

**Speech of His Excellency, Judge Abdulqawi A. Yusuf,  
President  
of the International Court of Justice, on the occasion of  
the Seventy-Fifth Anniversary of the United Nations  
21 September 2020**

*Mr. President of the General Assembly,*

*Mr. Secretary-General,*

*Excellencies,*

*Ladies and Gentlemen,*

1. With the establishment of the United Nations in 1945, a decision was made by the States participating at the San

Francisco Conference to replace the rule of force by the rule of law. That decision has made all the difference for humanity in the past 75 years.

2. For billions of people on this planet, reliance on the international rule of law, the application of the principle of equal rights and self-determination of peoples, the prohibition of the use of force among States, and the protection of human rights, has meant freedom, independence, progress and peace in the past 75 years. All of which is thanks to the establishment of the United Nations. This gives us all a cause for celebration of 75 years of this unique institution.

3. As the President of the International Court of Justice, it behoves me to say a few words about the international rule of law. It is sometimes easy to take for granted the existence of the international rule of law or to forget about its significance, not only for peace, but also for the progress and prosperity of all nations.

4. No State, however powerful it may be, can provide security, prosperity and clean environment to its people without cooperating with other States. Nor can all the problems of a nation be resolved at the national level. International cooperation has to be based on a system of rules. Unless this system of rules is respected by each State, the edifice of multilateral cooperation may collapse.
  
5. As much as a State may wish to be free of the legal obligations which bind it to other States, it cannot do so unilaterally without losing the benefits it derives from its cooperation with those States and with others. Thus, States are not only brought closer together by diplomatic relations, trade and the technological advances in transportation, telecommunications, and cyberspace; they are also bound together by the web of rules that make possible these interactions. A web of rules inspired and based on the fundamental principles of the Charter of the United Nations

and of international law. These rules are not imposed on States by an outside legislator. They are designed and assented to by the States themselves. They are often based on mutual interests and common values.

6. An international rule of law cannot, however, exist without a judicial body to which disputes can be referred and by which they may be resolved. It is for this purpose that the drafters of the Charter established the International Court of Justice. This was in response to the determination proclaimed in the Preamble of the Charter “to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained”. It was also in furtherance of the principle that “[a]ll Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and Justice, are not endangered.”

7. The Statute of the Court, which is based on that of the Permanent Court of International Justice, adopted almost one hundred years ago on 13 December 1920, was annexed to the Charter of the United Nations, as an integral part thereof. This is a clear indication of the importance of the Court in the rule of law architecture of the United Nations of which it is the principal judicial organ.

8. In the past 75 years, the Court has proudly assumed its role as a “guardian” of the rule of law at the international level. It could not have done so without the respect for its decisions required under Article 94 of the Charter of the United Nations, which provides that “[e]ach Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.” The quality of the work of the Court has also enabled it to acquire a growing confidence among States to entrust to it the resolution of their disputes. This has led in recent years to a heavy caseload before it so that the number of cases submitted to it

in the last twenty-five years has arisen to the same level as those referred to it in its first fifty years of existence.

*Mr. President,*

9. The increased reliance on the rule of law in international relations as opposed to arbitrary power and the settlement of disputes by peaceful means rather than by force are the greatest success stories of the United Nations. We can all aspire to a more peaceful and stable world as long as relations between nations are undertaken in the respect of the fundamental principles of the Charter of the United Nations and of the obligations they have assumed of their own volition. The International Court of Justice stands ready to continue its contribution, within the bounds of its Statute, to the protection and advancement of the international rule of law and to the peaceful settlement of disputes among nations.

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