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Note

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Chapter I

Summary

1. Brief overview of the judicial work of the Court

1. During the period under review, the International Court of Justice experienced a high level of activity, including the handing down of three judgements. On 8 November 2019, the Court handed down its judgment regarding the preliminary objections raised in the case concerning *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)* (see paras. 152 to 160). On 14 July 2020, it handed down its judgments on the merits in the cases concerning the *Appeal Relating to the Jurisdiction of the ICAO Council under Article 84 of the Convention on International Civil Aviation (Bahrain, Egypt, Saudi Arabia and United Arab Emirates v. Qatar)* and the *Appeal Relating to the Jurisdiction of the ICAO Council under Article II, Section 2, of the 1944 International Air Services Transit Agreement (Bahrain, Egypt and United Arab Emirates v. Qatar)* (see paras. 176 to 183).

2. By Order of 23 January 2020, the Court indicated provisional measures in the Case concerning the *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Gambia v. Myanmar)* (see paras. 198 to 203);

3. The Court, or its President, also handed down seven procedural orders (presented here in chronological order):

- a. By an Order dated 15 August 2019, the President of the Court extended the time-limit for the filing of the Counter-Memorial of the United States in the case concerning *Certain Iranian Assets (Islamic Republic of Iran v. United States of America)* (see paras. 144 to 151);
- b. By an Order dated 26 August 2019, the President of the Court fixed the time-limit within which the Islamic Republic of Iran could present a written statement of its observations and submissions on the preliminary objections raised by the United States of America 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)* (see paras. 184 to 191);
- c. By an Order dated 8 November 2019, the Court fixed the time-limit for the filing of the Counter-Memorial of the Russian Federation in the case concerning the *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)* (see paras. 152 to 160).
- d. By an Order dated 15 November 2019, the President of the Court authorized the submission of a Reply by the Islamic Republic of Iran and a Rejoinder by the United States of America in the Case concerning *Certain Iranian Assets (Islamic Republic of Iran v. United States of America)* and fixed the time-limits for the filing of those written pleadings (see paras. 144–151);
- e. By an Order dated 23 January 2020, the Court fixed the time-limits for the filing of the Memorial of the Gambia and the Counter-Memorial of

Myanmar in the Case concerning the *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Gambia v. Myanmar)* (see paras. 198–203).

- f. By an Order dated 22 April 2020, the Court extended the time-limits for the filing of the Memorial of Guatemala and the Counter-Memorial of Belize in the case concerning *Guatemala's Territorial, Insular and Maritime Claim (Guatemala/Belize)* (see paras. 195 to 197).
 - g. By an Order dated 18 May 2020, the Court extended the time-limits for the filing of the Memorial of the Gambia and the Counter-Memorial of Myanmar in the Case concerning the *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Gambia v. Myanmar)* (see paras. 198–203).
4. During the same period, the Court held public hearings in the following five cases (in chronological order):
- a. *Appeal Relating to the Jurisdiction of the ICAO Council under Article 84 of the Convention on International Civil Aviation (Bahrain, Egypt, Saudi Arabia and United Arab Emirates v. Qatar)*, hearings on the merits of the case held from 2 to 6 December 2019 (see paras. 176 to 183);
 - b. *Appeal Relating to the Jurisdiction of the ICAO Council under Article II, Section 2, of the 1944 International Air Services Transit Agreement (Bahrain, Egypt and United Arab Emirates v. Qatar)*, hearings on the merits of the case held from 2 to 6 December 2019 (see paras. 176 to 183);
 - c. *Implementation of the Convention on the Prevention and Punishment of the Crime of Genocide (Gambia v. Myanmar)*, hearings to consider the request for provisional measures submitted by the Gambia held from 10 to 12 December 2019 (see paras. 198–203);
 - d. *Immunities and Criminal Proceedings (Equatorial Guinea v. France)*, hearings on the merits of the case held from 17 to 21 February 2020 (see paras. 130 to 143);
 - e. *Arbitral Award of 3 October 1899 (Guyana v. Venezuela)*, hearing on the question of the Court's jurisdiction held on 30 June 2020. In view of the coronavirus disease (COVID-19) pandemic, this hearing was conducted via videoconference. Some Members of the Court attended the hearing in person in the Great Hall of Justice at the Peace Palace in The Hague, while others participated remotely, with the representatives of Guyana addressing the Court by videoconference. For more information on the Court's response to the pandemic, see paras. 40 and 41. The Government of the Bolivarian Republic of Venezuela had informed the Court that it would not participate in the oral proceedings (see paras. 161–166).
5. The public hearings on the merits of the case concerning *Maritime Delimitation in the Indian Ocean (Somalia v. Kenya)*, originally scheduled to take place from 9 to 13 September 2019, were first postponed to the week commencing 4 November 2019, at the request of Kenya, then to the week commencing 8 June 2020, at the request of the same party, and finally to the week commencing 15 March 2021, owing to the health crisis caused by the COVID-19 pandemic (see paras. 115–123).
6. The public hearings on the issue of reparations in the case of *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)*, scheduled to take place from 18 to 22 March 2019, were initially postponed to 18 November 2019, in light of the request by the Democratic Republic of the Congo and the views expressed by Uganda in that connection. On 12 November 2019, the

Court decided to further postpone the hearings in the case, following a joint request by the parties to postpone the hearings in order to allow them to make a fresh attempt to resolve the issue of reparations amicably. New hearing dates will be announced at a later date (see paras. 88–96).

7. During the period under review, the Court has been seized of a new contentious case, that of the *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Gambia v. Myanmar)* (see paras. 198–203).

8. At 31 July 2020, the number of cases entered in the Court's List stood at 15:

- a. *Gabčíkovo-Nagymaros Project (Hungary/Slovakia)*;
- b. *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)*;
- c. *Question of the Delimitation of the Continental Shelf between Nicaragua and Colombia beyond 200 nautical miles from the Nicaraguan Coast (Nicaragua v. Colombia)*;
- d. *Alleged Violations of Sovereign Rights and Maritime Spaces in the Caribbean Sea (Nicaragua v. Colombia)*;
- e. *Maritime Delimitation in the Indian Ocean (Somalia v. Kenya)*;
- f. *Dispute over the Status and Use of the Waters of the Silala (Chile v. Bolivia)*;
- g. *Immunities and Criminal Proceedings (Equatorial Guinea v. France)*;
- h. *Certain Iranian Assets (Islamic Republic of Iran v. United States of America)*;
- i. *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)*;
- j. *Arbitral Award of 3 October 1899 (Guyana v. Venezuela)*;
- k. *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*;
- l. *Alleged violations of the 1955 Treaty of Amity, Economic Relations, and Consular Rights (Islamic Republic of Iran v. United States of America)*;
- m. *Relocation of the United States Embassy to Jerusalem (Palestine v. United States of America)*;
- n. *Guatemala's Territorial, Insular and Maritime Claim (Guatemala/Belize)*;
- o. *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Gambia v. Myanmar)*.

9. The pending contentious cases concern eight States from the Group of Asian and Pacific States, eight from the Group of Latin American and Caribbean States, six from the Group of African States, four from the Group of Eastern European States, and two from the Group of Western European and other States. The diverse geographical spread of cases is illustrative of the universal character of the jurisdiction of the United Nations' principal judicial organ.

10. Cases submitted to the Court involve a wide variety of subjects, such as territorial and maritime disputes; diplomatic missions and consular offices; human rights; international responsibility and compensation for harm; interpretation and

application of international treaties and conventions; environmental protection, and air law. This diversity of subject matter illustrates the general character of the Court's jurisdiction.

11. The cases that States entrust to the Court for settlement frequently involve a number of phases, as a result of the introduction of incidental proceedings, such as the filing of preliminary objections to jurisdiction or admissibility, or the submission of requests for the indication of provisional measures, which have to be dealt with as a matter of urgency.

12. During the period under review, the Court received no requests for advisory opinions.

2. Continuation of the Court's sustained level of activity

13. Over the last 20 years, the Court's workload has grown considerably. The flow of new and settled cases reflects the institution's great vitality. In order to ensure the sound administration of justice, the Court sets itself a very demanding schedule of hearings and deliberations, enabling it to consider several cases simultaneously and deal with the numerous associated incidental proceedings as promptly as possible. Over the past year, the Registry has sought to maintain the high level of efficiency and quality in its work of support to the functioning of the Court.

14. The Court is a key part of the mechanism established by the Charter of the United Nations for the peaceful settlement of inter-State disputes, and of the system for maintaining international peace and security in general.

15. The Court, which depends on States to maintain its credibility, welcomes the renewed confidence placed in it and the respect that States show for the Court by referring their disputes to it. The Court will give the same meticulous and impartial attention to all the cases coming before it in the forthcoming year as it did during the 2019–2020 judicial period, and will continue to fulfil the mission entrusted to it under the Charter, with the utmost integrity, alacrity and efficacy.

16. In this respect, it is worth recalling that having recourse to the principal judicial organ of the United Nations is a uniquely cost-effective solution. While certain written proceedings may be relatively lengthy in view of the needs expressed by the participating States, it should be pointed out that, on average, despite the complexity of the cases involved, the period between the closure of the oral proceedings and the reading of a judgment or an advisory opinion by the Court does not exceed six months.

3. Promoting the rule of law

17. The Court once again takes the opportunity offered by the presentation of its Annual Report to report to the General Assembly on its role in promoting the rule of law, as the latter regularly invites it to do, most recently in its resolution [74/191](#) of 18 December 2019. The Court notes with appreciation that, in that resolution, the General Assembly again calls upon "States that have not yet done so to consider accepting the jurisdiction of the International Court of Justice in accordance with its Statute".

18. The Court plays a crucial role in maintaining and promoting the rule of law throughout the world. In this regard, it notes with satisfaction that, in its resolution [74/190](#), dated 18 December 2019, the General Assembly emphasized the important role of the International Court of Justice, the principal judicial organ of the United Nations, and the value of its work.

19. Everything the Court does is aimed at promoting and reinforcing the rule of law; through its judgments and advisory opinions, it contributes to developing and

clarifying international law. The Court likewise endeavours to ensure that its decisions are well understood and publicized as widely as possible throughout the world, by means of its publications and through development of multimedia platforms and its website, as well as its activity on social media. The Court's website, which was recently redesigned and updated to make it more user-friendly, contains the entire jurisprudence of the Court and that of its predecessor, the Permanent Court of International Justice, and provides useful information for States and international organizations wishing to make use of the procedures open to them at the Court.

20. The President, other Members of the Court, the Registrar and various members of the Registry staff regularly give presentations and take part in forums – both in The Hague and abroad – on the functioning, procedure and jurisprudence of the Court. Their presentations enable the public to gain a better understanding of what the Court does in both contentious cases and advisory proceedings.

21. The headquarters of the Court receives a very large number of visitors. They include heads of State and Government and other distinguished guests.

22. During the period under review, the Court was visited by a number of groups consisting, among others, of diplomats, academics, judges and representatives of judicial authorities, lawyers and members of the legal profession – approximately 2,200 visitors in total. In addition, an open day is held every year, raising awareness of the Court among the general public.

23. Finally, the Court has a particular interest in young people: it participates in events organized by universities and runs the Judicial Fellows programme which enables students from various backgrounds to familiarize themselves with the institution and further their knowledge of international law.

4. Cooperation with the Secretariat regarding public information

24. In October 2018, the decision was made to intensify cooperation between the Court and the Secretariat in the field of public information, in order to enable Member States of the United Nations to become better acquainted with the role and work of the principal judicial organ of the Organization. Cooperation between the Department of Global Communications of the Secretariat and the Information Department of the Court has since been strengthened.

25. The Information Department regularly sends the relevant services in New York publication-ready information on the Court's activities, including its calendar of public hearings, announcements of the delivery of decisions, brief summaries of the Court's judgments and orders, and background information. The Spokesperson for the Secretary-General uses this information in daily briefings, in the press releases that come out of those briefings, as well as in the *Journal of the United Nations*, the *Week Ahead at the United Nations*. It is also used on the Organization's social networking platforms. The teams running the United Nations website and UN Web TV also provide the Court's Information Department with substantial support by disseminating information on the Court's activities and providing live and recorded coverage of the Court's public hearings. Members of the Information Department also continue to work in close cooperation with their colleagues at the United Nations Regional Information Centre for Western Europe in Brussels.

26. When the Court presented its annual report for 2018–2019 (A/74/4), the Office of the Spokesperson for the Secretary-General organized a press conference by the President of the Court at United Nations Headquarters in New York (on 29 October 2019). On 30 October, the Registrar of the Court gave an interview, in French and English, to UN News. The interview was published on the website of the Organization, in its six official languages.

27. In April 2020, on the occasion of the seventy-fourth anniversary of the Court, information from the Registry on the history, role and functioning of the Court was published by the Department of Global Communications on the website and various social media platforms of the United Nations.

5. Budget of the Court

(a) 2018–2019 budget

28. Because of the cash-flow problems experienced by the United Nations since 2018, the amount corresponding to the appropriations approved by the General Assembly for the biennium 2018–2019 was made available to the Court in instalments rather than in a single payment. As a result, at the beginning of 2019, only fifty per cent of the approved budget for the second year of the biennium was made available to the Court.

29. In order to ensure the proper functioning of the Court during this period, the Registry submitted to the Programme Planning and Budget Division in New York a monthly list of anticipated expenditure which the Court had deemed essential to its operation; the Controller then authorized the necessary commitments. That enabled the Court to carry out its judicial activities in accordance with the programme of work it had established for 2019.

(b) 2020 budget

30. By its resolution [74/262](#) of 27 December 2019, the General Assembly approved the programme budget of the Court for 2020. This was the first one-year budget proposal submitted pursuant to General Assembly resolution [72/266](#) B, adopted by the Assembly on 24 December 2017. In adopting the Court's budget for 2020, the Assembly did not approve the reclassification of a Legal Officer post from P-3 to P-4 in the Department of Legal Matters and decided to reduce the resources allocated to the Court by \$383,700, mainly in respect of the programme support part of the budget and the appropriations requested to provide for reimbursement of costs incurred for the services of consultants for cases before the Court.

