international judicial bodies, and will further contribute to the peaceful settlement of disputes and the maintenance of international peace and security.

Mr. Elshenawy (Egypt) (*spoke in Arabic*): At the outset, I would like to thank Mr. Ronny Abraham, President of the International Court of Justice, for presenting the report of the Court (A/71/4) on its work and activities from 1 August 2015 to 31 July 2016 (see A/71/PV.34).

We align ourselves with the statements delivered respectively by the representatives of Iran on behalf of the Movement of Non-Aligned Countries and of South Africa on behalf of the Group of African States (see A/71/PV.34).

Egypt strongly believes in the important role of the International Court of Justice as the main judicial organ of the United Nations. We believe that since the

inception of the Court in June 1945 and the beginning of its activities in April 1946, the legal and political landscape has changed. That has reaffirmed the role of the Court in the peaceful settlement of conflicts among countries, as set out in the Charter of the United Nations, and in advancing and strengthening the rule of law.

The number of cases before the Court and the number of advisory opinions issued by it have increased. Currently, there are diverse cases before it, including from countries on all continents. That underscores the universal aspect of the Court and the absolute trust in it and its judges, who are all respected and valued by the international community. That is why we need to respect and implement its decisions and advisory opinions.

Nevertheless, and at a time when we are witnessing an increase in the number of cases before the Court, in the past year the Court did not receive any request for an advisory opinion, in accordance with Article 96 of the Charter of the United Nations. In that regard, we would like to stress how important it is to benefit from the role played by the Court and its advisory opinions, as set out in the Charter, especially on issues that include legal disputes. We encourage countries to accept the mandate of the Court, in accordance with Article 36 of its Statute, as requested by the General Assembly in its resolution 70/118, on the rule of law at the national and international levels.

Egypt believes that it is important for the General Assembly to provide the financial resources the Court needs without making any reduction, so that it can deliver its message in the best possible way, as the main judicial organ of the United Nations. The Assembly must take into consideration the unprecedented level of activities and that Member States have repeatedly stressed the need to provide the requisite financial resources to the Court for its independent administration. The delegation of Egypt will make sure that this will be realized through the Fifth Committee of the General Assembly. To assist countries to settle their disputes through the International Court of Justice, we urge countries, especially those who can afford to do so, to provide financial contributions to the trust fund that was established by the Secretary-General in 1989 for that purpose.

In conclusion, Egypt again thanks the International Court of Justice and its President, and emphasizes that it will continue to support the Court.

Mr. Elias-Fatile (Nigeria): I thank you, Sir, for convening this important meeting to consider the report of the International Court of Justice (A/71/4). Nigeria is grateful to the President of the Court, Judge Ronny Abraham, for his comprehensive briefing and insightful remarks earlier this morning (see A/71/PV.34). We congratulate the Court on the celebration of the seventieth anniversary of its inaugural sitting on 20 April.

My delegation aligns itself with the statement made by the representative of South Africa on behalf of the Group of African States (see A/71/PV.34).

The International Court of Justice is an integral part of the mechanisms of the United Nations for the promotion of the rule of law and international peace and security through the administration of international justice. There is no gainsaying the fact that the Court has made tremendous contributions to the promotion of and respect for the rule of law at the international level. In addition, over the years, the Court has continued to play a vital role in the maintenance of international peace and security through its rulings and judicial notices. It has also contributed significantly to the corpus of international jurisprudence. It is remarkable that the Court's judgments, judicial opinions and notices have had salutary effects on the maintenance of peace and security in all regions of the world.

We have studiously reviewed the Court's report for the period 1 August 2015 to 31 July 2016. We have taken note of its judicial and other activities during the reporting period, and we commend the Court for the measures that it has taken in recent years to enhance its efficiency, which has facilitated the effective management of its steadily increasing workload. In particular, we noted that, during the period under review, the Court experienced a high level of judicial activity, which included rulings on two cases between Costa Rica and Nicaragua, public hearings and other pending contentious cases involving States from all continents — six from the Americas, five from Africa, four from Europe, three from Asia and one from Oceania. The diverse geographical distribution of those cases is truly illustrative of the universal character of the jurisdiction of the Court.

Furthermore, it is noteworthy that the cases submitted to the Court involve a wide variety of subject matters, including territorial and maritime disputes, the unlawful use of force, interference

in the domestic affairs of States, violations of territorial integrity and sovereignty, economic rights, international humanitarian and human rights law, genocide, environmental damage and the conservation of living resources, the immunities of States and their representatives, and the interpretation and application of international treaties and conventions.

