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TO THE UNITED NATIONS



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TO THE UNITED NATIONS
NEW YORK



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Permanent Mission of Switzerland to the United Nations

Concept Note

Launch event of the *Declaration* on promoting the jurisdiction of the International Court of Justice

VTC format

3 November 2021, 8.45 – 9.45 am (New York time)

Connection link:

<https://backstage.webex.com/backstage/onstage/g.php?MTID=e550819b4356e98be79d52f51e40718bd>

Core Group States

Japan, Liechtenstein, Mexico, the Netherlands, New Zealand, Norway, Poland, Romania, Spain, Switzerland.

Background

On 24 June 2021, the Minister of Foreign Affairs of Romania, H.E. Mr. Bogdan Aurescu, hosted a virtual *High-Level Round Table on Promoting the Jurisdiction of the International Court of Justice (ICJ)*, with the participation of the Registrar of the ICJ, the UN Under-Secretary-General for Legal Affairs and prominent personalities in the field of international law, as well as representatives of interested UN Member States.

The objective of the Round Table was to highlight the important contribution of the International Court of Justice to maintaining international peace and make better use of its potential, by building on previous efforts in this area and re-energizing them into a more systemic campaign for broader recognition of the ICJ's jurisdiction.

More specifically, the event was intended to put forth an initiative to promote expanding access to the ICJ's jurisdiction on a stable and predictable basis, in accordance with the Statute, including by means of encouraging States to submit declarations recognizing *ipso facto* the Court's jurisdiction as compulsory in relation to any other States accepting the same obligation, to withdraw relevant reservations blocking access to the ICJ jurisdiction in existent treaties and to include compromissory clauses in treaties establishing the ICJ as the dispute settlement mechanism, whenever possible.

Taking into consideration that the contentious competence of the Court is rooted in the consent of the States, the Core Group States drafted a *Declaration* that encourages States to accept the jurisdiction of the Court as a means of contributing to fostering stability through the judicial application of law. The document will be circulated for endorsement to all States with the open invitation to join in this demarche. Such an endorsement could be seen as an expression of States' willingness to ground their foreign policies on strict compliance with international law and to turn the leading international court into a judicial body having *de facto* universal jurisdiction.

Objective of the event

This virtual event is meant to present the purpose and the content of the above-mentioned initiative and its outcome – the *Declaration* encouraging States to accept the jurisdiction of the Court – to all interested States, including details regarding the possibility of endorsement and the follow-up process.

Programme

- **8.45 – 8.50 am** Presentation by H.E. Mr. Bogdan Aurescu, Minister of Foreign Affairs of Romania
- **8.50 – 9.20 am** Statements by representatives of the Core Group States (3 minutes)

Ms. Victoria Hallum, Chief International Legal Adviser and Divisional Manager, New Zealand Ministry of Foreign Affairs and Trade

Mr. Kristian Jervell, Director General, Legal Department of the Ministry of Foreign Affairs of Norway

H.E. Ms. Corinne Cicéron Bühler, Ambassador, Director of the Directorate of International Law and Legal Adviser of the Federal Department of Foreign Affairs of Switzerland

H.E. Mr. Kimihiro Ishikane, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Japan to the United Nations

H.E. Mr. Christian Wenaweser, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of the Principality of Liechtenstein to the United Nations

H.E. Ms. Yoka Brandt, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of the Kingdom of the Netherlands to the United Nations

H.E. Mr. Krzysztof Szczerski, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of the Republic of Poland to the United Nations

H.E. Mr. Agustín Santos Maraver, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Spain to the United Nations

H.E. Mr. Juan Gómez Robledo Verduzco, Ambassador, Deputy Permanent Representative of Mexico to the United Nations

- **9.20 – 9.45 am** Interventions from the floor

Concluding remarks by H.E. Mr. Bogdan Aurescu, Minister of Foreign Affairs of Romania