31. By its resolution [74/262](#), the General Assembly decided that only the Secretary-General, the President of the General Assembly, the President of the International Court of Justice and heads of delegations of least developed countries would be entitled to first-class accommodation for air travel (para. 28). It further decided to modify the Travel and Subsistence Regulations of the Court contained in the annex to its resolution [37/240](#) of 21 December 1982 by replacing "first-class accommodation" with "accommodation in the class immediately below first class" in article 1, paragraph 2 (a) (para. 29).

(c) 2021 budget

32. In early 2020, the Court submitted its proposed programme budget for 2021 to the Controller of the United Nations Secretariat. In preparing its budget proposals for 2021, the Court had focused on the financial resources essential for the discharge of its judicial functions, in particular costs directly connected with the organization and management of oral and written proceedings in cases submitted to it. In order to be able to cope effectively with its increased judicial workload, the Court requested in its proposed budget that a new post at the P-4 level be established in the Department of Linguistic Matters and that a post of Legal Officer at the P-3 level in the Department of Legal Matters be reclassified to a post at the P-4 level. The proposed budget for 2021 totals \$28,793,600 before recosting, representing a net increase of \$648,100 (or 2.3 per cent) over the approved budget for 2020. In its proposed budget,

the Court also requested funds for activities related to the celebration of its seventy-fifth anniversary.

6. Judges' pension scheme

33. In accordance with Article 32, paragraph 7, of the Statute of the Court, the judges of the Court are entitled to a retirement pension, the exact conditions of which are governed by regulations adopted by the General Assembly. The amount of this pension based on the number of years of service, not on the term of office; it is equal to 50 per cent of annual net base salary (excluding post adjustment) for nine years of service; the Assembly provisions governing the pension scheme are resolution [38/239](#) of 20 December 1983, section VIII of resolution [53/214](#) of 18 December 1998, resolution [56/285](#) of 27 June 2002, section III of resolution [59/282](#) of 13 April 2005, resolutions [61/262](#) of 4 April 2007, [63/259](#) of 24 December 2008, [64/261](#) of 29 March 2010 and [65/258](#) of 24 December 2010, and section VI of resolution [71/272](#) A of 23 December 2016.

34. In accordance with the request made in 2010 by the General Assembly in its resolution [65/258](#), the Secretary-General, in a report to the Assembly in 2011 ([A/66/617](#)), discussed the various retirement benefit options that could be considered.

35. Following the issuance of that document, the President of the Court, in 2012, addressed a letter to the President of the General Assembly accompanied by an explanatory memorandum ([A/66/726](#), annex), expressing the Court's deep concern about certain proposals made by the Secretary-General regarding the pension scheme for judges, which appeared to raise concerns for the Court as to the integrity of its Statute and the status of its members and the right of its members to perform their functions with full independence (see also [A/67/4](#)).

36. By its decisions [66/556 B](#) and [68/549 A](#), the General Assembly deferred consideration of the agenda item on the pension scheme for the members of the Court to its sixty-eighth and sixty-ninth sessions, respectively. In its decision [69/553 A](#), the General Assembly decided to further defer until its seventy-first session consideration of this item and the related documents: the reports of the Secretary-General ([A/68/188](#) and [A/66/617](#)), the related reports of the Advisory Committee on Administrative and Budgetary Questions ([A/68/515](#), [A/68/515/Corr.1](#) and [A/66/709](#)) and the letter from the President of the International Court of Justice addressed to the President of the General Assembly referred to above.

37. In its resolution [71/272](#), the General Assembly requested the Secretary-General to submit for the consideration of the General Assembly at the main part of its seventy-fourth session a comprehensive proposal on options for a pension scheme taking into account, inter alia, "the integrity of the Statute of the International Court of Justice and other relevant statutory provisions, the universal character of the Court, principles of independence and equality and the unique character of membership of the Court".

38. In a letter dated 2 August 2019 addressed to the Assistant Secretary-General for Human Resources Management, the Registrar recalled the concerns expressed by the Court in the past and requested that the Court's position be taken into account and reflected in the report of the Secretary-General.

39. In accordance with the request of the General Assembly, the Secretary-General presented his proposals in his report on conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice and President and judges of the International Residual Mechanism for Criminal Tribunals ([A/74/354](#)). The Assembly, in its decision [74/540 B](#), decided to defer consideration of that report until the first part of its resumed seventy-fifth session.

7. Response to the COVID-19 pandemic

40. In response to the COVID-19 pandemic that occurred during the period under review, the Court adopted a series of measures to contain the spread of the virus and to protect the health and well-being of its judges and staff, and their families, while ensuring the continuity of activities within its mandate. These measures are based on the recommendations of the Organization and the authorities of the host country, the Netherlands. The decision was taken to suspend all official travel by Members of the Court and Registry staff, to cancel all visits and to introduce teleworking, so as to minimize the physical presence of staff at the Peace Palace, the seat of the Court. Members of the Court and staff members of the Registry were also requested to avoid private travel outside their duty station (The Hague).

41. Despite these circumstances, the Court continued to discharge its judicial functions. To that end, it made the necessary arrangements to hold virtual meetings and to adapt its working methods to allow tasks to be carried out remotely during the pandemic; these steps led it to amend its Rules of Procedure. The Court's Budgetary and Administrative Committee and several of its committees held meetings by videoconference. The Court used the same method to conduct plenary meetings for consideration of various judicial matters and the adoption of orders on procedural matters. During the period, it continued its judicial work, and held public hearings in two judgments. Lastly, it held public hearings by videoconference in the case concerning the *Arbitral Award of 3 October 1899 (Guyana v. Venezuela)*.

8. Asbestos

42. As indicated in previous annual reports, the presence of asbestos was discovered in 2014 in the 1977 wing of the Peace Palace, which houses the Court's Deliberation Room and the judges' offices, and in archiving areas used by the Court in the Palace's old building.

43. Work to renovate the judges' building began in the autumn of 2015 and was completed at the start of 2016.

44. With regard to the old building, in 2016 the Carnegie Foundation requested the Ministry of Foreign Affairs of the Netherlands to provide the funding needed to enable it to carry out two types of work: (a) inspection of the entire Peace Palace to pinpoint the exact location of any asbestos present, and (b) decontamination of parts of the building where asbestos had already been detected, in particular the basement, reception area and roof space. The Ministry provided the resources required to decontaminate part of the basement, and this work has now been completed. Regular inspections are carried out by specialists hired by the Carnegie Foundation to check the condition of materials containing asbestos in the old building of the Peace Palace. The funds needed to decontaminate the roof spaces and conduct a comprehensive analysis to pinpoint the exact location of asbestos have not yet been allocated, but the Ministry announced in 2019 that the host country had made significant budgetary resources available for the renovation of the Peace Palace. The Government of the Netherlands and the Carnegie Foundation have been discussing the conditions applying to the release of these funds.

45. In the spring of 2020, the Netherlands Ministry of Foreign Affairs announced its intention to begin consultations with the Court to prepare for the temporary relocation of its offices in advance of the renovation of the Peace Palace. The Court is awaiting plans and proposals from the Netherlands authorities with that will enable it to continue to carry out its judicial functions in an efficient and seamless manner.

Chapter II

Role and jurisdiction of the Court

46. The International Court of Justice, which has its seat in The Hague, is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946.

47. The basic documents governing the Court are the United Nations Charter and the Statute of the Court, which is annexed to the Charter. These are supplemented by the Rules of Court and Practice Directions, and by the Resolution concerning the Internal Judicial Practice of the Court. These documents can also be found online on the Court's website, under the heading "Basic Documents". They are also published in ICJ Acts and Documents No. 6 (2007).

48. The International Court of Justice is the only international court of a universal character with general jurisdiction. This jurisdiction is twofold: contentious and consultative.

1. Jurisdiction in contentious cases

49. In the first place, the Court has to decide upon disputes freely submitted to it by States in the exercise of their sovereignty.

50. In this respect, it should be noted that, as at 31 July 2020, 193 States were parties to the Statute of the Court, and thus had access to it. On 4 July 2018, Palestine, for its part, filed a declaration with the Registry of the Court which reads as follows:

"The State of Palestine hereby declares that it accepts with immediate effect the competence of the International Court of Justice for the settlement of all disputes that may arise or that have already arisen covered by Article I of the Optional Protocol to the Vienna Convention on Diplomatic Relations Concerning the Compulsory Settlement of Disputes (1961), to which the State of Palestine acceded on 22 March 2018."

51. Of the States parties to the Statute, 74 have now made a declaration (some with reservations) recognizing as compulsory the jurisdiction of the Court, as contemplated by Article 36, paragraphs 2 and 5, of the Statute. They are: Australia, Austria, Barbados, Belgium, Botswana, Bulgaria, Cambodia, Cameroon, Canada, Costa Rica, Côte d'Ivoire, Cyprus, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Egypt, Equatorial Guinea, Estonia, Eswatini, Finland, Gambia, Georgia, Germany, Greece, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, India, Ireland, Italy, Japan, Kenya, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Marshall Islands, Mauritius, Mexico, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Senegal, Slovakia, Somalia, Spain, Sudan, Suriname, Sweden, Switzerland, Timor-Leste, Togo, Uganda, United Kingdom of Great Britain and Northern Ireland and Uruguay. The texts of the declarations filed with the Secretary-General by the above States are available, for information purposes, on the Court's website (under the heading "Jurisdiction").

52. In addition, more than 300 bilateral or multilateral treaties or conventions provide for the Court to have jurisdiction *ratione materiae* in the resolution of various types of disputes between States. A representative list of those treaties and conventions may also be found on the Court's website, under the heading "Jurisdiction". The Court's jurisdiction can also be founded, in the case of a specific dispute, on a special agreement concluded between the States concerned. Finally, when submitting a dispute to the Court, a State may propose to found the Court's

jurisdiction upon a consent yet to be given or manifested by the State against which the application is made, in reliance on Article 38, paragraph 5, of the Rules of Court. If the latter State gives its consent, the Court's jurisdiction is established and the new case is entered in the General List on the date that this consent is given (this situation is known as *forum prorogatum*).

2. Jurisdiction in advisory proceedings

53. The Court may also give advisory opinions. In addition to the General Assembly and Security Council, which are authorized to request advisory opinions of the Court "on any legal questions" (Art. 96, para. 1, of the Charter), three other United Nations organs (Economic and Social Council, Trusteeship Council, Interim Committee of the Assembly), as well as the following organizations, are currently authorized to request advisory opinions of the Court on legal questions arising within the scope of their activities (*ibid.*, para. 2):

- International Labour Organization;
- Food and Agriculture Organization of the United Nations;
- United Nations Educational, Scientific and Cultural Organization;
- International Civil Aviation Organization;
- World Health Organization;
- World Bank Group;
- International Finance Corporation;
- International Development Association;
- International Monetary Fund;
- International Telecommunication Union;
- World Meteorological Organization;
- International Maritime Organization;
- World Intellectual Property Organization;
- International Fund for Agricultural Development;
- United Nations Industrial Development Organization;
- International Atomic Energy Agency.

54. A list of the international instruments that make provision for the advisory jurisdiction of the Court is available, for information purposes, on the Court's website, under the heading "Jurisdiction".

Chapter III

Organization of the Court

A. Composition

55. The International Court of Justice consists of 15 judges elected for a term of nine years by the General Assembly and the Security Council. One third of its membership is renewed every three years, and elections for the next renewal will take place in the last quarter of 2020.

56. At 31 July 2020, the composition of the Court was thus as follows: President: Mr. Abdulqawi Ahmed Yusuf (Somalia); Vice-President: Ms. Xue Hanqin (China); Judges: Mr. Peter Tomka (Slovakia), Mr. Ronny Abraham (France), Mr. Mohamed Bennouna (Morocco), Mr. Antônio Augusto Cançado Trindade (Brazil), Ms. Joan E. Donoghue (United States of America), Mr. Giorgio Gaja (Italy), Ms. Julia Sebutinde (Uganda), Mr. Dalveer Bhandari (India), Mr. Patrick Lipton Robinson (Jamaica), Mr. James Richard Crawford (Australia), Mr. Kirill Gevorgian (Russian Federation), Mr. Nawaf Salam (Lebanon) and Mr. Yuji Iwasawa (Japan).

1. President and Vice-President

57. The President and the Vice-President of the Court (Statute, Art. 21) are elected by the Members of the Court every three years by secret ballot. The Vice-President replaces the President in his or her absence, in the event of his or her inability to exercise his or her duties, or in the event of a vacancy in the presidency. Among other things, the President:

(a) presides at all meetings of the Court, directs its work and supervises its administration;

(b) in every case submitted to the Court, ascertains the views of the parties with regard to questions of procedure; for this purpose, he or she summons the agents of the parties to a meeting as soon as possible after his or her appointment, and whenever necessary thereafter;

(c) may call upon the parties to act in such a way as will enable any order the Court may make on a request for provisional measures to have its appropriate effects;

(d) may authorize the correction of a slip or error in any document filed by a party during the written proceedings;

(e) when the Court decides, for the purpose of a contentious case or request for advisory opinion, to appoint assessors to sit with it without the right to vote, takes steps to obtain all the information relevant to the choice of assessors;

(f) directs the Court's judicial deliberations;

(g) has a casting vote in the event of votes being equally divided during judicial deliberations;

(h) is ex officio a member of the drafting committees unless he or she does not share the majority opinion of the Court, in which case his or her place is taken by the Vice-President or, failing that, by a third judge elected by the Court;

(i) is ex officio a member of the Chamber of Summary Procedure formed annually by the Court;

(j) signs all judgments, advisory opinions and orders of the Court, and the minutes;

(k) delivers the judicial decisions of the Court at public sitting;

(l) chairs the Budgetary and Administrative Committee of the Court;

(m) in the third quarter of every year, addresses the representatives of the United Nations Member States in New York during the plenary meetings of the session of the General Assembly in order to present the Report of the Court;

(n) receives, at the seat of the Court, Heads of State and Government and other dignitaries during official visits. When the Court is not sitting, the President may, among other things, be called upon to make procedural orders.