Significantly, we also noted in the report that the cases that States have entrusted to the Court for settlement are growing in factual and legal complexity. Indeed, the diversity of those issues illustrates the general character of the jurisdiction of the Court and attests to the increasing relevance of the Court, both as a principal organ of the United Nations and as an instrument for the peaceful settlement of disputes.

We note with appreciation that the Court has continued to publicize its decisions through modern information and communications technology. We also welcome the Court's ongoing engagement with the public. Those efforts serve to promote greater transparency in its activities. Nevertheless, we observed that, during the period under review, no request for an advisory opinion was submitted to the Court. The importance of advisory opinions on legal questions referred to the Court in the pursuit of the peaceful settlement of disputes cannot be overemphasized. We therefore encourage more use of the Court for advisory opinions on sundry issues.

Under the provision of Article 36, paragraphs 2 and 5, of the Statute of the Court, States are expected to make declarations recognizing the compulsory jurisdiction of the Court. Nigeria notes with concern that, of the 193 Member States, only 72 have so far made declarations recognizing the jurisdiction of the Court. That represents less than half of the membership of the United Nations. We would like to see more countries accept the compulsory jurisdiction of the Court, in consonance with resolution 69/123. We encourage Member States that have yet to subscribe to the compulsory jurisdiction of the Court to endeavour to do so. That, we believe, would further strengthen the Court's role and ability to promote international justice and the peaceful settlement of disputes.

I would like to assure the Assembly that Nigeria will continue to abide by its commitments to the promotion of international justice and the peaceful settlement of disputes, as a State party to the Statute of the International Court of Justice. Having made the

declaration recognizing the jurisdiction of the Court as compulsory, our acceptance of the ruling of the Court on the border dispute between Nigeria and Cameroon demonstrates our conviction and commitment to the precepts and principle of the International Court of Justice. We shall continue to support the Court, where three illustrious Nigerians had served meritoriously as judges. Therefore, we encourage all Member States to continue to offer their support to the activities of the Court to promote international justice and the rule of law.

Mr. Llorentty Solíz (Plurinational State of Bolivia) (*spoke in Spanish*): The Plurinational State of Bolivia has taken note of the report of the International Court of Justice for the period 1 August 2015 to 31 July 2016 (A/71/4). We would also like to thank the President of the International Court of Justice, Judge Ronny Abraham, for his briefing to the Assembly (see A/71/PV.34).

As a peaceful nation, Bolivia complies with the criteria enshrined in the Charter of the United Nations and adheres to the principles of the International Court of Justice, its jurisdiction and its call for ongoing dialogue between neighbouring nations and brothers. The Court, its purposes and principles provide new opportunities to resolve our differences. The Plurinational State of Bolivia is convinced that the International Court of Justice constitutes one of the best paths to the peaceful resolution of disputes between States. Bolivia urges all States to adhere in good faith to its jurisdiction and its decisions, in keeping with the Charter of the United Nations.

This year is of particular interest, given the increase in the number of cases submitted to and resolved by the Court on a diversity of matters, which is a reflection of the general nature of the competence of the main judicial body of the United Nations, as well as of the fact that States put their trust in it. We take note of the effectiveness and efficiency of the Court's efforts to make use of new technologies. They contribute to better performance, given the limited time frames and the complex cases before it.

Without a doubt, it is the quality of the Court's rulings, its proven independence and its adherence to international law, to the evidence presented and to judicial reasoning that represent the main contribution of great value to the international community of nations. The positive evaluation of the Court by the Assembly

corresponds to the trust that we, the States, also place in it for fair procedures and rulings that endure through time. Humankind and our countries have taken a qualitative, extraordinary leap in maintaining peace, strengthening the rule of law, bolstering respect for basic rights and improving the quality of life on our planet by establishing and supporting the Court. Its decisions and advisory opinions over the past 71 years are convincing testimony to its peaceful and practical nature and its ability to peacefully resolve conflicts.

Bolivia wishes to highlight that the Court still has a long way to go on its path towards great achievements. Peoples and States bring cases to The Hague with hope for justice and reparations, and for reasonable and fitting agreements, as they search for opportunities for all parties — opportunities that war, violence and their consequences deny the peoples The International Court of Justice represents, then, a space of hope for peace and justice.

Bolivia understands the scope of the budgetary requirements presented in the Court's report and will support the necessary decisions to meet those needs.

