

PRESS CONFERENCE
OF
H. E. JUDGE GILBERT GUILLAUME
PRESIDENT OF THE INTERNATIONAL COURT OF JUSTICE

15 February 2000

11 a.m.

Ladies and Gentlemen,

It is now one week since I was elected President of the International Court of Justice and it has been my wish to make contact with you rapidly in order to talk to you about the Court. It seemed to me both appropriate and agreeable to do so in the very chamber in which the Court holds its deliberations. International justice needs to be transparent and our meeting here does, I think, bear witness to that.

As you know, the Court, the principal judicial organ of the United Nations, is composed of 15 judges elected for nine years, one third of whom are eligible for re-election every three years. A partial re-election of this kind has just taken place and it has been our pleasure to welcome among our number a new judge, our Jordanian colleague Mr. Al-Khasawneh. The new Court took office on 6 February, the anniversary of the date on which our now distant predecessors did so in 1946.

The Court elected me President on 7 February for three years and on the same day it elected our Chinese colleague, Judge Shi, as Vice-President. It then appointed a new Registrar, Mr. Philippe Couvreur. And finally, it elected its chambers and committees. These in turn appointed their presidents and chairpersons. The Court is therefore ready now to start work afresh.

In the years to come it will be faced with a formidable task: whereas in the 1970s the floor of the Court was almost empty, today its docket contains 24 cases. At first sight this figure seems negligible when compared with the number of cases pending in national courts or even in the European Court of Human Rights and the Court of Justice of the European Communities.

However, we must remember that the International Court of Justice is an institution of a completely different kind. It gives advisory opinions to certain international organizations. It is the forum of first and last resort for such disputes as States agree to bring before it — disputes to which generally they attach great importance. Very often they wish to demonstrate to public opinion in their countries that they have done everything in their power to win their case, and have presented every possible argument. The documentation submitted to the Court is therefore complex and voluminous; in the year 2000, for example, we are required to decide a territorial and maritime dispute between Qatar and Bahrein after an exchange of written pleadings amounting to several thousand pages and five weeks of hearings.

The 24 cases at present on our docket come from every continent. They also differ enormously in content. In some cases — those between Cameroon and Nigeria, Indonesia and Malaysia, and Qatar and Bahrein — the disputes to be settled are territorial and maritime. In others the disputes have a totally different dimension. Bosnia-Herzegovina and Croatia, for example,

accuse Yugoslavia of having violated the United Nations Genocide Convention. Yugoslavia in turn makes comparable charges against Bosnia-Herzegovina. And it also accuses eight member countries of NATO of using unlawful force in Kosovo. Likewise the Democratic Republic of the Congo has brought charges of aggression against Burundi, Uganda and Rwanda.

In the past the Court has sometimes been reproached for acting slowly. This complaint, and I wish to stress this, seems unjustified today. The Court can act speedily and often has ruled within days on applications for provisional measures submitted by States. It is true that in other circumstances several years of preparation have been necessary before judgment could be handed down. But these delays have not been caused by excessively lengthy deliberations; in most if not all cases they have resulted from the parties' wishes. In some cases the parties have asked the Court for long time-limits in which to file their memorials, as in the Lockerbie proceedings brought by Libya against the United States and the United Kingdom. Parties have even asked the Court to suspend proceedings while they pursue parallel negotiations. It is clearly for the Court to determine time-limits for filing memorials. But it cannot treat the States parties before it in the same way as national courts treat their parties and in particular it cannot impose short time-limits on parties where they agree in requesting longer ones.

The unfortunate fact remains that whereas hold-ups were few in the past, there is a risk of many more in the future. That is the foremost challenge I shall face during my term of office as President, since 12 cases will probably be ready for hearing by the end of the year 2000, with at least two more in the spring of the year 2001.

In order to handle these cases within a reasonable time the Court will need to have greater resources and to adapt its methods of work and procedures.

At present the Court's budget is approximately US\$ 10,000,000 per annum and its Registry employs a total of 62 persons (in all staff categories). These are modest figures by comparison, for example, with those of the Criminal Tribunal for the Former Yugoslavia, with its prosecution service and registry, where the annual budget is in the region of US\$ 100,000,000 and which has a staff of more than 900 (nearly 500 of whom are in the registry itself). The Court cannot therefore operate in the future with such limited resources. It may need to seek additional resources next year. In any event it will need to submit a greatly increased budget to the General Assembly in 2001.

The Court must also continue to modernize. It has done a great deal in regard to computerization, including the creation of a bilingual website on the Internet. This and the mirror sites opened in Glasgow, New York and Paris receive 2,400 to 2,600 visits daily. An average of 18,000 documents are downloaded every day, ranging from the parties' memorials and the Court's judgments to press communiqués. The Court will continue its work in this area, since this is a particularly useful tool for providing information and taking action; and we were gratified at the recent tributes to our site, among them that of the *Encyclopaedia Britannica*.

Even though the length of a case depends largely on States, we shall need to improve our methods of work and in particular to invite parties to reduce the huge amount of documentation they submit to the Court. We shall also need to ensure that hearings do not last longer than necessary. We shall need to spend less time on our own deliberations wherever possible.

As far as the Court's procedures are concerned, these are already under review by the Rules Committee, which will make proposals to the Court in the near future as regards witness evidence, counter-claims and preliminary objections.

Obviously I cannot, just eight days after my election, go into further details about the action I intend to take in the next few years, with the Court's agreement. I can assure you, however, that I shall begin this action and pursue it with full determination.

In anticipation of doing so, I am ready to answer any questions which may come to your mind today and I shall endeavour to enlighten you in every possible way on the Court and its organization and operations.