2. Registrar and Deputy-Registrar

58. The Registrar of the Court is Mr Philippe Gautier, of Belgian nationality. He was elected to this post by the Members of the Court on 22 May 2019 for a period of seven years from 1 August 2019 (the duties of the Registrar are set out in paragraphs 77 to 82 below).

59. The Deputy Registrar of the Court is Mr. Jean-Pelé Fomété, of Cameroonian nationality, who was elected on 11 February 2013 for a period of seven years and re-elected on 20 February 2020 for a second term of seven years beginning on 1 April of the same year.

3. Chamber of Summary Procedure, Budgetary and Administrative Committee and other committees

60. In accordance with Article 29 of its Statute, the Court annually forms a Chamber of Summary Procedure, which, at 31 July 2020, was constituted as follows:

(a) Members:

- President Yusuf;
- Vice-President Xue;
- Judges Cançado Trindade, Sebutinde and Gevorgian

(b) Substitute Members:

- Judges Donoghue and Crawford.

61. The Court also formed committees to facilitate the performance of its administrative tasks. Their composition as at 31 July 2020 was as follows:

(a) Budgetary and Administrative Committee:

- President Yusuf
- Vice-President Xue
- Judges Tomka, Abraham, Gaja, Sebutinde and Bhandari

(b) Rules Committee:

- Judge Tomka (Chair)
- Judges Donoghue, Gaja, Bhandari, Robinson, Crawford and Gevorgian

(c) Library Committee:

- Judge Cançado Trindade (Chair)
- Judges Gaja, Bhandari, Salam and Iwasawa

4. Judges ad hoc

62. In accordance with Article 31 of the Statute, parties that have no judge of their nationality on the Bench may choose a judge ad hoc for the purposes of the case that concerns them.

63. There were 28 instances where States parties chose judges ad hoc during the period under review, with these functions being carried out by 15 individuals (the same person may sit as judge ad hoc in more than one case).

64. The following sat as judges ad hoc in cases in which a final decision was made during the period covered by this report or in cases entered in the Court's List on 31 July 2020:

- (a) In the case concerning *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)*, Mr. Yves Daudet, chosen by the Democratic Republic of the Congo;
- (b) In the case concerning the *Question of the Delimitation of the Continental Shelf between Nicaragua and Colombia beyond 200 nautical miles from the Nicaraguan Coast (Nicaragua v. Colombia)*, Mr. Leonid Skotnikov, chosen by Nicaragua, and Mr. Charles Brower, chosen by Colombia;
- (c) In the case concerning *Alleged Violations of Sovereign Rights and Maritime Spaces in the Caribbean Sea (Nicaragua v. Colombia)*, Mr. Yves Daudet, chosen by Nicaragua, and Mr. Donald McRae, chosen by Colombia;
- (d) In the case concerning *Maritime Delimitation in the Indian Ocean (Somalia v. Kenya)*, Mr. Gilbert Guillaume, chosen by Kenya;
- (e) In the case concerning *the Dispute over the Status and Use of the Waters of the Silala (Chile v. Bolivia)*, Mr. Bruno Simma, chosen by Chile, and Mr. Yves Daudet, chosen by the Plurinational State of Bolivia;
- (f) In the case concerning *Immunities and Criminal Proceedings (Equatorial Guinea v. France)*, Mr. James Kateka, chosen by Equatorial Guinea;
- (g) In the case concerning *Certain Iranian Assets (Islamic Republic of Iran v. United States of America)*, Mr. Djamchid Momtaz, chosen by the Islamic Republic of Iran, and Mr. Charles Brower, chosen by the United States;
- (h) In the case concerning the *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)*, Mr. Fausto Pocar, chosen by Ukraine, and Mr. Leonid Skotnikov, chosen by the Russian Federation;
- (i) In the case concerning the *Arbitral Award of 3 October 1899 (Guyana v. Venezuela)*, Ms. Hilary Charlesworth, chosen by Guyana;
- (j) In the case concerning the *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Mr. Yves Daudet, chosen by Qatar, and Mr. Jean-Pierre Cot, chosen by the United Arab Emirates.
- (k) In the case concerning the *Appeal Relating to the Jurisdiction of the ICAO Council under Article 84 of the Convention on International Civil Aviation (Bahrain, Egypt, Saudi Arabia and United Arab Emirates v. Qatar)*, Mr. Nabil Elaraby, chosen jointly by Bahrain, Egypt, Saudi Arabia and the United Arab Emirates, succeeded, after his resignation, by Mr. Franklin Berman, from 6 November 2019; and Mr. Yves Daudet, chosen by Qatar;

- (l) In the case concerning the *Appeal Relating to the Jurisdiction of the ICAO Council under Article II, Section 2, of the 1944 International Air Services Transit Agreement (Bahrain, Egypt and United Arab Emirates v. Qatar)*, Mr. Nabil Elaraby, chosen jointly by Bahrain, Egypt and the United Arab Emirates, succeeded, after his resignation, by Mr. Franklin Berman, from 6 November 2019; and Mr. Yves Daudet, chosen by Qatar;
- (m) 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)*, Mr. Djamchid Momtaz, chosen by the Islamic Republic of Iran, and Mr. Charles Brower, chosen by the United States of America;
- (n) In the case concerning the *Relocation of the United States Embassy to Jerusalem (Palestine v. United States of America)*, Mr. Gilbert Guillaume, chosen by Palestine.
- (o) In the case concerning the *Territorial, Insular and Maritime Claim of Guatemala (Guatemala v. Belize)*, Mr. Philippe Couvreur, chosen by Guatemala;
- (p) In the case concerning the *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Gambia v. Myanmar)*, Ms. Navanethem Pillay, chosen by the Gambia, and Mr. Claus Kress, chosen by Myanmar.

B. Privileges and immunities

65. Under Article 19 of the Statute of the Court, the Members of the Court, when engaged in the business of the Court, shall enjoy diplomatic privileges and immunities.

66. In the Netherlands, pursuant to an exchange of letters dated 26 June 1946 between the President of the Court and the Minister for Foreign Affairs, the Members of the Court enjoy, generally, the same privileges, immunities, facilities and prerogatives as heads of diplomatic missions accredited to the King of the Netherlands.¹

67. By resolution 90 (I) of 11 December 1946, the General Assembly approved the agreements concluded with the Government of the Netherlands in June 1946 and recommended the following: if a judge, for the purpose of holding himself permanently at the disposal of the Court, resides in some country other than his own, he should be accorded diplomatic privileges and immunities during the period of his residence there; judges should be accorded every facility for leaving the country where they may happen to be, for entering the country where the Court is sitting, and again for leaving it; on journeys in connection with the exercise of their functions, they should, in all countries through which they may have to pass, enjoy all the privileges, immunities and facilities granted by these countries to diplomatic envoys.

68. In the same resolution, the General Assembly recommended that the authorities of Member States recognize and accept the laissez-passer issued by the Court to its members, Registrar and staff. Such laissez-passer had been produced by the Court since 1950; unique to the Court, they were similar in form to those issued by the United Nations. Since February 2014, the Court has delegated the task of producing laissez-passer to the United Nations Office at Geneva. The new laissez-passer are modelled on electronic passports and meet the most recent International Civil Aviation Organization standards.

¹ ICJ Acts and Documents No. 6 (2007), p. 204–211 and 214–217.

69. Furthermore, Article 32, paragraph 8, of the Statute provides that the salaries, allowances and compensation received by judges and the Registrar shall be free of all taxation.

C. Seat

70. The seat of the Court is established at The Hague; this, however, does not prevent the Court from sitting and exercising its functions elsewhere whenever the Court considers it desirable to do so (Statute, Art. 22, para. 1; Rules, Art. 55). The Court has so far never held sittings outside The Hague, however.

71. The Court occupies premises in the Peace Palace in The Hague. An agreement of 21 February 1946 between the United Nations and the Carnegie Foundation, which is responsible for the administration of the Peace Palace, determines the conditions under which the Court uses these premises and provides for the Organization to pay an annual contribution to the Foundation in consideration of the Court's use of the premises. That contribution was increased pursuant to supplementary agreements approved by the General Assembly in 1951, 1958, 1997 and 2006 as well as subsequent amendments. The annual contribution by the United Nations to the Foundation was €1,418,823 for 2019 and €1,455,225 for 2020.

Chapter IV

Registry

72. The Court is the only principal organ of the United Nations to have its own administration (see Art. 98 of the Charter). The Registry is the permanent international secretariat of the Court. Since the Court is both a judicial body and an international institution, the role of the Registry is both to provide judicial support and to act as a permanent administrative organ. The Registry's activities are thus administrative, as well as judicial and diplomatic.

73. The duties of the Registry are set out in detail in instructions drawn up by the Registrar and approved by the Court (see Rules, Art. 28, paras. 2 and 3). The version of the Instructions for the Registry currently in force was adopted by the Court in March 2012 (see [A/67/4](#), para. 66).

74. Registry officials are appointed by the Court on proposals by the Registrar or, for General Service staff, by the Registrar with the approval of the President. Temporary staff are appointed by the Registrar. Working conditions are governed by the Staff Regulations adopted by the Court (see Rules, Art. 28). Registry officials enjoy, generally, the same privileges and immunities as members of diplomatic missions in The Hague of comparable rank. They enjoy remuneration and pension rights corresponding to those of United Nations Secretariat officials of the equivalent category or grade.

75. The organizational structure of the Registry is fixed by the Court on proposals by the Registrar. The Registry consists of three departments and eight technical divisions (see annex). The President of the Court and the Registrar are each aided by a special assistant (grade P-3). The Members of the Court are each assisted by a law clerk (grade P-2). These 15 associate legal officers, although seconded to the judges, are members of the Registry staff, administratively attached to the Department of Legal Matters. The law clerks carry out research for the Members of the Court and the judges ad hoc, and work under their responsibility. A total of 15 secretaries, who are also members of the Registry staff, assist the Members of the Court and the judges ad hoc.

76. The total number of posts at the Registry is at present 116, namely 60 posts in the Professional category and above (all permanent posts) and 56 in the General Service category.

Registrar

77. The Registrar (Statute, Art. 21) is responsible for all departments and divisions of the Registry. Under the terms of Article 1 of the Instructions for the Registry, "The staff are under his authority, and he alone is authorized to direct the work of the Registry, of which he is the Head". In the discharge of his or her functions, the Registrar reports to the Court. The Registrar's role is threefold: judicial, diplomatic and administrative.

78. The Registrar's judicial duties notably include those relating to the cases submitted to the Court. In this regard, the Registrar shall, inter alia, perform the following tasks:

- (a) keep the General List of all cases and be responsible for recording documents in the case files;
- (b) manage the proceedings in the cases;

(c) be present in person, or represented by the Deputy-Registrar, at meetings of the Court and of Chambers; provide any assistance required and be responsible for the preparation of reports or minutes of such meetings;

(d) countersign all judgments, advisory opinions and orders of the Court, and the minutes;

(e) maintain relations with the parties to a case and have specific responsibility for the receipt and transmission of various documents, most importantly those instituting proceedings (applications and special agreements) and all written pleadings;

(f) be responsible for the translation, printing and publication of the Court's judgments, advisory opinions and orders, the pleadings, written statements and minutes of the public sittings in every case, and of such other documents as the Court may decide to publish;

(g) have custody of the seals and stamps of the Court, of the archives of the Court, and of such other archives as may be entrusted to the Court (including the archives of the Permanent Court of International Justice and of the Nuremberg International Military Tribunal).

79. In his or her diplomatic role, the Registrar:

(a) attends to the Court's external relations and acts as the channel of communication to and from the Court;

(b) manages external correspondence, including that relating to cases, and provides any consultations required;

(c) manages relations of a diplomatic nature, in particular with the organs and States Members of the United Nations, with other international organizations and with the Government of the country in which the Court has its seat;

(d) maintains relations with the local authorities and with the press;

(e) is responsible for information concerning the Court's activities and for the Court's publications, including press releases.

80. The administrative work of the Registrar includes:

(a) the Registry's internal administration;

(b) financial management, in accordance with the financial procedures of the United Nations, and in particular preparing and implementing the budget;

(c) the supervision of all administrative tasks and of printing;

(d) making arrangements for such provision or verification of translations and interpretations into the Court's two official languages (English and French) as the Court may require.

81. Pursuant to the exchange of letters and General Assembly resolution 90 (I) as referred to in paragraphs 66 and 67 above, the Registrar is accorded the same privileges and immunities as heads of diplomatic missions in The Hague and, on journeys to third States, all the privileges, immunities and facilities granted to diplomatic envoys.

82. The Deputy-Registrar assists the Registrar and acts as Registrar in the latter's absence (see Rules, Art. 27).

Chapter V

Judicial activity of the Court

Pending contentious proceedings during the period under review

1. *Gabčíkovo-Nagymaros Project (Hungary/Slovakia)*

83. On 2 July 1993, Hungary and Slovakia jointly notified to the Court a Special Agreement, signed on 7 April 1993, for the submission to the Court of certain issues arising out of differences regarding the implementation and the termination of the Treaty of 16 September 1977 on the construction and operation of the Gabčíkovo-Nagymaros barrage system. In its Judgment of 25 September 1997, the Court, having ruled on the issues submitted by the parties, called on both States to negotiate in good faith in order to ensure the achievement of the objectives of the 1977 Treaty, which it declared was still in force, while taking account of the factual situation that had developed since 1989.