Bolivia agrees with the Court in two cases, one as an applicant and the other as a respondent, both against the Republic of Chile. We accept and respect the Court's jurisdiction and trust that its decisions will contribute to positively resolving the disputes that separate our two neighbouring and brother nations. As President Evo Morales said, Bolivia once again declares that there is only one way to resolve pending issues, and that is through negotiations and peaceful means as established by international law,

Lastly, Bolivia reaffirms its inclination towards the peaceful resolution of conflicts and reiterates its adherence to the principles of international law and the principles set forth in the Charter of the United Nations. It is not force that brings about law. It is the reason of the law that repairs injustices.

Mr. Gafoor (Singapore): My delegation would like to thank the International Court of Justice for its detailed report on its work (A/71/4). The Court has indeed had a very busy and productive year. We would also like to extend our warm congratulations to the Court on the occasion of the seventieth anniversary of its inaugural sitting. We have every confidence that the Court will continue to grow from strength to strength.

Singapore attaches great importance to the principle of the rule of law at both the national and the international levels. For small States like Singapore, the principle of the rule of law is not an academic notion. It is a critical precondition for our survival and continued existence as independent, sovereign States.

An integral and indivisible part of the rule of law is the settlement of international disputes by peaceful means. The Court plays a crucial role in that regard by providing an effective, established and objective mechanism for States to resolve their disputes in accordance with international law. The Court's role in resolving disputes and maintaining international peace and stability cannot be overemphasized. The International Court of Justice is the only international court of universal character with general jurisdiction. The Court therefore occupies a special position within the international community, from which it is well placed to uphold and promote the rule of law. Singapore has been and will continue to be supportive of the Court.

Singapore notes that the Court's workload has grown considerably over the past 20 years and that the number of cases brought before it has been increasing. The Court has done its best to meet that challenge through the use of new technologies, as well as by setting a highly demanding schedule of hearings and deliberations. We commend the Court on the level of commitment and professionalism with which the Court, its judges and the Registry discharge their functions. We also express our appreciation for their dedicated service to the global community.

Singapore also notes the concerns raised by the Court in its report regarding the final budget approved by the General Assembly for the biennium 2016-2017. As the principal judicial organ in the United Nations system and one that has discharged its function responsibly, the Court should, in our view, enjoy the full support of Member States. It is therefore vital that Member States demonstrate their support by ensuring that the Court is given adequate resources to discharge its role efficiently and effectively.

Let me conclude by saying that Singapore has always supported and will continue to support the work of the Court. We will also continue to monitor with great interest every decision and opinion of the Court. We wish the Court every success in the coming year.

Mr. Plasai (Thailand) (*spoke in French*): My delegation would like to express its appreciation to

Judge Abraham for his able leadership as the President of the International Court of Justice. We also wish to thank him for his detailed report on the Court's activities of the past year (see A/71/PV.34).

The Court remains highly active, with 14 pending cases on its docket. Over the period under consideration, the Court has handed down 11 orders and examined two joint cases. It also held public hearings in five instances and took on three new contentious cases. The Court covers a broad range of issues involving States from all continents.

Here we wish to commend the Court for its remarkable efforts in the efficient management of its cases, which involve many procedural steps with growing factual and judicial complexity in the background. This year, new cases have been submitted to the Court relating to the shared use of waters, diplomatic immunity and sovereignty. That underlines the varied nature of the cases heard and testifies to the universal character of the Court.

Thailand has been following with particular interest the activity of the Court in various cases, such as boundary disputes, maritime delineation and the interpretation of treaties and judgments. The Court's latest ruling regarding the two joint cases, concerning *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)* and *Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica)*, is of particular interest to us.

Regarding international environmental law, the Court has confirmed and extended its previous rulings on the obligations of States with respect to activities in their territories that could have a negative impact on the territory of a neighbouring State. We should note that the Court has made reference to obligations stemming from international customary law and international general law, without drawing a clear distinction between the two nor suggesting that they overlap. However, it would perhaps be useful to understand the reasoning behind the reference to such different sources of law.

(spoke in English)

The Kingdom of Thailand wishes to join the international community in congratulating the International Court of Justice on its seventieth anniversary. We value the Court's unique role as the principle judicial organ of the United Nations in

safeguarding the purposes and principles of the Charter of the United Nations and the enormous contribution that the Court's impressive jurisprudence has made to international law. On behalf of the Royal Thai Government, I would like to take this opportunity to pay tribute to all the judges, the Registrar and the staff of the Court for their dedication and commitment.

