

**COMPILATION OF DECISIONS ADOPTED BY THE COURT CONCERNING THE EXTERNAL ACTIVITIES  
OF ITS MEMBERS**

**A. Arbitration activities of Members of the Court**

1. Members of the Court may only participate in inter-State arbitration cases.
2. Members of the Court may accept an appointment by a State party in inter-State arbitration, including the State of which the judge is a national.
3. Members of the Court must however decline to be appointed as arbitrators by a State that is a party in a case pending before the Court, even if there is no substantial interference between that case and the case submitted to arbitration.
4. Members of the Court may participate in inter-State arbitration without necessarily having to be appointed President of the arbitral tribunal in question.
5. Members of the Court may only participate in one inter-State arbitration procedure at a time.
6. Prior authorization must have been granted to a Member of the Court wishing to participate in an arbitration by a panel made up of the President, the Vice-President and the Chairman of the Rules Committee. If the Member of the Court requesting the authorization is a member of the group, the decision shall be taken by the other two judges. The panel will inform the Court once a year on the authorizations given during the course of that year, and at any time as necessary.
7. Any participation of Members of the Court in inter-State arbitrations is subject to the strict condition that their judicial activities must take absolute precedence.

**B. External activities of Members of the Court other than arbitration**

**(a) General guidelines**

1. Members of the Court are required to give absolute priority to the exercise of their judicial functions over their external activities. An external activity may be undertaken only if it does not affect the exercise of the Members' judicial functions.
2. When undertaking an external activity, Members of the Court shall ensure that it does not impinge on their independence or place their impartiality at risk.
3. Members of the Court shall preserve the confidentiality of the Court's deliberations.

**(b) Teaching activities and academic discussions**

4. A Member of the Court shall refrain from engaging in regular teaching. He or she may give the occasional lecture and take part as an external examiner in a jury for a doctoral thesis. He or she may participate in discussions of an academic character in conferences, seminars, workshops or meetings of learned societies.

**(c) Publications**

5. A Member of the Court may publish writings of a literary, academic or scientific character.

**(d) Professional contacts**

6. A Member of the Court may maintain professional contacts established prior to the assumption of his or her duties and acquire new ones, provided that he or she avoids interactions that might be seen as undermining his or her independence or impartiality in pending or future cases.

**(e) Positions in external entities**

7. A Member of the Court may be a member of a learned society and may hold a position in its governing or scientific board, including presidency.

8. A Member of the Court shall not hold a position in a non-governmental organization if his or her engagement might call into question or appear to call into question his or her impartiality or independence.

9. A Member of the Court shall not hold a position in a law firm or on the board of directors of a commercial company.

**(f) Implementation**

10. Members of the Court are invited to inform the President periodically of their commitments relating to the different external activities covered in the present guidelines and of other external activities that may also be relevant.

**C. Invitations from State entities to Members of the Court**

1. Invitations to visit from States that have cases pending before the Court may not be accepted by Members of the Court, including when the Member concerned is not sitting in a particular case under Article 24 of the Statute.

2. All other invitations by State entities may be accepted if the Member of the Court concerned considers them useful and in line with the independence and moral integrity expected from Members of the Court.

3. For the sake of transparency and orderly record-keeping, it would be desirable for Members of the Court who receive invitations from State entities to provide, through the President, a short

account of these invitations and visits, if any, for the archives. Such an account would be useful for building up a record of the practice of the Court in this area.

4. This text does not apply to invitations from universities and other institutions exercising activities of an academic character.

5. The Registrar of the Court shall also draw guidance from the above when deciding whether to accept invitations from State entities.

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