84. On 3 September 1998, Slovakia filed in the Registry of the Court a request for an additional judgment in the case. Such an additional judgment was necessary, according to Slovakia, because of the unwillingness of Hungary to implement the Judgment delivered by the Court in that case on 25 September 1997. Hungary filed a written statement of its position on the request for an additional judgment made by Slovakia within the time-limit of 7 December 1998 fixed by the President of the Court. The parties subsequently resumed negotiations and regularly informed the Court of the progress made.

85. By a letter from the Agent of Slovakia dated 30 June 2017, the Slovak Government requested that the Court place on record the discontinuance of the proceedings instituted by means of the Request for an additional judgment in the case. In a letter dated 12 July 2017, the Agent of Hungary stated that his Government “d[id] not oppose the discontinuance of the proceedings instituted by means of the Request of Slovakia of 3 September 1998 for an additional judgment”.

86. By a letter to both Agents dated 18 July 2017, the Court communicated its decision to place on record the discontinuance of the procedure begun by means of Slovakia’s request for an additional judgment and informed them that it had taken note of the fact that both parties had reserved their right under Article 5, paragraph 3, of the Special Agreement signed between Hungary and Slovakia on 7 April 1993 to request the Court to render an additional judgment to determine the procedure for executing its Judgment of 25 September 1997.

87. On 23 January 2018, the President of the Court met with the agents of the parties to discuss whether the case could, in its entirety, be considered closed. Taking into account the views expressed by the parties at that time, the Court decided in March 2018 that the case remained pending and therefore remained on the General List.

2. *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)*

88. On 23 June 1999, the Democratic Republic of the Congo filed an application instituting proceedings against Uganda for “acts of armed aggression perpetrated in flagrant violation of the United Nations Charter and of the Charter of the Organization of African Unity”. In its Counter-Memorial, filed in the Registry on 20 April 2001, Uganda presented counter-claims.

89. In the Judgment which it rendered on 19 December 2005, the Court found in particular that Uganda, by engaging in military activities against the Democratic Republic of the Congo on the latter’s territory, by occupying Ituri and by actively

extending support to irregular forces having operated on the territory of the Democratic Republic of the Congo, had violated the principle of non-use of force in international relations and the principle of non-intervention; had violated its obligations under international human rights law and international humanitarian law; and that it had violated its international obligations as a result of acts of looting, plundering and exploitation of natural resources of the Democratic Republic of the Congo committed by members of the Ugandan armed forces in the territory of that country and as a result of its failure, as an occupying Power in Ituri district, to prevent such acts. The Court also found that the Democratic Republic of the Congo had for its part violated obligations owed to Uganda under the 1961 Vienna Convention on Diplomatic Relations, through maltreatment of or failure to protect the persons and property protected by the said Convention. The Court therefore found that the parties were under obligation to one another to make reparation for the injury caused. It decided that, failing agreement between them, the question of reparation would be settled by the Court and reserved for this purpose the subsequent procedure in the case.

90. Thereafter, the parties transmitted to the Court certain information concerning the negotiations between them to settle the question of reparation.

91. On 13 May 2015, the Registry of the Court received from the Democratic Republic of the Congo a document entitled “New Application to the International Court of Justice”, requesting the Court to decide the question of the reparation due to the Democratic Republic of the Congo in the case.

92. By an Order dated 1 July 2015, the Court decided to resume the proceedings in the case with regard to the question of reparations, and fixed 6 January 2016 as the time limit for the filing, by the Democratic Republic of the Congo, of a Memorial on the reparations which it considers to be owed to it by Uganda, and for the filing, by Uganda, of a Memorial on the reparations which it considers to be owed to it by the Democratic Republic of the Congo.

93. By Orders dated 10 December 2015 and 11 April 2016, the original time-limits for the filing by the parties of their Memorials on the question of reparations were extended to 28 April 2016 and 28 September 2016, respectively. The Memorials were filed within the time-limit thus extended.

94. By an Order dated 6 December 2016, the Court fixed 6 February 2018 as the time-limit for the filing, by each party, of a Counter-Memorial responding to the claims presented by the other party in its Memorial. The Counter-Memorials were filed within the time-limit thus fixed.

95. Public hearings on the question of reparation were initially scheduled to be held from 18 to 22 March 2019. They were subsequently postponed until 18 November of the same year, in the light of the request submitted by the Democratic Republic of the Congo and the views expressed by Uganda in that connection.

96. By letter dated 9 November 2019, the parties jointly requested the Court to postpone the hearings to allow them to make a fresh attempt to amicably resolve the issue of reparations. On 12 November 2019, the Court granted the request, indicating that the new dates for the hearings would be announced at a later date.

3. *Question of the delimitation of the continental shelf between Nicaragua and Colombia beyond 200 nautical miles from the Nicaraguan coast (Nicaragua v. Colombia)*

97. On 16 September 2013, Nicaragua filed an Application instituting proceedings against Colombia relating to a “dispute concern[ing] the delimitation of the boundaries between, on the one hand, the continental shelf of Nicaragua beyond the

200-nautical-mile limit from the baselines from which the breadth of the territorial sea of Nicaragua is measured, and on the other hand, the continental shelf of Colombia”. In its Application, Nicaragua requested the Court to adjudge and declare, “first, [t]he precise course of the maritime boundary between Nicaragua and Colombia in the areas of the continental shelf which appertain to each of them beyond the boundaries determined by the Court in its Judgment of 19 November 2012 [in the case concerning the *Territorial and Maritime Dispute (Nicaragua v. Colombia)*]” and, “second, [t]he principles and rules of international law that determine the rights and duties of the two States in relation to the area of overlapping continental shelf claims and the use of its resources, pending the delimitation of the maritime boundary between them beyond 200 nautical miles from Nicaragua’s coast”. Nicaragua based the jurisdiction of the Court on Article XXXI of the American Treaty on Pacific Settlement (Pact of Bogotá) of 30 April 1948.

98. By an Order dated 9 December 2013, the Court fixed 9 December 2014 and 9 December 2015 as the respective time-limits for the filing of a Memorial by Nicaragua and a Counter-Memorial by Colombia.

99. On 14 August 2014, Colombia raised preliminary objections to the jurisdiction of the Court and the admissibility of the Application. In accordance with the Rules of the Court, the proceedings on the merits were then suspended.

100. Public hearings on the preliminary objections were held from 5 to 9 October 2015.

101. In the Judgment it delivered on the preliminary objections raised by Colombia on 17 March 2016, the Court found that it had jurisdiction, on the basis of Article XXXI of the Pact of Bogotá, to entertain the first request put forward by Nicaragua in its Application, in which it asked the Court to adjudge and declare “[t]he precise course of the maritime boundary between Nicaragua and Colombia in the areas of the continental shelf which appertain to each of them beyond the boundaries determined by the Court in its Judgment of 19 November 2012”; the Court also found that that request was admissible. However, it found the second request made by Nicaragua in its Application to be inadmissible.

102. By an Order dated 28 April 2016, the President of the Court fixed 28 September 2016 and 28 September 2017 as the new respective time-limits for the filing of a Memorial by Nicaragua and a Counter-Memorial by Colombia. The Memorial and Counter-Memorial were filed within the time-limits thus fixed.

103. By an Order dated 8 December 2017, the Court authorized the submission of a Reply by Nicaragua and a Rejoinder by Colombia. It fixed 9 July 2018 and 11 February 2019 as the respective time-limits for the filing of those written pleadings. They were filed within the time-limits thus fixed.

4. *Alleged Violations of Sovereign Rights and Maritime Spaces in the Caribbean Sea (Nicaragua v. Colombia)*

104. On 26 November 2013, Nicaragua filed an Application instituting proceedings against Colombia relating to a “dispute concern[ing] the violations of Nicaragua’s sovereign rights and maritime zones declared by the Court’s Judgment of 19 November 2012 [in the case concerning the *Territorial and Maritime Dispute (Nicaragua v. Colombia)*] and the threat of the use of force by Colombia in order to implement these violations”. In its application, Nicaragua requests the Court to adjudge and declare that Colombia is in breach of several of its international obligations and that it is obliged to make full reparation for the harm caused by its illegal acts. Nicaragua based the jurisdiction of the Court on Article XXXI of the Pact of Bogotá. Nicaragua further contends that “[m]oreover and alternatively, the

jurisdiction of the Court [lies] in its inherent power to pronounce on the actions required by its Judgments”.

105. By an Order dated 3 February 2014, the Court fixed 3 October 2014 and 3 June 2015 as the respective time-limits for the filing of a Memorial by Nicaragua and a Counter-Memorial by Colombia. Nicaragua’s Memorial was filed within the time-limit thus fixed.

106. On 19 December 2014, Colombia raised preliminary objections to the jurisdiction of the Court. In accordance with the Rules of the Court, the proceedings on the merits were then suspended.

107. Public hearings on the preliminary objections were held from 28 September to 2 October 2015.

108. In the Judgment it rendered on 17 March 2016 on the preliminary objections raised by Colombia, the Court found that it had jurisdiction, on the basis of Article XXXI of the Pact of Bogotá, to adjudicate upon the dispute regarding the alleged violations by Colombia of Nicaragua’s rights in the maritime zones which, according to Nicaragua, the Court had declared in its 2012 Judgment appertained to Nicaragua.

109. By an Order dated 17 March 2016, the Court fixed 17 November 2016 as the new time-limit for the filing of a Counter-Memorial by Colombia.

110. That written pleading, which was filed within the time-limit thus fixed, contained four counter-claims. The first was based on Nicaragua’s alleged breach of a duty of due diligence to protect and preserve the marine environment of the south-western Caribbean Sea; the second related to Nicaragua’s alleged breach of its duty of due diligence to protect the right of the inhabitants of the San Andrés Archipelago to benefit from a healthy, sound and sustainable environment; the third concerned Nicaragua’s alleged infringement upon customary artisanal fishing rights of the local inhabitants of the San Andrés archipelago to access and exploit their traditional fishing grounds; the fourth related to Nicaragua’s adoption of Decree No. 33-2013 of 19 August 2013, which, according to Colombia, established straight baselines and had the effect of extending Nicaragua’s internal waters and maritime zones beyond what is permitted by international law.

111. Both parties then filed, within the time-limits fixed by the Court, their written observations on the admissibility of those claims.

112. In its Order dated 15 November 2017, the Court found that the first and second counter-claims submitted by Colombia were inadmissible as such and did not form part of the current proceedings, but that the third and fourth counter-claims submitted by Colombia were admissible as such and did form part of the current proceedings.

113. By the same Order, the Court directed Nicaragua to submit a Reply and Colombia to submit a Rejoinder relating to the claims of both parties in the current proceedings and fixed 15 May 2018 and 15 November 2018 as the respective time-limits for the filing of those pleadings. The written pleadings were filed within the time-limits thus fixed.

114. By an Order dated 4 December 2018, the Court authorized the submission by Nicaragua of an additional pleading relating solely to the counter-claims submitted by Colombia and fixed 4 March 2019 as the time-limit for the filing of that pleading. The additional pleading was filed within the time-limit thus fixed.

5. *Maritime Delimitation in the Indian Ocean (Somalia v. Kenya)*

115. On 28 August 2014, Somalia filed an Application instituting proceedings against Kenya with regard to a dispute concerning the delimitation of maritime spaces claimed by both States in the Indian Ocean. In its Application, Somalia requested the Court “to determine, on the basis of international law, the complete course of the single maritime boundary dividing all the maritime areas appertaining to Somalia and to Kenya in the Indian Ocean, including the continental shelf beyond 200 [nautical miles]”. As basis for the Court’s jurisdiction, the Applicant invoked the provisions of Article 36, paragraph 2, of the Court’s Statute, and referred to the declarations recognizing the Court’s jurisdiction as compulsory made under those provisions by Somalia on 11 April 1963 and by Kenya on 19 April 1965. In addition, Somalia submitted that “the jurisdiction of the Court under Article 36, paragraph 2, of its Statute [was] underscored by Article 282 of the United Nations Convention on the Law of the Sea”, which the parties had both ratified in 1989.

116. By an Order dated 16 October 2014, the President of the Court fixed 13 July 2015 and 27 May 2016 as the respective time-limits for the filing of a Memorial by Somalia and a Counter-Memorial by Kenya. Somalia’s Memorial was filed within the time-limit thus fixed.

117. On 7 October 2015, Kenya raised preliminary objections to the jurisdiction of the Court and the admissibility of the Application. In accordance with the Rules of the Court, the proceedings on the merits were then suspended.

118. Public hearings on the preliminary objections were held from 19 to 23 September 2016.

119. On 2 February 2017, the Court rendered its Judgment on the preliminary objections raised by Kenya. Rejecting those objections, the Court found that “it ha[d] jurisdiction to entertain the Application filed by the Federal Republic of Somalia on 28 August 2014 and that the Application [was] admissible”.

120. By an Order dated 2 February 2017, the Court fixed 18 December 2017 as the new time-limit for the filing of the Counter-Memorial of Kenya. The Counter-Memorial was filed within the time-limit thus fixed.

121. By an Order dated 2 February 2018, the Court authorized the submission of a Reply by Somalia and a Rejoinder by Kenya and fixed 18 June 2018 and 18 December 2018 as the respective time-limits for the filing of those written pleadings. The written pleadings were filed within the time-limits thus fixed.

122. The Court had originally scheduled public hearings on the merits of the case to be held from 9 to 13 September 2019 but, following successive requests by Kenya to postpone the hearings and taking into account the views expressed by Somalia on those requests, it decided to postpone the oral proceedings first to the week beginning 4 November 2019 and then to the week beginning 8 June 2020.

123. In May 2020, the Court decided to postpone the hearings to the week beginning 15 March 2021. It took this decision following a request by Kenya for a deferral due to the COVID-19 pandemic, and after due consideration of the views and arguments presented by Parties in that connection.