International law is powerless if States refuse to uphold it. Over the years, the Court's intellectual authority has greatly contributed to ensuring compliance with its judgments. We commend the Court's rigorous process in conducting its deliberations and reaching its decisions. That has led to increased confidence in the Court and in the judicial and peaceful settlement of disputes in general. We commend the Court for duly taking into account the jurisprudence of other international courts and tribunals and for making efforts to align its rulings with the decisions of those bodies, thus ensuring coherence in international law. Accordingly, the Court has played a key role in strengthening respect for the rule of law at the international level.

It is essential to preserve the integrity of the Court by appointing qualified and competent judges and ensuring their absolute independence. My delegation therefore wishes to stress the need to avoid adopting a pension scheme for judges of the Court that might discourage the most highly qualified individuals from standing for election.

Finally, we wish to comment on budgetary issues. While we recognize the necessity of budget cuts, we are of the view that the Assembly should give due consideration to the situation of the Court. Its budgetary requests have already been modest, and its proper functioning should not be constrained because of inadequate funding. We hope that a satisfactory solution will soon be found and sufficient support provided to that important organ of the United Nations.

Mr. Remaoun (Algeria): The International Court of Justice remains the only jurisdiction that enjoys universality. It acts as a World Court. The Court is enshrined in the United Nations Charter as its principal judicial organ. I recall that the document that was signed in 1945 in San Francisco is entitled "Charter of the United Nations and Statute of the International Court of Justice". It therefore enjoys a unique status in the international legal framework.

The Court's work has grown significantly in factual and legal complexity over the past seventy years. The Court has been entrusted with resolving many contentious cases from all over the world, involving a wide range of subjects, such as territorial disputes, environmental damage, violations of territorial integrity, and the right to self-determination of peoples under colonial rule or foreign occupation. Moreover, despite the increasing complexity of the cases and the considerable growth in the workload of the Registry over the past twenty years, Algeria commends the Court for its efficient response to those new challenges and encourages the Court to pursue its efforts to further strengthen measures already taken.

In that regard, Algeria reiterates its full support for the Court's key role in ensuring the implementation of the provisions of international law, adjudicating disputes between States and providing advisory opinions to United Nations organs and specialized agencies. Accordingly, it is important for the United Nations, particularly the Security Council, to request advisory opinions from the Court on legal issues. The high moral and legal value of the Court's advisory opinions could contribute tremendously to strengthening international peace and security and the rule of law.

As Algeria is chairing the First Committee, on disarmament and international security, during the current session of the General Assembly, my delegation would like to reaffirm, as stated this morning by the representative of the Group of African States (see A/71/PV.34), the importance of the Court's advisory opinion of 8 July 1996 on the *Legality of the Threat or Use of Nuclear Weapons*, issued under the presidency of the Algerian judge, Mr. Mohammed Bedjaoui. In that advisory opinion, the Court's judges concluded unanimously that

“There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.”

Therefore, Algeria calls upon all Member States to meet that obligation to carry out the process of nuclear disarmament.

Finally, Algeria would like to underscore that, at its 2016 session, the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization recommended that the General Assembly mark the seventieth anniversary of the

International Court of Justice through a commemorative draft resolution to be adopted during the current session. Algeria is honoured to have contributed to that process in its capacity as Vice-Chair of the Special Committee and looks forward to the adoption of that highly symbolic draft resolution (A/C.6/71/L.16).

Mr. Mendoza-García (Costa Rica) (*spoke in Spanish*): Let me start by thanking His Excellency Judge Abraham for his report (see A/71/PV.34). It is an honour for me to participate once again in the annual meeting of the General Assembly to consider the report on the work of the International Court of Justice, the only international court of a universal character with general jurisdiction and the principal judicial organ of the United Nations.

During the reporting period, the work of the Court was once again very intensive. It handed down judgments in two cases — in which, moreover, Costa Rica was a party — handed down 11 orders, held five public hearings, was seized of three new contentious cases, and followed up on 14 pending proceedings. We highlight the fact that cases originate in every continent and are of the most diverse nature. That is evidence of the universal character of the Court's jurisdiction and the importance that the membership attach to its decisions.

As the peaceful settlement of international disputes is a vital objective of the United Nations, the role of the Court in the maintenance of international peace and security and the promotion of the rule of law at the international level is a key one, hence the responsibility of the United Nations and its Member States to support the Court in the fulfilment of its tasks. That support calls for the Organization to ensure that the Court is able to deal efficiently and objectively, with complete procedural and judicial independence, with the cases submitted to it. It is therefore vitally urgent to ensure that it receives the necessary budgetary resources to fulfil its mandate, taking its workload into account.

