



PERMANENT MISSION OF ROMANIA
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**Special Committee on the Charter of the United Nations and on the
Strengthening of the Role of the Organization**

Peaceful settlement of disputes

**Thematic debate “Exchange of information on State practices regarding the use of
judicial settlement”**

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Mr. Chair,

We would like to express our appreciation for the work you have undertaken as the Chair of the current session of the Special Committee and assure you of Romania's continued support for your activity.

At the outset let me express our full solidarity with Ukraine and the Ukrainian people. The EU condemns in the strongest possible terms Russia's military aggression against Ukraine, which grossly violates international law and the UN Charter, and undermines international security and stability.

Our delegation fully aligns with the statement delivered on behalf of the European Union and its Member States.

Turning to the topic of our debate, we believe that any comprehensive discussion on the use of judicial settlement must begin with the principal judicial organ of the United Nations - the International Court of Justice (ICJ) and its contribution in settling, in accordance with international law, the legal disputes submitted to it by States.

Romania remains committed to supporting the ICJ and its role in promoting and reinforcing the rule-based international order, especially in the current geopolitical context, when we witness so many blatant attempts to undermine it. The outstanding contribution of the Court to the development of international law and its judicial application in support of maintaining peace and security worldwide cannot be contested.

We see the growing docket of the Court, covering a wide array of topics and involving States from various geographical areas of the world, together with the references to the jurisdiction of the Court in numerous conventions of universal application as indicative of the States' rising confidence in its high-quality judicial work and in its ability to prompt solutions that bring the disputes to a peaceful resolution. The solid case law of the Court is the bedrock of States' decision to recognize the ICJ's jurisdiction.

Our own experience, with the proceedings that took place between 2004-2009 in the case on the *Maritime Delimitation in the Black Sea*, reflected the complete confidence that Romania showed to the Court.

Moreover, the acceptance, by Romania, in 2015, of the compulsory jurisdiction of the ICJ reconfirms the full trust that Romania places in the Court and stems from the fact that the respect for international law is one of the main pillars of our foreign policy.

Mr. Chair,

The Court is asked more often than ever to play a role in the overall international community's efforts to preserve peace, security and stability. Therefore, it is even more appropriate to look into ways of encouraging a wider use of the Court's jurisdiction.

In June 2021, Romania put forth an initiative *on promoting the broader recognition of the ICJ's jurisdiction*, building on previous efforts in this area. Together with a group of supporting countries, composed of Japan, Liechtenstein, Mexico, the Netherlands, New Zealand, Norway, Poland, Spain and

Switzerland, we have elaborated a declaration which inventories the main arguments for accepting the Court's contentious jurisdiction and encourages States to confer jurisdiction to the ICJ by any of the means envisaged in its Statute, as deemed appropriate. It also underlines the merit in building a predictable basis for accessing the Court's jurisdiction, through making declarations recognizing the jurisdiction of the Court as compulsory and through the introduction of compromissory clauses in treaties, which, in turn, raises expectations of stability and consistency in international relations and serves the cause of international peace. Not least, this document reaffirms the important contribution of the ICJ to the peaceful settlement of disputes and the promotion of the rule of law globally, while inviting States to make better use of this potential.

On the 3rd of November 2021, we launched the declaration during an online event hosted by the Romanian Minister of Foreign Affairs and opened the text for endorsement by all States, as a renewed expression of their adherence to international law in conducting their foreign affairs. We further encourage States to join us in this endeavour, by endorsing the Declaration.

Mr. Chair,

We will conclude by expressing our belief that expanding the Court's compulsory jurisdiction, through various options, could consolidate the "normalcy" of submitting a legal issue to the Court even if and especially when the matter is related to the security or the international profile of that country. In this manner, States can show their readiness to defend their positions with legal arguments before the leading international court, as a means of translating into practice the principle of peaceful settlement of disputes enshrined in the UN Charter.

Thank you!