6. *Dispute over the Status and Use of the Waters of the Silala (Chile v. Bolivia)*

124. On 6 June 2016, Chile filed an Application instituting proceedings against the Plurinational State of Bolivia with regard to a dispute concerning the status and use of the waters of the Silala. Chile maintains that the Silala is an international watercourse, but that since 1999 the Plurinational State of Bolivia has been denying this status and

claiming the exclusive right to use its waters. Chile therefore requests the Court to adjudge and declare that the Silala is an international watercourse whose use is governed by customary international law, and to indicate the rights and obligations of the parties arising therefrom. As basis for the jurisdiction of the Court, the Applicant invoked Article XXXI of the Pact of Bogotá, to which both States are parties.

125. By an Order dated 1 July 2016, the Court fixed 3 July 2017 and 3 July 2018 as the respective time-limits for the filing of a Memorial by Chile and a Counter-Memorial by the Plurinational State of Bolivia. Chile's Memorial was filed within the time-limit thus fixed.

126. By a letter dated 14 May 2018, the agent of the Plurinational State of Bolivia requested the Court, for the reasons set out in that letter, to extend by two months the time-limit for the filing of the Counter-Memorial. In the absence of any objection by Chile to that request, by an Order dated 23 May 2018, the Court extended to 3 September 2018 the time-limit for the filing of the Counter-Memorial. That written pleading, which was filed within the time-limit thus extended, contained three counter-claims.

127. In a letter dated 9 October 2018, the Agent of Chile stated that, in order to expedite the procedure, her Government would not contest the admissibility of the counter-claims.

128. By an Order dated 15 November 2018, the Court directed the submission of a Reply by Chile and a Rejoinder by the Plurinational State of Bolivia, limited to the Respondent's counter-claims, and fixed 15 February 2019 and 15 May 2019 as the respective time-limits for the filing of those written pleadings. The written pleadings were filed within the time-limits thus fixed.

129. By a letter dated 4 June 2019, the Agent of Chile informed the Court that her Government wished to avail itself of the right to present an additional pleading on the counter-claims. By a letter dated 7 June 2019, the agent of the Plurinational State of Bolivia stated that his Government had no objection to that request. By an Order dated 18 June 2019, the Court authorized the submission by Chile of an additional pleading relating solely to the counter-claims submitted by the Plurinational State of Bolivia and fixed 18 September 2019 as the time-limit for the filing of that pleading. The additional pleading was filed within the time-limit thus fixed.

7. Immunities and Criminal Proceedings (*Equatorial Guinea v. France*)

130. On 13 June 2016, Equatorial Guinea filed an Application instituting proceedings against France with regard to a dispute concerning "the immunity from criminal jurisdiction of the Second Vice-President of Equatorial Guinea in charge of Defence and State Security [Mr. Teodoro Nguema Obiang Mangue], and the legal status of the building which houses the Embassy of Equatorial Guinea in France".

131. Equatorial Guinea requested the Court:

"(a) With regard to the French Republic's failure to respect the sovereignty of the Republic of Equatorial Guinea,

(i) To adjudge and declare that the French Republic ha[d] breached its obligation to respect the principles of the sovereign equality of States and non-interference in the internal affairs of another State, owed to the Republic of Equatorial Guinea in accordance with international law, by permitting its courts to initiate criminal legal proceedings against the Second Vice-President of Equatorial Guinea for alleged offences which, even if they were established, quod non, would fall solely within the jurisdiction of the courts of Equatorial Guinea, and by allowing its courts to order the attachment of a building

belonging to the Republic of Equatorial Guinea and used for the purposes of that country's diplomatic mission in France;

- (b) With regard to the Second Vice-President of the Republic of Equatorial Guinea in charge of Defence and State Security,
 - (i) to adjudge and declare that, by initiating criminal proceedings against the Second Vice-President of the Republic of Equatorial Guinea in charge of Defence and State Security, His Excellency Mr. Teodoro Nguema Obiang Mangue, Mr. Teodoro Nguema Obiang Mangue, the French Republic has acted and is continuing to act in violation of its obligations under international law;
 - (ii) To order the French Republic to take all necessary measures to put an end to any ongoing proceedings against the Second Vice-President of the Republic of Equatorial Guinea in charge of Defence and State Security;
 - (iii) To order the French Republic to take all necessary measures to prevent further violations of the immunity of the Second Vice-President of the Republic of Equatorial Guinea in charge of Defence and State Security and to ensure, in particular, that its courts do not initiate any criminal proceedings against the Second Vice-President of the Republic of Equatorial Guinea in the future;
- (c) With regard to the building located at 42 avenue Foch in Paris,
 - (i) To adjudge and declare that, by attaching the building located at 42 avenue Foch in Paris, the property of the Republic of Equatorial Guinea and used for the purposes of that country's diplomatic mission in France, the French Republic [was] in breach of its obligations under international law, notably the Vienna Convention on Diplomatic Relations and the United Nations Convention, as well as general international law;
 - (ii) To order the French Republic to recognize the status of the building located at 42 avenue Foch in Paris as the property of the Republic of Equatorial Guinea, and as the premises of its diplomatic mission in Paris, and, accordingly, to ensure its protection as required by international law;
- (d) In view of all the violations by the French Republic of international obligations owed to the Republic of Equatorial Guinea,
 - (i) To adjudge and declare that the responsibility of the French Republic [was] engaged on account of the harm that the violations of its international obligations ha[d] caused and [were] continuing to cause to the Republic of Equatorial Guinea;
 - (ii) To order the French Republic to make full reparation to the Republic of Equatorial Guinea for the harm suffered, the amount of which [would] be determined at a later stage."

132. The Applicant invoked, as bases for the Court's jurisdiction, two instruments to which both States are parties: the Optional Protocol to the Vienna Convention on Diplomatic Relations concerning the Compulsory Settlement of Disputes, of 18 April 1961, and the United Nations Convention against Transnational Organized Crime of 15 November 2000.

133. By an Order dated 1 July 2016, the Court fixed 3 January 2017 and 3 July 2017 as the respective time-limits for the filing of a Memorial by Equatorial Guinea and a Counter-Memorial by France. Equatorial Guinea's Memorial was filed within the time-limit thus fixed.

134. On 29 September 2016, Equatorial Guinea filed in the Registry a request for the indication of provisional measures.

135. The Court held hearings on that request from 17 to 19 October 2016.

136. On 7 December 2016, the Court delivered its Order on the request for the indication of provisional measures filed by Equatorial Guinea. In particular, it indicated that: “France shall, pending a final decision in the case, take all measures at its disposal to ensure that the premises presented as housing the diplomatic mission of Equatorial Guinea at 42 avenue Foch in Paris enjoy treatment equivalent to that required by Article 22 of the Vienna Convention on Diplomatic Relations, in order to ensure their inviolability”.

137. On 31 March 2017, France raised preliminary objections to the jurisdiction of the Court and the admissibility of the Application. In accordance with the Rules of the Court, the proceedings on the merits were then suspended.

138. Public hearings on the preliminary objections were held from 19 to 23 February 2018.

139. On 6 June 2018, the Court rendered its Judgment on the preliminary objections raised by France. The Court concluded that it lacked jurisdiction on the basis of the United Nations Convention against Transnational Organized Crime, but that it “has jurisdiction, on the basis of the Optional Protocol to the Vienna Convention on Diplomatic Relations concerning the Compulsory Settlement of Disputes, to entertain the Application ... in so far as it concerns the status of the building located at 42 Avenue Foch in Paris as premises of the mission, and that this part of the Application is admissible”.

140. By an Order of the same day, the Court fixed 6 December 2018 as the new time-limit for the filing of the Counter-Memorial by France. The Counter-Memorial was filed within the time-limit thus fixed.

141. By an Order dated 24 January 2019, the Court directed the submission of a Reply by Equatorial Guinea and a Rejoinder by France, and fixed 24 April 2019 and 24 July 2019 as the respective time-limits for the filing of those written pleadings. Following a request from Equatorial Guinea, the Court, by an Order dated 17 April 2019, extended to 8 May 2019 and 21 August 2019 the respective time-limits for the filing of the Reply of Equatorial Guinea and the Rejoinder of France. The written pleadings were filed within the time-limits thus fixed.

142. Public hearings on the merits of the case were held from 17 to 21 February 2020.

143. It will deliver its decision at a public sitting, the date of which will be announced in due course.

8. *Certain Iranian Assets (Islamic Republic of Iran v. United States of America)*

144. On 14 June 2016, the Islamic Republic of Iran filed an Application instituting proceedings against the United States of America with regard to a dispute concerning “the adoption by the USA of a series of measures that, in violation of the Treaty of Amity, Economic Relations, and Consular Rights signed at Tehran on 15 August 1955, [...] have had, and/or are having a serious adverse impact on the ability of the Islamic Republic of Iran and of Iranian companies (including Iranian State-owned companies) to exercise their rights to control and enjoy their property, including property located outside the territory of Iran/within the territory of the USA”. In particular, the Islamic Republic of Iran requested the Court to adjudge, order and declare that the United States had breached several of its obligations under the Treaty and that it was under an obligation to make full reparation for the damage thus caused to the Islamic Republic of Iran. As basis for the jurisdiction of the Court, the Applicant invoked Article XXI, paragraph 2, of the Treaty.

145. By an Order dated 1 July 2016, the Court fixed 1 February 2017 and 1 September 2017 as the respective time-limits for the filing of a Memorial by the Islamic Republic

of Iran and a Counter-Memorial by the United States. The Memorial of the Islamic Republic of Iran was filed within the time-limit thus fixed.

146. On 1 May 2017, the United States raised preliminary objections to the jurisdiction of the Court and the admissibility of the Application. In accordance with the Rules of the Court, the proceedings on the merits were then suspended.

147. Public hearings on the preliminary objections were held from 8 to 12 October 2018.

148. On 13 February 2019, the Court rendered its Judgment on the preliminary objections raised by the United States. It found that it had jurisdiction to rule on part of the Application filed by the Islamic Republic of Iran, and that the said Application was admissible. In particular, it concluded that the Treaty did not confer jurisdiction on the Court to consider the Islamic Republic of Iran's claims in respect of the alleged violation of the rules of international law on sovereign immunities. The Court also found that the third preliminary objection, relating to "all claims of purported violations ... that are predicated on treatment accorded to the Government of Iran or Bank Markazi", did not possess, in the circumstances of the case, an exclusively preliminary character.

149. By an Order of the same day, the Court fixed 13 September 2019 as the new time-limit for the filing of the Counter-Memorial by the United States.

150. By an Order dated 15 August 2019, the President of the Court, following a request by the United States, extended the time-limit for the filing of the latter's Counter-Memorial to 14 October 2019. The Counter-Memorial was filed within the time-limit thus fixed.

151. By an Order dated 15 November 2019, the President of the Court authorized the submission of a Reply by the Islamic Republic of Iran and a Rejoinder by the United States, and fixed 17 August 2020 and 17 May 2021 as the respective time-limits for the filing of those written pleadings.

9. *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)*

152. On 16 January 2017, Ukraine filed an Application instituting proceedings against the Russian Federation concerning alleged violations of the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999 and of the International Convention on the Elimination of All Forms of Racial Discrimination of 21 December 1965. Ukraine asserted in particular that, since 2014, the Russian Federation had "interven[ed] militarily in Ukraine, financ[ed] acts of terrorism, and violat[ed] the human rights of millions of Ukraine's citizens, including, for all too many, their right to life". Ukraine claimed that in eastern Ukraine, the Russian Federation had instigated and sustained an armed insurrection against the authority of the Ukrainian State. It considers that, by its actions, the Russian Federation has flouted fundamental principles of international law, including those enshrined in the International Convention for the Suppression of the Financing of Terrorism. Ukraine further claimed that, in the Autonomous Republic of Crimea and City of Sevastopol, the Russian Federation had "brazenly defied the Charter of the United Nations, seizing a part of Ukraine's sovereign territory by military force". It claimed that, "[i]n an attempt to legitimize its act of aggression, the Russian Federation [had] engineered an illegal 'referendum', which it [had] rushed to implement amid a climate of violence and intimidation against non-Russian ethnic groups". According to Ukraine, this "deliberate campaign of cultural erasure, beginning with the invasion and referendum and continuing to this day, violate[d] the International Convention on the Elimination

of All Forms of Racial Discrimination”. Ukraine requested the Court to adjudge and declare that the Russian Federation had violated its obligations under the International Convention for the Suppression of the Financing of Terrorism and the International Convention on the Elimination of All Forms of Racial Discrimination, and that it must comply with those obligations and make reparation for the harm suffered. As a basis for the jurisdiction of the Court, the Applicant invoked Article 24 of the International Convention for the Suppression of the Financing of Terrorism and Article 22 of the International Convention on the Elimination of All Forms of Racial Discrimination.

153. On 16 January 2017, Ukraine also filed a request for the indication of provisional measures, stating that the purpose was to protect its rights pending the Court’s determination of the case on the merits.

154. Public hearings on the request for the indication of provisional measures were held from 6 to 9 March 2017.

155. On 19 April 2017, the Court delivered its Order on the request for the indication of provisional measures. In particular, it found that, with regard to the situation in Crimea, the Russian Federation should, in accordance with its obligations under CERD, (a) refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions, including the Mejlis; and (b) ensure the availability of education in the Ukrainian language.

156. By an Order of 12 May 2017, the President of the Court fixed 12 June 2018 and 12 July 2019, respectively, as the time-limits for the filing of a Memorial by Ukraine and a Counter-Memorial by the Russian Federation. Ukraine’s Memorial was filed within the time-limit thus fixed.

157. On 12 September 2018, the Russian Federation raised preliminary objections to the jurisdiction of the Court and the admissibility of the Application. In accordance with the Rules of the Court, the proceedings on the merits were then suspended.