As a democracy that disbanded its armed forces in 1948, Costa Rica recognizes international law and, in particular, the International Court of Justice and respect for the rule of law at the international level, as tools necessary for survival. For my country, it is of the utmost importance that all States comply with their international obligations vis-à-vis other States, including, of course, the decisions of the Court. We

advocate that such compliance in all cases be complete and in good faith, thereby ensuring peace and justice.

In that regard, it is important for my delegation to reiterate how important it is for the United Nations to consider options for ensuring follow up on the judicial rulings, with a view to preventing irregular situations that might violate the rule of law.

The International Court of Justice plays a fundamental role in promoting the rule of law at the international level. Through its advisory opinions and judgments, as well as through various activities in which it participates — publicity, easy-access diffusion of its proceedings through its electronic portal and various academic programmes — the Court also contributes to the development of international law. Moreover, we recognize the role that the Court can play in meeting the Sustainable Development Goals as an organ able to prevent the use of force, defend the right of peoples seeking self-determination, advocate for the protection of the environment and recognize human rights violations.

My delegation welcomes the Court's seventieth anniversary of its inaugural meeting on 20 April. Costa Rica accepted the Court's compulsory jurisdiction in 1973 and respectfully invites States that have not yet done so to consider making use of the mechanism provided for in Article 36 of the Court's Statute and to accept its jurisdiction.

Today, following the commemoration of its seventieth anniversary, we are confident that the Court will continue to work diligently with a view to resolving the disputes brought before it in an impartial and fair manner, in accordance with the mission entrusted to it by Member States through the Charter of the United Nations. In that regard and in keeping with our tradition of respect for the instruments and bodies of international law, we reiterate once again our commitment to abiding faithfully by all decisions of the Court, and we reaffirm our full confidence that it will continue to strengthen peace and justice through the objective performance of its tasks.

Mr. Laassel (Morocco) (*spoke in French*): At the outset, allow me to thank Judge Ronny Abraham, President of the International Court of Justice, for the Court's comprehensive report, contained in document A/71/4, covering the Court's activities for the period from 1 August 2015 to 31 July 2016.

My delegation aligns itself with the statements made by the representative of Iran on behalf of the Non-Aligned Movement and by the representative of South Africa on behalf of the Group of African States (see A/71/PV.34), and wishes to make the following comments in its national capacity.

Our meeting this year coincides with the seventieth anniversary of the first sitting of the International Court of Justice, which was celebrated in April. On this occasion, my delegation would like to present its warmest congratulations to the Court's President, Vice-President, judges and all those who have contributed to the successful work of the Court. Established by the Charter of the United Nations in June 1945 as the principal judicial organ of the United Nations, the Court began its activities in April 1946. Since then, it has played a very important role in contributing to the development and interpretation of the institutional law of the Organization, including the interpretation of the provisions of the Charter. It has also contributed to the development of international law through its advisory opinions and judgments.

Its role and relevance continue to be reaffirmed. States, in the exercise of their sovereignty and good will, use the services of the Court for advice in order to peacefully settle their disputes, be they bilateral or trilateral. The fact that a number of States have asked the Court to provide its opinion on a wide range of subjects testifies to the universal and multidisciplinary character of the Court. Indeed, the subject matter of the cases brought before the Court is greatly varied and includes territorial and maritime disputes, the unlawful use of force, interference in the internal affairs of States, violations of States' territorial integrity and sovereignty, economic rights, international humanitarian and human rights law, environmental damage and the conservation of living resources, the immunity of States and their representatives, and the interpretation and application of conventions and treaties.

The Court can also play an important role in offering incentives for parties to negotiate by administering transactional justice, which offers them the opportunity to settle their disputes themselves. It can be said, therefore, that the Court provides an invaluable service to the parties to a dispute and performs a valuable role of facilitation and negotiation.

Moreover, under Article 96, paragraph 1, of the Charter, the Economic and Social Council, Trusteeship

Council, the Interim Committee of the General Assembly and the international organizations associated with them have made use of the Court's services. As a result, the International Court of Justice is the judicial organ par excellence of the United Nations system.

For its part, the Court, as the sole international jurisdiction of a universal nature, having a double competence — contentious cases and consultation — has never refused to issue a judgment or an advisory opinion, as long as the conditions relating to its jurisdiction were met. That has made it the most accessible and in-demand court in terms of settling disputes among States. It therefore plays an essential role in the peaceful settlement of disputes and the promotion of the rule of law worldwide.

As of 31 July, the Court had 14 cases on its docket. Three new contentious cases were brought before it by six States from America, five from Africa, four from Europe, three from Asia and one from Oceania. That confirms the universality of the Court, given the diversity of the cases and subject matter, and illustrates the general nature of its jurisdiction as the principal judicial organ of the United Nations.

