

# RESOLVING INTERNATIONAL CONFLICTS THROUGH LAW NOT WAR: TOWARDS UNIVERSAL JURISDICTION OF THE INTERNATIONAL COURT OF JUSTICE

43<sup>RD</sup> WFUNA PLENARY ASSEMBLY  
7-10 NOVEMBER 2023  
TBILISI, GEORGIA  
PA43/8/B2

*The WFUNA Plenary Assembly,*

*Affirming* United Nations Charter Article 2(3) that obliges all UN Members to “settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered”;

*Welcoming* United Nations’ Secretary-General Antonio Guterres’ remarks to the Security Council on January 12, 2023 that: “From the smallest village to the global stage, the rule of law is all that stands between peace and stability and a brutal struggle for power and resources [...] I note the importance of accepting the compulsory jurisdiction of the Court and call on all Member States to do so without any reservations”;

*Recalling* Article 92 of the United Nations Charter which established the International Court of Justice (ICJ) as “the principal judicial organ of the United Nations” and Article 93 that states that “all Members of the United Nations are *ipso facto* parties to the Statute of the International Court of Justice”, provides authority to Member states to refer cases to the court according to the procedures outlined in the Statute of the International Court of Justice and provides authority to the Security Council and UN General Assembly to refer cases to the ICJ as advisory opinions;

*Recalling also* the Statute of the International Court of Justice which provides the basis for jurisdiction of disputes between Member states, either through: a) general acceptance of ICJ jurisdiction by declarations of Member states; b) by provision of ICJ jurisdiction in specific international treaties for disputes between parties to these treaties, or c) by mutual agreement by disputing states for the ICJ to have jurisdiction for the specific dispute in question;

*Noting* the declarations deposited by 74 states<sup>i</sup> recognizing the jurisdiction of the Court as compulsory for any unresolved dispute between them and others who have also made such a declaration, and welcoming also the Declaration on promoting the jurisdiction of the International Court of Justice<sup>ii</sup> which is endorsed by 33 countries<sup>iii</sup>;

*Encouraged by* the positive impact that the overwhelming majority of ICJ cases have made to the peaceful resolution of conflicts and a strengthened adherence to international law;



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## RESOLUTION - PA43/8/B2

*Confident that* the ICJ could play a positive role toward resolution of international conflicts;

*Aspiring to* achieve universal acceptance of the ICJ jurisdiction no later than 2045, which marks the 100th anniversary of the United Nations;

*Calls on:*

1. UNAs to encourage their governments to consider accepting the compulsory jurisdiction of the International Court of Justice if they have not already done so;
2. WFUNA and UNAs to participate in the recently launched LAW not War campaign<sup>iv</sup> to enhance the jurisdiction and use of the International Court of Justice (ICJ) in order to assist countries to resolve international disputes peacefully rather than through recourse to threat or use of force.

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<sup>i</sup> <https://www.icj-cij.org/declarations>

<sup>ii</sup> [https://www.mae.ro/sites/default/files/file/declaration\\_on\\_promoting\\_the\\_jurisdiction\\_of\\_the\\_international\\_court\\_of\\_justice.pdf](https://www.mae.ro/sites/default/files/file/declaration_on_promoting_the_jurisdiction_of_the_international_court_of_justice.pdf)

<sup>iii</sup> <https://www.mae.ro/en/node/57146>

<sup>iv</sup> <https://www.unfoldzero.org/law-not-war/>