158. Public hearings on the preliminary objections were held from 3 to 7 June 2019.

159. On 8 November 2019, the Court delivered its judgment on the preliminary objections raised by the Russian Federation, concluding that it had jurisdiction to entertain the claims made by Ukraine on the basis of the International Convention for the Suppression of the Financing of Terrorism and the International Convention on the Elimination of All Forms of Racial Discrimination. The Court also rejected the objection to admissibility raised by the respondent in respect of the claims made by Ukraine under the International Convention on the Elimination of All Forms of Racial Discrimination, and concluded that the application in relation to those claims was admissible. The operative part of the judgment reads as follows:

“For these reasons,

The Court,

(1) By thirteen votes to three,

Rejects the preliminary objection raised by the Russian Federation that the Court lacks jurisdiction on the basis of Article 24, paragraph 1, of the International Convention for the Suppression of the Financing of Terrorism;

In favour: President Yusuf; Judges Abraham, Bennouna, Cançado Trindade, Donoghue, Gaja, Sebutinde, Bhandari, Robinson, Crawford, Salam, Iwasawa; Judge ad hoc Pocar;

Against: Vice-President Xue; Judge Tomka; Judge ad hoc Skotnikov;

(2) By thirteen votes to three,

Finds that it has jurisdiction on the basis of Article 24, paragraph 1, of the International Convention for the Suppression of the Financing of Terrorism, to entertain the claims made by Ukraine under this Convention;

In favour: President Yusuf; Judges Abraham, Bennouna, Cañado Trindade, Donoghue, Gaja, Sebutinde, Bhandari, Robinson, Crawford, Salam, Iwasawa; Judge ad hoc Pocar;

Against: Vice-President Xue; Judge Tomka; Judge ad hoc Skotnikov;

(3) By fifteen votes to one,

Rejects the preliminary objection raised by the Russian Federation that the Court lacks jurisdiction on the basis of Article 22 of the International Convention on the Elimination of All Forms of Racial Discrimination;

In favour: President Yusuf; Vice-President Xue; Judges Tomka, Abraham, Bennouna, Cañado Trindade, Donoghue, Gaja, Sebutinde, Bhandari, Robinson, Crawford, Salam, Iwasawa; Judge ad hoc Pocar;

Against: Judge ad hoc Skotnikov;

(4) Unanimously,

Rejects the preliminary objection raised by the Russian Federation to the admissibility of the Application of Ukraine in relation to the claims under the International Convention on the Elimination of All Forms of Racial Discrimination;

(5) By fifteen votes to one,

Finds that it has jurisdiction, on the basis of Article 22 of the International Convention on the Elimination of All Forms of Racial Discrimination, to entertain the claims made by Ukraine under this Convention, and that the Application in relation to those claims is admissible.

In favour: President Yusuf; Vice-President Xue; Judges Tomka, Abraham, Bennouna, Cañado Trindade, Donoghue, Gaja, Sebutinde, Bhandari, Robinson, Crawford, Salam, Iwasawa; Judge ad hoc Pocar;

Against: Judge ad hoc Skotnikov.”

160. By an Order dated 8 November 2019, the Court fixed 8 December 2020 as the new time-limit for the filing of a Counter-Memorial by the Russian Federation. By a letter dated 8 June 2020, the agents of the Russian Federation requested the Court to extend by twelve months the time-limit for the filing of the Counter-Memorial, explaining that the restrictions due to the COVID-19 pandemic had led to ongoing difficulties and related delays in the preparation of that pleading. By a letter dated 22 June 2020, the Agent of Ukraine indicated that his Government opposed the grant of any extension of the time-limit for the filing of the Counter-Memorial, explaining that the coronavirus-related restrictions currently in place did not justify the extension requested, and that an extension would be severely prejudicial to Ukraine and would unduly delay the resolution of the case by the Court. By an Order dated 13 July 2020, the Court extended to 8 April 2021 the time-limit for the filing of the Counter-Memorial of the Russian Federation.

10. *Arbitral Award of 3 October 1899 (Guyana v. Venezuela)*

161. On 29 March 2018, Guyana filed an Application instituting proceedings against the Bolivarian Republic of Venezuela. In its Application, Guyana requested the Court “to confirm the legal validity and binding effect of the Award Regarding the Boundary between the Colony of British Guiana and the United States of Venezuela, of 3 October 1899”. Pursuant to Article 36, paragraph 1, of the Statute of the Court, the

applicant seeks to base the jurisdiction of the Court on Article IV, paragraph 2, of the Agreement to Resolve the Controversy over the Frontier between Venezuela and British Guiana, signed at Geneva on 17 February 1966 and on the decision of 30 January 2018 of the Secretary-General, in accordance with the Agreement, choosing the Court as the means for the settlement of the dispute.

162. On 18 June 2018, the Bolivarian Republic of Venezuela informed the Court that it considered that the Court manifestly lacked jurisdiction to hear the case and decided not to take part in the proceedings.

163. By an Order dated 19 June 2018, the Court decided that the written pleadings in the case must first address the question of the jurisdiction of the Court and fixed 19 November 2018 and 18 April 2019 as the respective time-limits for the filing of a Memorial by Guyana and a Counter-Memorial by the Bolivarian Republic of Venezuela.

164. Guyana's Memorial was filed within the time-limit thus fixed. By letter dated 12 April 2019, the Bolivarian Republic of Venezuela confirmed that it would not participate in the written proceedings, while indicating that it would provide timely information in order to assist the Court "in the fulfilment of its duty as indicated in Article 53, paragraph 2, of its Statute". On 28 November 2019, the Bolivarian Republic of Venezuela addressed to the Court a document entitled "Memorandum of the Bolivarian Republic of Venezuela on the Application filed before the International Court of Justice by the Cooperative Republic of Guyana on March 29th, 2018".

165. The Court began by scheduling public hearings on the issue of jurisdiction for 23–27 March 2020. The Bolivarian Republic of Venezuela then announced that it would not participate in the oral proceedings. On 17 March 2020, the Court decided to postpone the hearings until further notice because of the COVID-19 pandemic. On 19 May 2020, the parties were informed that the oral proceedings would be held by videoconference on 30 June 2020. A public hearing was held by videoconference on the scheduled date, with some of the members of the Court and the Registrar present in the Great Hall of Justice of the Peace Palace, with the rest of the judges and the delegation of Guyana participating by videoconference.

166. The Court will deliver its decision at a public sitting, the date of which will be announced in due course.

11. *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*

167. On 11 June 2018, Qatar instituted proceedings against the United Arab Emirates with regard to alleged violations of the International Convention on the Elimination of All Forms of Racial Discrimination, of 21 December 1965, to which both States are parties. In its Application, Qatar asserted "the United Arab Emirates has enacted and implemented a series of discriminatory measures directed at Qataris based expressly on their national origin – measures that remain in effect to this day", resulting in alleged human rights violations. The Applicant requests the Court to adjudge and declare that the United Arab Emirates has violated its obligations under Articles 2, 4, 5, 6, and 7 of the Convention, and that it must take all necessary steps to fulfil those obligations. The Applicant seeks to base the jurisdiction of the Court on Article 36, paragraph 1, of the Statute of the Court, and on Article 22 of the Convention.

168. On 11 June 2018, Qatar also filed a request for the indication of provisional measures "to protect against further, irreparable harm to the rights of Qataris and their families under the CERD ... and to prevent aggravation or extension of the dispute", pending final judgment in the case.

169. On 23 July 2018, the Court delivered its Order on the request, indicating in particular that the United Arab Emirates must ensure that (a) Qatari-Emirati families

separated by the measures adopted by the United Arab Emirates on 5 June 2017 were reunited; (b) Qatari students affected by the measures adopted by the United Arab Emirates on 5 June 2017 were given the opportunity to complete their education in the United Arab Emirates or to obtain their educational records if they wished to continue their studies elsewhere; (c) Qataris affected by the measures adopted by the United Arab Emirates on 5 June 2017 were allowed access to tribunals and other judicial organs of the United Arab Emirates.

170. By an Order of 25 July 2018, the President of the Court fixed 25 April 2019 and 27 January 2020, respectively, as the time-limits for the filing of a Memorial by Qatar and a Counter-Memorial by the United Arab Emirates. Qatar's Memorial was filed within the time-limit thus fixed.

171. On 22 March 2019, the United Arab Emirates filed in the Registry of the Court a request for the indication of provisional measures in order "(a) to preserve its procedural rights in this case; and (b) prevent Qatar from further aggravating or extending the dispute between the parties pending a final decision in this case".

172. On 30 April 2019, the United Arab Emirates raised preliminary objections to the jurisdiction of the Court and the admissibility of the Application. In accordance with the Rules of the Court, the proceedings on the merits of the case were then suspended. By an Order dated 2 May 2019, the President of the Court fixed 30 August 2019 as the time-limit within which Qatar might present a written statement of its observations and submissions on the preliminary objections raised by the United Arab Emirates.

173. On 14 June 2019, the Court delivered an Order rejecting the request for the indication of provisional measures submitted by the United Arab Emirates.

174. On 30 August 2019, within the time-limit fixed by the President of the Court, Qatar submitted a written statement containing its observations and conclusions on the preliminary objections raised by the United Arab Emirates.

175. Public hearings on the preliminary objections are scheduled to be held from 31 August to 7 September 2020.

12. *Appeal Relating to the Jurisdiction of the ICAO Council under Article 84 of the Convention on International Civil Aviation (Bahrain, Egypt, Saudi Arabia and United Arab Emirates v. Qatar)*

13. *Appeal Relating to the Jurisdiction of the ICAO Council under Article II, Section 2, of the 1944 International Air Services Transit Agreement (Bahrain, Egypt and United Arab Emirates v. Qatar)*

176. On 4 July 2018, Bahrain, Egypt, Saudi Arabia and the United Arab Emirates filed a joint Application constituting an appeal against the decision rendered by the Council of the International Civil Aviation Organization (ICAO) on 29 June 2018 in proceedings initiated by Qatar against these four States on 30 October 2017, pursuant to Article 84 of the Convention on International Civil Aviation.

177. On the same date, Bahrain, Egypt and the United Arab Emirates filed a joint Application constituting an appeal against the decision rendered by the Council of the International Civil Aviation Organization (ICAO) on 29 June 2018 in proceedings initiated by Qatar against these three States on 30 October 2017, pursuant to Article II, Section 2, of the International Air Services Transit Agreement.

178. It is stated in the Applications that in 2013 and 2014, following years of diplomatic activities, the Member States of the Gulf Cooperation Council adopted a series of instruments and undertakings referred to collectively as the Riyadh Agreements, under which Qatar "committed to cease supporting, financing or harbouring persons or groups presenting a danger to national security, in particular

terrorist groups”. The Applicants further stated that, on 5 June 2017, after Qatar allegedly failed to abide by its commitments, they adopted a range of counter-measures “with the aim of inducing compliance by Qatar”. They state that they have accordingly imposed airspace restrictions on aircraft registered in Qatar. On 30 October 2017, Qatar submitted to the ICAO Council two Applications against the above States, which had raised two preliminary objections to each of Qatar’s Applications contending that the ICAO Council lacked jurisdiction to adjudicate the claims submitted by Qatar, or, in the alternative, that the claims were inadmissible. By two decisions rendered on 29 June 2018, the ICAO Council rejected these preliminary objections.

179. Before the Court, the Applicants advanced three grounds of appeal. Under the first ground of appeal, they contested the decisions of the ICAO Council on the grounds that they had been rendered following a procedure which was “manifestly flawed and in violation of fundamental principles of due process and the right to be heard”. Under the second and third grounds, they claimed that “the ICAO Council erred in fact and in law” in rejecting their preliminary objections to its jurisdiction over Qatar’s Applications.

180. By Orders of 25 July 2018, the President of the Court fixed 27 December 2018 and 27 May 2019, respectively, as the time-limits for the filing of a Memorial by the Applicants and a Counter-Memorial by Qatar in each of the two cases. The Applicants’ Memorials were filed on 27 December 2018 and the Respondent’s Counter-Memorials were filed on 25 February 2019.

181. By Orders dated 27 March 2019, the Court directed the submission of a Reply by the Applicants and a Rejoinder by Qatar in each of the two cases, and fixed 27 May 2019 and 29 July 2019 as the respective time-limits for the filing of those written pleadings. The written pleadings were filed within the time-limits thus fixed.

182. Public hearings on the merits of the two cases were held from 2 to 6 December 2019.

183. The Court’s judgment in each of the cases was delivered on 14 July 2020, during a public sitting held at the Peace Palace. The operative part of the judgments read as follows:

“For these reasons,

The Court,

(1) Unanimously,

Rejects the appeal filed on 4 July 2018 by [the applicants] from the decision of the Council of the International Civil Aviation Organization, dated 29 June 2018;

(2) By fifteen votes to one,

Holds that the Council of the International Civil Aviation Organization has jurisdiction to entertain the application submitted to it by the Government of the State of Qatar on 30 October 2017 and that the said application is admissible.

In favour: President Yusuf; Vice-President Xue; Judges Tomka, Abraham, Cañado Trindade, Donoghue, Gaja, Sebutinde, Bhandari, Robinson, Crawford, Gevorgian, Salam, Iwasawa; Judge ad hoc Daudet;

Against: Judge ad hoc Berman.”