That said, after 70 years of accumulated legal experience and activity, the Court must now better equip itself and adapt in order to meet new challenges.

Finally, my delegation appreciates the important role played by the Court in the peaceful settlement of disputes and its valuable contribution to the consolidation and interpretation of the rules of international law. Hence, it is important to disseminate the Court's work by publishing its judgments, advisory opinions and decisions so as to inculcate among the larger public the values and principles of the peaceful settlement of conflicts, contribute to preventive diplomacy and promote the rule of law.

Mr. Medina Mejías (Bolivarian Republic of Venezuela) (*spoke in Spanish*): Venezuela associates itself with the statement made by the representative of the Islamic Republic of Iran on behalf of the Movement of Non-Aligned Countries (see A/71/PV.34).

My delegation thanks the Honourable Judge Ronny Abraham, President of the International Court of Justice, for presenting the report of the Court (A/71/4). We value the positive efforts made by that principal judicial organ of the United Nations to improve its efficiency and respond to the increased workload. We

stress the importance of publishing the Court's report with sufficient time to enable States to prepare their comments and make contributions in a timely manner.

The delegation of Venezuela reaffirms the importance of respect for international law, including the purposes and principles of the Charter of the United Nations, as an essential element for maintaining international peace and security. In that regard, respect for sovereignty, the right of peoples to self-determination, territorial integrity and political independence, peaceful settlement of disputes and refraining from the threat or use of force are increasingly relevant, especially since those principles are the basis for peaceful coexistence among nations.

Venezuela reiterates its commitment to the peaceful settlement of disputes, in accordance with Article 2 and Chapters VI and VIII of the Charter of the United Nations. Member States have the sovereign right to choose the most appropriate means of achieving a peaceful solution to a dispute. Similarly, legal obligations resulting from accession to international agreements must also be honoured.

By strengthening international law through its effective implementation, the International Court of Justice plays a vital role in promoting the peaceful settlement of disputes among States, pursuant to Article 33 of the Charter of this multilateral Organization. Moreover, it is noteworthy that the Court in its historical evolution has adopted broad advisory opinions on various issues with political and legal implications in the area of peace and international justice.

Venezuela regrets that almost 20 years after the adoption of the advisory opinion on the *Legality of the Threat or Use of Nuclear Weapons*, there has been no significant progress in the field of nuclear disarmament. The use of that category of weapons of mass destruction is still part of the strategic doctrine of the military alliances of certain nuclear Powers. We therefore encourage the international community, especially the nuclear-weapon States, to pursue their efforts to negotiate a legally binding instrument proscribing the threat, use, production and stockpiling of nuclear weapons.

In conclusion, we urge strengthened interaction among the Security Council, the General Assembly and the International Court of Justice, given that, within the framework of their respective competencies, the peaceful resolution of disputes in support of

international peace and security is a common objective, in keeping with the fundamental purposes of the Charter of the United Nations and the desire of humankind.

In that connection, we believe it would be useful for the General Assembly, other United Nations bodies and duly authorized specialized agencies if they were to more frequently request advisory opinions from the Court concerning the issues on their agendas with legal implications.

Mr. Alabrune (France) (*spoke in French*): The delegation of France wishes to thank the President of the International Court of Justice, Judge Ronny Abraham, for his introduction of the Court's annual report (A/71/4). The report is excellent and helpful and confirms the Court's importance in the peaceful settlement of disputes between States. As highlighted in the list of cases on the docket, the Court has indeed seen its litigation activity increase over recent decades, thus demonstrating States' confidence in the institution of the Court.

The decisions of the Court contribute to the easing of relations between States and the quest to settle disputes where other means have failed. If the Court's decisions are binding on the parties because of the authority of the *res judicata* attached to them, States' respect for and willingness to comply with them are a function of their high quality, as references to the Court's case law by other national and international courts attest. France therefore reiterates its commitment to and support of the Court, especially in view of its seventieth anniversary. That support is manifested through a contribution to the Court's resources and contributions to the Court's work on the part of French lawyers from the beginning.

France may be subject to the Court's jurisdiction by way of the many treaties to which it is party. It is also the only State to have accepted the Court's jurisdiction under article 38, paragraph 5, of the Rules of Court, at the request of another State.

Next year will mark the renewal of one third of the judges of the Court. In that regard, France would like to stress the importance of the Court's composition. The representation of various world cultures and languages greatly improves the quality of the Court's decisions. A true balance of the various legal systems forming the basis of international law is obtained by way of the languages represented.

