

STATEMENT BY DR. NAJMA HEPTULLA, MEMBER OF PARLIAMENT AND MEMBER OF THE INDIAN DELEGATION, ON AGENDA ITEM: 71 - "REPORT OF THE INTERNATIONAL COURT OF JUSTICE" AT THE 67TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY ON NOVEMBER 01, 2012

Mr. President,

I extend my sincere gratitude to Judge Peter Tomka, President of the International Court of Justice, for his comprehensive and detailed report, covering the judicial activities of the Court over the last year. I also thank him and Vice-President Judge Bernardo Sepulveda-Amor for their leadership of the Court over that period.



Mr. President,

India attaches the highest importance to the Court as the principal judicial organ of the United Nations. The foremost purpose of the United Nations is the maintenance of international peace and security. The peaceful settlement of international disputes is fundamental for achieving this objective. The Court has fulfilled admirably the task of resolving disputes peacefully since its establishment.

Mr. President,

The Court remains the only judicial body with legitimacy derived from the UN Charter and enjoying universal character with general jurisdiction, whereas other international judicial institutions have competence and jurisdiction in specific areas

only. The Statute of the ICJ is an integral part of the UN Charter. This is a unique status enjoyed by the ICJ among the international courts or tribunals.

Mr. President,

As stated in the Preamble to its Charter, one of the primary goals of the United Nations is to establish conditions under which justice and respect for the obligations of international law can be maintained. The International Court of Justice, as the only international Court with general international law jurisdiction, is uniquely placed to fulfill that role.

The report of the Court clearly illustrates the confidence that States have reposed in it, as shown by the number and scope of cases entrusted to it and the Court's growing specialization in complex aspects of public international law. This clearly establishes the universality of the Court.

Mr. President,

During the last year, the Court has handed down four judgements and one advisory opinion. The Court has in one judgement highlighted the significance of the principle of sovereign immunity of States. In another judgement, the Court has confirmed the relevance of the principle of either prosecute or extradite. The Court's docket of pending cases has grown consistently in factual and legal complexity. Presently, the number of pending contentious cases stands at 11, involving States from all over the world.

Mr. President,

Since its inception, the Court has dealt with a variety of complex legal issues. The subject matter of cases before the Court varied widely, including territorial and maritime disputes, environmental damage, violation of territorial integrity, violation of international humanitarian law and human rights, genocide, and interpretation and application of international treaties.

The Court has remained highly sensitive in respecting political realities and sentiments of States, while acting within the provisions of the UN Charter, its own Statute and other applicable international law. The Court has contributed significantly towards settling legal disputes between Sovereign States, thus promoting the rule of law in international relations.

Mr. President,

Through its second function of providing advisory opinions on legal questions referred to it by organs of the United Nations and specialized agencies, the Court continues to fulfill the important role of clarifying the key international law issues.

Mr. President,

I am glad to note that the Court has taken significant steps over recent years to enhance its efficiency to enable it to cope with the steady increase in its workload. We are happy to note that accordingly the Court has successfully cleared its backlog of cases, which further strengthens the confidence of States in the Court's competency and efficiency.

Mr. President,

I wish to reiterate, in my concluding remarks, the great importance the international community attaches to the work of the International Court of Justice and to draw the Assembly's attention to the importance of strengthening the functioning of the Court by providing all necessarily required means.

Thank You, Mr. President.

[BACK TO TABLE OF CONTENTS](#)