14. *Alleged violations of the 1955 Treaty of Amity, Economic Relations, and Consular Rights (Islamic Republic of Iran v. United States of America)*

184. On 16 July 2018, the Islamic Republic of Iran filed an Application instituting proceedings against the United States with regard to a dispute concerning alleged

violations of the Treaty of Amity, Economic Relations, and Consular Rights, which was signed by the two States in Tehran on 15 August 1955 and entered into force on 16 June 1957. The Islamic Republic of Iran stated that its Application related to the decision of the United States of 8 May 2018 “to re-impose in full effect and enforce” a series of sanctions and restrictive measures targeting, directly or indirectly, Iran and Iranian companies and/or nationals, which the United States had previously decided to lift in connection with the Joint Comprehensive Plan of Action (an agreement on the nuclear programme of the Islamic Republic of Iran reached on 14 July 2015 by the Islamic Republic of Iran, the five permanent members of the Security Council, plus Germany and the European Union). The Applicant claimed that, through the “8 May sanctions” and further sanctions that had been announced, the United States “[had] violated and continued to violate multiple provisions of the 1955 Treaty”. Accordingly, Iran requests the Court to adjudge, order and declare that the United States has breached its obligations under the Treaty, that it must put an end to such breaches and that it must compensate the Islamic Republic of Iran for the harm caused. As basis for the jurisdiction of the Court, the Applicant invoked Article XXI, paragraph 2, of the Treaty.

185. On 16 July 2018, the Islamic Republic of Iran also filed a request for the indication of provisional measures, in order to preserve its rights under the Treaty pending the judgment of the Court on the merits of the case.

186. On 3 October 2018, the Court delivered its Order on this request, indicating in particular that

- “(1) The United States of America, in accordance with its obligations under the 1955 Treaty of Amity, Economic Relations, and Consular Rights, shall remove, by means of its choosing, any impediments arising from the measures announced on 8 May 2018 to the free exportation to the territory of the Islamic Republic of Iran of:
- (i) medicines and medical devices;
 - (ii) foodstuffs and agricultural commodities; and
 - (iii) spare parts, equipment and associated services (including warranty, maintenance, repair services and inspections) necessary for the safety of civil aviation; [...]
- (2) The United States of America shall ensure that licences and necessary authorizations are granted and that payments and other transfers of funds are not subject to any restriction in so far as they relate to the goods and services referred to in point (1)”.

187. By an Order of 10 October 2018, the Court fixed 10 April 2019 and 10 October 2019, respectively, as the time-limits for the filing of a Memorial by the Islamic Republic of Iran and a Counter-Memorial by the United States.

188. By a letter dated 1 April 2019, the Co-Agent of the Islamic Republic of Iran requested the Court to extend by one and a half months the time-limit for the filing of the Memorial, and indicated the reasons for that request. In the absence of any objection from the United States to this request, the President of the Court, by Order dated 8 April 2019, extended to 24 May 2019 and 10 January 2020 the respective time-limits for the filing of the Memorial by the Islamic Republic of Iran and the Counter-Memorial by the United States. The Islamic Republic of Iran’s Memorial was filed within the time-limit thus fixed.

189. On 23 August 2019, the United States raised preliminary objections to the jurisdiction of the Court and the admissibility of the Application. In accordance with the Rules of the Court, the proceedings on the merits of the case were then suspended.

190. By an Order dated 26 August 2019, the President of the Court fixed 23 December 2019 as the time-limit within which the Islamic Republic of Iran might present a written statement of its observations and submissions on the preliminary objections raised by the United States. The Islamic Republic of Iran's statement was presented within the time-limit thus fixed.

191. Public hearings on the preliminary objections are scheduled to be held from 14 to 21 September 2020.

15. *Relocation of the United States Embassy to Jerusalem (Palestine v. United States of America)*

192. On 28 September 2018, the State of Palestine filed an Application instituting proceedings against the United States with respect to a dispute concerning alleged violations of the Vienna Convention on Diplomatic Relations of 18 April 1961. It is recalled in the Application that, on 6 December 2017, the President of the United States recognized Jerusalem as the capital of Israel and announced the relocation of the United States Embassy in Israel from Tel Aviv to Jerusalem. The United States Embassy in Jerusalem was inaugurated on 14 May 2018. The State of Palestine contends that it flows from the Vienna Convention that the diplomatic mission of a sending State must be established on the territory of the receiving State. According to the State of Palestine, in view of the special status of Jerusalem, "[t]he relocation of the United States Embassy in Israel to the Holy City of Jerusalem constitutes a breach of the Vienna Convention". At the end of its application, the State of Palestine requests the Court to recognize this violation, to order the United States to put an end to it and to take all necessary steps to comply with its obligations, and to provide assurances and guarantees of non-repetition of its unlawful conduct. As basis for the Court's jurisdiction, the Applicant invoked Article I of the Optional Protocol to the Vienna Convention concerning the Compulsory Settlement of Disputes.

193. The United States informed the Court that it did not consider itself to be in a treaty relationship with the Applicant under the Vienna Convention or the Optional Protocol. It concluded that, in its view, the Court was manifestly without jurisdiction in respect of the Application, and that the case ought to be removed from the List.

194. By an order dated 15 November 2018, the Court decided that the written pleadings in the case would first address the questions of the Court's jurisdiction and the admissibility of the application. It fixed 15 May and 15 November 2019 as the respective time-limits for the filing of a Memorial by the State of Palestine and a Counter-Memorial by the United States. The State of Palestine's Memorial was filed within the time-limit thus fixed.

16. *Guatemala's Territorial, Insular and Maritime Claim (Guatemala/Belize)*

195. On 7 June 2019, the Court was seized of a dispute between Guatemala and Belize by way of special agreement. Under the terms of Articles 1 and 2 of the Agreement, the parties request[ed] the Court to determine in accordance with applicable rules of international law as specified in Article 38 (1) of the Statute of the Court any and all legal claims of Guatemala against Belize to land and insular territories and to any maritime areas pertaining to these territories, to declare the rights therein of both parties, and to determine the boundaries between their respective territories and areas.

196. By an Order dated 18 June 2019, the Court fixed 8 June 2020 and 8 June 2021 as the respective time-limits for the filing of a Memorial by Guatemala and a Counter-Memorial by Belize.

197. By an Order dated 22 April 2020, the Court, following a request from Guatemala seeking an extension of the time-limit for the filing of its Memorial because of the COVID-19 pandemic, and taking into account the views expressed by Belize in that connection, extended the respective time-limits for the filing of a Memorial by Guatemala and a Counter-Memorial by Belize to 8 December 2020 and 8 June 2022, respectively.

17. *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Gambia v. Myanmar)*

198. On 11 November 2019, the Gambia filed with the Registry of the Court an Application instituting proceedings against Myanmar, concerning alleged violations of the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948. The Gambia claims that the Myanmar army (known as the “Tatmadaw”) and other security forces in the country have committed acts against the Rohingya group that constitute violations of the Convention. In its Application, the Gambia requests, inter alia, that the Court adjudge and declare that Myanmar has breached its obligations under the Genocide Convention, that it must cease forthwith any internationally wrongful act, that it must perform the obligations of reparation in the interest of the victims of genocidal acts who are members of the Rohingya group, and that it must offer assurances and guarantees of non-repetition of violations of the Convention. The Applicant seeks to base the jurisdiction of the Court on Article 36, paragraph 1, of the Statute of the Court, and on Article IX of the Convention, to which both States are parties.

199. The Application was accompanied by a request for the indication of provisional measures to protect the rights of the Rohingya group and those of the Gambia under the Convention.

200. Public hearings on the request for the indication of provisional measures submitted by the Gambia were held from 10 to 12 December 2019.

201. On 23 January 2020, the Court delivered an Order, the operative part of which reads as follows:

“For these reasons,

The Court,

Indicates the following provisional measures:

(1) Unanimously,

The Republic of the Union of Myanmar shall, in accordance with its obligations under the Convention on the Prevention and Punishment of the Crime of Genocide, in relation to the members of the Rohingya group in its territory, take all measures within its power to prevent the commission of all acts within the scope of Article II of this Convention, in particular:

- (a) killing members of the group;
- (b) causing serious bodily or mental harm to members of the group;
- (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; and
- (d) imposing measures intended to prevent births within the group;

(2) Unanimously,

The Republic of the Union of Myanmar shall, in relation to the members of the Rohingya group in its territory, ensure that its military, as well as any irregular armed

units which may be directed or supported by it and any organizations and persons which may be subject to its control, direction or influence, do not commit any acts described in point (1) above, or of conspiracy to commit genocide, of direct and public incitement to commit genocide, of attempt to commit genocide, or of complicity in genocide;

(3) Unanimously,

The Republic of the Union of Myanmar shall take effective measures to prevent the destruction and ensure the preservation of evidence related to allegations of acts within the scope of Article II of the Convention on the Prevention and Punishment of the Crime of Genocide;

(4) Unanimously,

The Republic of the Union of Myanmar shall submit a report to the Court on all measures taken to give effect to this Order within four months, as from the date of this Order, and thereafter every six months, until a final decision on the case is rendered by the Court.”

The Court was composed as follows: President Yusuf; Vice-President Xue; Judges Tomka, Abraham, Cançado Trindade, Donoghue, Gaja, Sebutinde, Bhandari, Robinson, Crawford, Gevorgian, Salam, Iwasawa; Judges ad hoc Pillay and Kress; Registrar Gautier.

202. By a further Order dated 23 January 2020, the Court fixed 23 July 2020 and 25 January 2021 as the respective time-limits for the filing of a Memorial by the Gambia and a Counter-Memorial by Myanmar.

203. By an Order dated 18 May 2020, the Court, in response to a request from the Gambia seeking an extension of the time-limit for the filing of its Memorial because of the COVID-19 pandemic, and taking into account the views expressed by Myanmar in that connection, extended the time-limits for the filing of the Memorial of the Gambia and the Counter-Memorial of Myanmar to 23 October 2020 and 23 July 2021, respectively.

Chapter VI

Visits to the Court and other activities

1. Visits

204. During the period under review, the Court welcomed a large number of dignitaries to its seat.

205. On 3 September 2019, Her Excellency Ms. María Fernanda Espinosa Garcés, President of the United Nations General Assembly, visited the Court. She was received by the President, Vice-President and Registrar of the Court. An exchange of views took place on various topics, including international justice, the work of the Court, cases on the Court's list, the Court's relationship with the Assembly, and other issues of interest to both bodies. At the end of the visit, she was invited to sign the Court's Visitors' Book.

206. The following dignitaries and delegations were also received by the Court: on 2 September 2019, the Minister for Foreign Affairs of Tunisia, Khemaies Jhinaoui; on 22 November 2019, a delegation from the European External Action Service; on 16 December 2019, Mr. Carl Magnus Nesser, Director General for Legal Affairs at the Ministry for Foreign Affairs of Sweden and head of the Swedish delegation to the eighteenth session of the Assembly of States Parties of the International Criminal Court, accompanied by Ms. Annika Markovic, Ambassador of the Kingdom of Sweden to the Netherlands; on 22 January 2020, Mr. Joseph Azzopardi, Chief Justice of Malta, accompanied by Ms. Marlene Bonnici, Ambassador of Malta to the Netherlands; on 5 March 2020, Mr. Diosdado M. Peralta, Chief Justice of the Supreme Court of the Philippines, accompanied by Mr. Jaime Victor Ledda, Ambassador of the Philippines to the Netherlands.

2. Other activities

207. The President and other Members of the Court, the Registrar and certain Registry officials also welcomed a large number of academics, researchers, lawyers and journalists. Presentations on the role and functioning of the Court were made during these visits. In addition, the President, Members of the Court and the Registrar gave a number of talks while visiting various countries, at the invitation of their Governments, and legal, academic and other institutions.

208. On 10 October 2019, Judges Abraham and Cançado Trindade participated, on behalf of the Court, in the ceremony for the deposit of digital copies of the official archives of the International Military Tribunal at Nuremberg at the Shoah Memorial in Paris. The digitization of the sound recordings of the hearings of that Tribunal as well as the film footage used as evidence had been carried out by the Court in partnership with the Shoah Memorial and the United States Holocaust Memorial.

209. The Court welcomed numerous visitors as part of The Hague International Day, marked on Sunday, 22 September 2019. That was the twelfth time that the Court had been involved in the event, which is organized in conjunction with the Municipality of The Hague and is aimed at introducing the general public to the international organizations based in the city and surrounding area. The Information Department gave presentations on the Court and answered visitors' questions.

Chapter VII

Publications and presentation of the Court to the public

1. Publications

210. The publications of the Court are distributed to the Governments of all States entitled to appear before it, to international organizations and to the world's major law libraries. The catalogue of those publications, which is produced in English and French, is distributed free of charge. A revised and updated version of the catalogue has been published and is available on the Court's website under the heading "Publications".

211. The publications of the Court consist of several series. The following two series are published annually: the Reports of Judgments, Advisory Opinions and Orders (published in separate fascicles and as a bound volume) and the Yearbook.

212. The two bound volumes of Reports 2019 were published during the preparation of the present report. The Yearbook was completely redesigned in 2013–2014, and published in bilingual form for the first time. The 2018–2019 Yearbook will be published during 2020; the 2019–2020 Yearbook will be published in the first half of 2021.

213. The Court also publishes bilingual printed versions of the instruments instituting proceedings in contentious cases that are brought before it (applications instituting proceedings and special agreements), and of applications for permission to intervene, declarations of intervention, requests for provisional measures and requests for advisory opinions that it receives. During the period under review, one new contentious case was submitted to the Court (see para. 7); the related Application instituting proceedings has been published.

214. The pleadings and other documents submitted to the Court in a case are published after the instruments instituting proceedings, in the series *Pleadings, Oral Arguments, Documents*. The volumes of this series, which contain the full texts of the written pleadings – including annexes – as well as the verbatim reports of the public hearings, give practitioners a complete view of the arguments elaborated by the parties. Twenty volumes were published in this series in the period covered by the present report.

215. In the series *Acts and Documents concerning the Organization of the Court*, the Court publishes the instruments governing its organization, functioning and judicial practice. The most recent edition, No. 6, which includes the Practice Directions adopted by the Court, came out in 2007. An offprint of the Rules of Court, as amended on 5 December 2000, is available in English and French. These documents can also be found online on the Court's website, under the heading "Basic Documents". Unofficial translations of the Rules of Court in the other official languages of the Organization can be found on the Court's website.