I would like to take this opportunity to again express to the Court and all of its States members and staff, on behalf of France, our gratitude for its work.

Mr. Bin Momen (Bangladesh): Bangladesh thanks the President of the International Court of Justice for the Court's comprehensive report (A/71/4) detailing the pending and increased workload before the Court and the measures taken to ensure the Court's enhanced efficiency and visibility. We wish to take this opportunity to once again express our appreciation to the Court on the commemoration, in April this year, of the seventieth anniversary of its formal seating. That solemn occasion was a reminder of the crucial role played by the Court in promoting the pacific settlement of international disputes, as stipulated by the Charter of the United Nations.

The photographic display inaugurated at United Nations Headquarters last week provides a vivid account of the Court's contributions over the years, as the principal judicial organ of the United Nations, in upholding the rule of law at the international level and in the maintenance of international peace, security and justice.

Bangladesh believes that the sustained confidence in the Court felt by the international community is manifested through the broad range of subjects and cases invoked under its general jurisdiction. It is further reinforced by the Court's jurisdiction *ratione materiae* in the resolution of disputes among the States that are party to the more than 300 bilateral and multilateral treaties and conventions. The 121 judgments and 27 advisory opinions that the Court has delivered to date constitute a seminal contribution in the development of international law.

As a nation with an unequivocal commitment to the peaceful settlement of disputes, including through recourse to international law, Bangladesh duly acknowledges the Court's judgments, advisory opinions and ongoing work concerning territorial integrity and sovereignty, unlawful use of force and interference in the domestic affairs of States, among other issues. Given our history of resolving outstanding maritime and land boundary delimitation issues with our neighbours through legal and peaceful means, we continue to follow with interest the Court's work on territorial and maritime disputes, as well as on the conservation of natural and living resources.

As part of our unrelenting advocacy for a peaceful, just and viable solution to the political and humanitarian situation in the occupied Palestinian territories, Bangladesh attaches great importance to the Court's advisory opinion on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, including in and around East Jerusalem, which continues to pose a formidable obstacle to the meaningful resumption of the peace process.

Every year Bangladesh co-sponsors the General Assembly draft resolution entitled "Follow-up to the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons", as we underscore the importance of commencing negotiations in the Conference on Disarmament on a comprehensive convention addressing all aspects of the prohibition and elimination of nuclear weapons.

We expect that in the course of its judicial and advisory work on environmental issues, the Court will give due consideration to the issues of climate justice and loss and damage, as recognized by the Paris Agreement on Climate Change. The Court's opinions on those issues could be useful for climate-vulnerable countries as they continue to seek appropriate responses to climate-change threats and impacts through effective adaptation and mitigation measures.

Bangladesh recognizes the Court's need for adequate resources for ensuring its proper functioning and urges all Member States to give due consideration to the Court's submissions in that regard. We note with appreciation the efforts being made to further upgrade the Court's visibility online, including through its website, and to enhance the use of information and communications technology in tandem with the growing complexity of its work.

Bangladesh remains mindful of the General Assembly's call upon States to accept the Court's jurisdiction, in accordance with its Statute. We thank those Member States that have made voluntary contributions this year to the Secretary-General's Trust Fund to assist States in bearing the expenses incurred during the settlement of disputes through the International Court of Justice.

Mr. Tommo Monthe (Cameroon) (*spoke in French*): At the outset, I would like to express my warm congratulations to the President of the International Court of Justice for his very detailed presentation this morning in the General Assembly (see A/71/PV.34)

of the report of the Court on its activities (A/71/4). Its work, much like its work last year, has consisted of the holding of public hearings on cases and the publication of its judgments and rulings. Moreover, the types of cases brought before the Court have broadened and are now extremely varied in subject matter, such as territorial and maritime disputes, genocide, environmental damage, the preservation of biological resources, the interpretation and implementation of international conventions and treaties, and violations of territorial integrity, sovereignty, international humanitarian law and human rights. The vitality of the Court is commendable.

I also pay tribute to the States that have chosen the judicial option to settle their disputes. In doing so, they have opted for the peaceful settlement of disputes, instead of resorting to force, thereby placing the International Court of Justice at the heart of the quest for and strengthening of international peace and cooperation.

As a beneficiary of the United Nations judicial path, Cameroon can boast of being a model to follow, as is evidenced by the 10 October 2002 Court ruling regarding the land and maritime boundary between Cameroon and Nigeria. The implementation of that decision is now in its final stage and has resulted in greater solidarity between the peoples of Cameroon and Nigeria. I take this opportunity to congratulate once again and thank our bilateral and multilateral partners, who have worked tirelessly to help us implement that judgment. That is proof that resort to international law is the most appropriate path if we are to achieve lasting peace among nations. I therefore urge all Member States that are seeking a legal settlement for their intergovernmental disputes and conflicts to be inspired by our success.