216. The Court issues press releases and summaries of its decisions.

217. A special, lavishly illustrated book entitled *The Permanent Court of International Justice* was published in 2012. This book – in English, French and Spanish – was produced by the Registry of the Court to mark the ninetieth anniversary of the inauguration of its predecessor. This exceptional publication joins *The Illustrated Book of the International Court of Justice*, published in 2006. An updated version of the latter was published on the occasion of the Court's seventieth anniversary, as was a photographic booklet, entitled *70 years of the Court in pictures*.

218. The Court also produces a handbook intended to facilitate a better understanding of its history, organization, jurisdiction, procedures and jurisprudence. A new edition of this handbook, in the Court's two official languages, was published in the second half of 2019.

219. In addition, the Court produces a general information booklet in the form of questions and answers, an updated version of which is available in English and French, along with leaflet on the Court in the six official languages of the Organization and in Dutch. Printing in-house means that the content of the booklet and leaflet can be updated as needed and produced at a low cost in the quantities required.

220. Finally, the Registry collaborates with the Secretariat by providing it with summaries of the Court's decisions, which it produces in English and French, for translation and publication in the other official languages of the United Nations. The publication of the *Summaries of Judgments, Advisory Opinions and Orders* in each of these languages by the Secretariat fulfils a vital educational function throughout the world and offers the general public much greater access to the essential content of the Court's decisions, which are otherwise available only in English and French.

2. Film about the Court

221. With a view to the Court's seventieth anniversary celebrations, the Registry updated its film about the Court. This film, which is free for non-commercial use, is readily available online, in the six official United Nations languages, on the Court's new website and on United Nations Web TV. It is also available in a large number of other languages on the Court's YouTube channel.

3. Online resources and services

222. Since it was launched in June 2017, the Court's new website has been regularly updated to reflect changes in the composition of the Court, judicial developments in the cases before it, the schedule of public sittings and publicly available resources, such as publications.

223. In May 2019, the Court launched a mobile device app. The free app, called "CIJ-ICJ", allows users to keep abreast of developments at the Court in its two official languages, by providing essential information on the Court, including on pending and concluded cases, decisions, press releases and the Court's judicial calendar. It also allows users to receive real-time notifications as soon as a new decision or press release is published, and enables members of the media to register for accreditation for the Court's public hearings and readings. Since its launch, the application has been downloaded more than 10,000 times. This tool was updated in June 2020.

224. As in the past, the Court continues to provide full live and recorded webcast coverage of its public sittings on its website. These videos are also broadcast on United Nations Web TV.

225. To increase the visibility of its work, the Court also continues to use its Twitter account, originally launched in November 2015. As at 31 July 2020, it had more than 60,000 followers, an increase of more than 30 per cent over the previous year's figure.

226. Vacancy announcements, press releases and other information continue to be posted on the Court's LinkedIn page, which was launched in May 2018 and had over 75,000 followers as at 31 July 2020, a more than fourfold increase over the previous year's figure.

227. As at 31 July 2020, the number of subscribers to the Court's YouTube channel, launched in December 2017, stood at approximately 6,000, an increase of more than 35 per cent over the previous year.

4. Museum

228. The Museum of the International Court of Justice was officially inaugurated in 1999 by the then Secretary-General, Mr. Kofi Annan. Following its refurbishment and the installation of a multimedia exhibit, the museum was reopened on 20 April 2016 by his successor, Mr. Ban Ki-moon, on the occasion of the Court's seventieth anniversary.

229. Through a combination of archive material, art works and audio-visual presentations, the exhibition traces the major stages in the development of the international organizations – including the Court – seated in the Peace Palace and whose mission it is to ensure the peaceful settlement of international disputes.

230. Taking the two Hague Peace Conferences of 1899 and 1907 as its starting point, the exhibition first covers the activities, history and role of the Permanent Court of Arbitration, before moving on to the League of Nations and the Permanent Court of International Justice. It finishes with a detailed description of the role and activities of the United Nations and the International Court of Justice, which continues the work of its predecessor, the Permanent Court of International Justice.

231. The Museum is increasingly being used by Members of the Court and certain Registry staff members to welcome groups of visitors and to present the Court's role and work.

Chapter VIII**Draft resolution for the establishment of a trust fund for the Judicial Fellows Programme of the Court**

232. The Court's Judicial Fellows programme 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 period of nine months each year. As indicated by the President of the Court in his address to the General Assembly last year, the Court is of the view that a trust fund should be established for this programme in order to promote the geographical and linguistic diversity of legal practitioners participating in it. It is anticipated that a group of States will submit a draft resolution for the establishment of a trust fund for the programme for consideration by the General Assembly at its seventy-fifth session, under the agenda item relating to the Court's annual report. The Court has lent its full support to that initiative, and hopes that the draft resolution will be adopted by the General Assembly.

Chapter IX

Finances of the Court

1. Method of covering expenditure

233. In accordance with Article 33 of the Statute of the Court, “[t]he expenses of the Court shall be borne by the United Nations in such a manner as shall be decided by the General Assembly”. As the budget of the Court has been incorporated in the budget of the United Nations, Member States participate in the expenses of both in the same proportion, in accordance with the scale of assessments decided by the General Assembly.

234. Following the established practice, sums derived from staff assessment, sales of publications, interest income and other credits are recorded as United Nations income.

2. Budget formulation

235. In accordance with Articles 24 to 28 of the revised Instructions for the Registry, a preliminary draft budget is prepared by the Registrar. This preliminary draft is submitted for the consideration of the Budgetary and Administrative Committee of the Court, and then to the full Court for approval.

236. Once approved, the draft budget is forwarded to the Secretariat for incorporation in the draft budget of the United Nations. It is then examined by the Advisory Committee on Administrative and Budgetary Questions and is afterwards submitted to the Fifth Committee of the General Assembly. It is finally adopted by the General Assembly in plenary meeting, within the framework of decisions concerning the budget of the Organization.

3. Budget implementation

237. Responsibility for the implementation of the budget is assigned to the Registrar. He is assisted in this by a Finance Division. The Registrar has to ensure that proper use is made of the funds voted and must see that no expenses are incurred that are not provided for in the budget. He alone is entitled to incur liabilities in the name of the Court, subject to any possible delegations of authority. In accordance with a decision of the Court, the Registrar regularly communicates a statement of accounts to the Court’s Budgetary and Administrative Committee.

238. The accounts of the Court are audited every year by the Board of Auditors appointed by the General Assembly. At the end of each month, the closed accounts are forwarded to the United Nations Secretariat.

Revised budget for the Court for the biennium 2018–2019 (final appropriations), as adopted by the General Assembly

(United States dollars)

Programme

Members of the Court

0393902	Emoluments	7 379 500
0311025	Allowances for various expenses	884 900
0311023	Pensions	5 243 500
0393909	Duty allowance: judges ad hoc	790 500
2042302	Travel on official business	52 000
1410000	Experts for cases/consultants	16 300
Subtotal		14 366 700

*Programme***Registry**

0110000	Permanent posts	18 530 000
0200000	Common staff costs	7 924 000
1540000	After-service medical and associated costs	558 800
0211014	Representation allowance	7 200
1210000	Temporary assistance for meetings	1 390 700
1310000	General temporary assistance	289 600
1410000	Consultants	350 600
1510000	Overtime	142 500
2042302	Travel on official business	44 300
0454501	Hospitality	22 600
3010000	Training and retraining	332 300

Subtotal		29 592 600
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Programme support

3030000	External translation	475 900
3050000	Printing	632 400
3070000	Data-processing services	1 505 700
4010000	Rental and maintenance of premises	3 268 400
4030000	Rental of furniture and equipment	251 700
4040000	Communications	231 600
4060000	Maintenance of furniture and equipment	148 000
4090000	Miscellaneous services	132 100
5000000	Supplies and materials	234 800
5030000	Library books and supplies	290 100
6000000	Furniture and equipment	316 500
6025041	Acquisition of office automation equipment	153 000
6025042	Replacement of office automation equipment	65 400
6040000	Replacement of the Court's official vehicles	72 200

Subtotal		7 777 800
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Total		51 737 100
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Budget for the Court for 2020 (initial appropriations), as adopted by the General Assembly

(United States dollars)

*Programme***Members of the Court**

0393902	Emoluments	3 821 700
0311025	Allowances for various expenses	433 800
0311023	Pensions	2 519 400
0393909	Duty allowance: judges ad hoc	582 800
2042302	Travel on official business	23 700

Subtotal		7 381 400
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<i>Programme</i>		
Registry		
0110000	Permanent posts	9 849 600
0200000	Common staff costs	5 285 100
1540000	After-service medical and associated costs	248 800
0211014	Representation allowance	3 600
1210000	Temporary assistance for meetings	853 200
1310000	General temporary assistance	137 600
1410000	Consultants	68 300
1510000	Overtime	45 200
2042302	Travel on official business	35 600
0454501	Hospitality	11 300
3010000	Training and retraining	103 900
8030000	Grants and contributions	124 500
Subtotal		16 766 700
Programme support		
3030000	External translation	264 800
3050000	Printing	309 800
3070000	Data-processing services	701 500
4010000	Rental and maintenance of premises	1 498 900
4030000	Rental of furniture and equipment	167 400
4040000	Communications	151 100
4060000	Maintenance of furniture and equipment	148 400
4090000	Miscellaneous services	28 300
5000000	Supplies and materials	191 600
5030000	Library books and supplies	134 600
6000000	Furniture and equipment	56 300
6025041	Acquisition of office automation equipment	176 400
6025042	Replacement of office automation equipment	168 300
Subtotal		3 997 400
Total		28 145 500

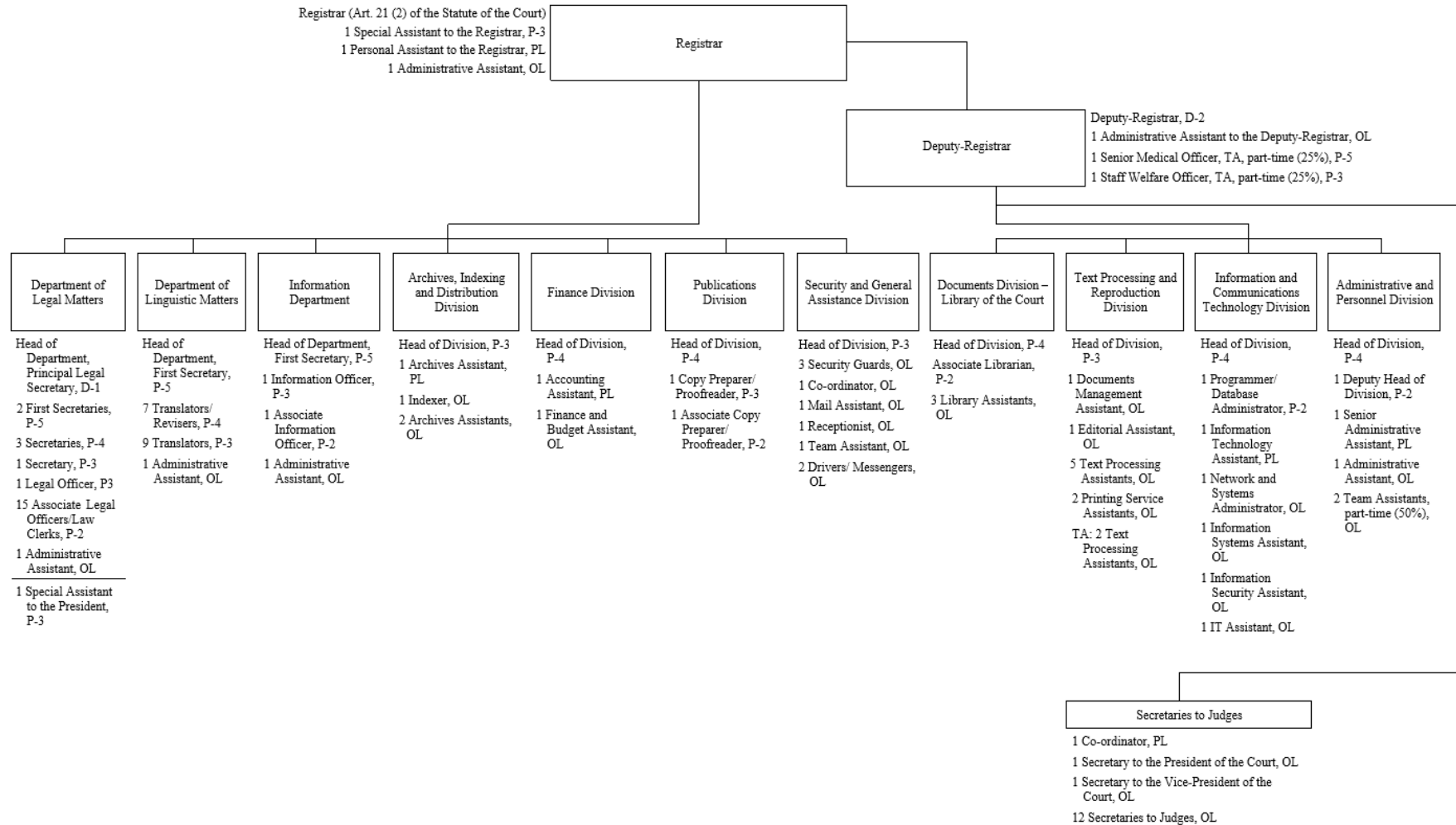
239. More comprehensive information on the work of the Court during the period under review is available on its website, as well as in the *Yearbook 2019–2020*, to be published in due course.

(Signed) Abdulqawi Ahmed **Yusuf**
President of the International Court of Justice

The Hague, 1 August 2020

Annex

International Court of Justice: organizational structure and post distribution of the Registry as at 31 July 2020



Abbreviations: PL: Principal level; OL: Other level; TA: Temporary Assistance.