President Paul Biya has always supported that method of settling disputes. Achieving peace through law, as he has advocated, is possible as long as force yields to law and States recognize the primacy of international law and the preponderant role of the United Nations in that regard.

The celebration of the seventieth anniversary of the International Court of Justice on 20 April 2016 was a significant occasion for States and the Court to honour the primacy of international law as the best manner of settling international disputes.

Following that celebration, Cameroon commends how the Court has worked to adapt to recent developments in international relations. It had previously focused almost exclusively on border issues and now has been able to make the necessary changes to be able to grapple with new types of matters, such as contentious cases related to environmental protection and property rights.

The Court's role is more important than ever before. Indeed, considering the increasing complexity of legal matters submitted to it, the judges are now called on to advance international law in all areas of the activities of our States. Cameroon takes this opportunity to commend the efforts to modernize the principal judicial organ of the United Nations so as to enable it to contribute to the attainment of lasting peace and stability amongst States.

In conclusion, I would like to call upon the Court, following its anniversary, to envision a reform mechanism aimed at optimizing its performance. Such a reform could include increasing the consideration given to African principles and values in order to enrich and broaden the customary sources of international law.

The Acting President (*spoke in Spanish*): We have heard the last speaker in the debate on this item.

May I take it that the General Assembly takes note of the report of the International Court of Justice?

It was so decided.

The Acting President (*spoke in Spanish*): May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 70?

It was so decided.

Agenda item 7 (continued)

Organization of work, adoption of the agenda and allocation of items

Second report of the General Committee (A/71/250/Add.1)

The Acting President (*spoke in Spanish*): In paragraph (a) of its report, the General Committee recommends to the General Assembly that an additional item, entitled "Observer status for the Central American Bank for Economic Integration in the General Assembly" be included in the agenda of

the current session under heading I (Organizational, administrative and other matters).

May I take it that the General Assembly decides to include this item in the agenda of the current session, under heading I?

It was so decided.

The Acting President (*spoke in Spanish*): In paragraph (b) of its report, the General Committee further recommends that the new item be allocated to the Sixth Committee.

May I take it that the General Assembly decides to allocate this item to the Sixth Committee?

It was so decided.

The Acting President (*spoke in Spanish*): I wish to inform members that the agenda item entitled "Observer status of the Central American Bank for Economic Integration in the General Assembly" becomes agenda item 174 of the agenda of the current session. The Chair of the Sixth Committee will be informed of the decision just taken by the General Assembly.

Reports of the Fifth Committee

The Acting President (*spoke in Spanish*): If there is no proposal under rule 66 of the rules of procedure, I shall take it the Assembly decides not to discuss the reports of the Fifth Committee which are before it today.

It was so decided.

The Acting President (*spoke in Spanish*): Statements will therefore be limited to explanations of vote or position. The positions of delegations regarding the recommendations of the Fifth Committee have been made clear in that Committee and are reflected in the relevant official records.

May I remind members that under paragraph 7 of decision 34/401, the General Assembly agreed that:

"When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once; that is, either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Main Committee."

May I also remind delegations that, also in accordance with General Assembly decision 34/401,

explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Fifth Committee, I should like to advise representatives that we are going to take decisions in the same manner as was done in the Fifth Committee, unless otherwise notified in advance.

Agenda item 135

Programme planning

Report of the Fifth Committee (A/71/545)

The Acting President (*spoke in Spanish*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The Fifth Committee adopted it without a vote. May I take it that the Assembly would like to do the same?

The draft resolution was adopted (resolution 71/6).

The Acting President (*spoke in Spanish*): The Assembly has thus concluded this stage of its consideration of agenda item 135.

Agenda items 133 and 144

Review of the efficiency of the administrative and financial functioning of the United Nations

Report on the activities of the Office of Internal Oversight Services

Report of the Fifth Committee (A/71/548)

The Acting President (*spoke in Spanish*): The General Assembly will now take a decision on the draft resolution entitled “Report on the activities of the Office of Internal Oversight Services: report of the Fifth Committee”, recommended by the Fifth Committee in paragraph 6 of its report. The Fifth Committee adopted it without a vote. May I take it that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 71/7).

The Acting President (*spoke in Spanish*): The Assembly has thus concluded this stage of its consideration of agenda items 133 and 144.

The meeting rose at 4.30 p.m.