

Event Report: The Court at 75 and hopes for its future

Date: June 23rd

On June 23rd David den Dunnen (THUAS) welcomed Miriam Boxberg from Guernica 37 International Justice Chambers, Chloé Batchelor (ICJ intern with Office of the Registrar), and Galatee Fouquet (political officer in the EU delegation to El Salvador) to a panel discussion about the future of the International Criminal Justice (ICJ). Dr. Asier Garrido- Muñoz (THUAS) moderated the panel and Dr. Brian McGarry (Leiden University) delivered introductory remarks about the events key themes:

- 1) Climate justice
- 2) The importance of the ICJ's rulings for victims of crimes
- 3) State involvement in the ICJ
- 4) How the youth can participate in the ICJ

To begin David den Dunnen welcomed the guests and Dr. McGarry discussed the history of the Court and how it shaped the powers of other international courts and tribunals to ensure a fair treatment of parties and the effective resolution of disputes under Article 33 of the UN Charter. He explained how the Court and its Statute have influenced the legal and practical character of provisional measures. To finish, he asked the audience and panelists if the Court reflects the right model for the next 75 years of legal dispute settlement and is international adjudication an appropriate model to achieve the SDG targets?

After the opening remarks, Dr. Garrido- Muñoz introduced Chloé Batchelor who opened the panel discussion with a presentation on climate change and the ICJ. After discussing the benefits and drawbacks of both negotiations and adjudications for climate action, she concluded that a combination of both could be very effective for climate action. Citing several scholars, she listed a few ways the ICJ could further the climate action movement and this included a framework for the accountability for states and a legal framework for climate action negotiations which could clarify for states who has the founding to bring climate cases.

Galatee Fouquet was the second panelist and she discussed her work in El Salvador and in particular the importance of justice, good governance, and accountability in her experience. She shared that her wish for the ICJ for the next 75 years is to, "Continue engaging in judicial functions to serve their aims. For the International Court of Justice, it means continuing its mission to adjudicate general disputes between countries, to issue rulings and opinions that, by serving as sources of international law, continuously enrich it." She also emphasized the importance of engaging in non-judicial activities, addressing global challenges, and promoting visibility alongside these functions.

Ms. Fouquet was followed by Miriam Boxberg, who explained how ICJ decisions impacted her work with Syrian victims of torture for the UN Convention Against Torture. She explained in her remarks, the decisions of the ICJ on torture can bring victims partial justice. She clarified that while these victims cannot always receive justice for all the crimes committed against them, and not all actors involved in crimes can be held accountable by ICJ decisions, that the victims can receive justice through the ICJ's decisions on torture which holds the Syrian government accountable.

After the presentations, the floor was opened to questions from the audience. Mr. den Dunnen moderated the Q&A session and the conversation turned towards the ICJ's engagement with

young people. To improve awareness about the Court and what it does Ms. Batchelor discussed the importance of promotional events with young children where they are able engage with the Court and see how it functions. As an example, she mentioned an ICJ moot court that she participated in where school students addressed playground disputes with court mechanisms. On the subject of young professionals and students, Ms. Boxberg listed five ways they can get involved with the ICJ and make their voices heard to judges: 1) contributing to legal blogs, as judges often read them, 2) working or interning at a foreign office, 3) participating in ICJ moot courts, 4) inviting judges to speak at university events, and 5) networking with judges, for example by approaching judges at university networking events. Ms. Fouquet added that contributing to the ICJ's work can be done by participating in other global organisations like the UN. She seconded the suggestion of participating in moot courts and added that taking part in Model United Nations, doing internships or volunteering in the UN and EU embassies are also possibilities. Mr. den Dunnen affirmed these suggestions, stating that engaging with law student associations, UN Youth Impact, and doing volunteer work are avenues for participating in the ICJ's work.

The last question of the panel discussion was about ecocide and the ICJ. In response Ms. Batchelor stated that the matter had been considered by the ICJ, but there was disagreement over the definition and how to address the matter. After this question the event wrapped up, with Mr. den Dunnen thanking the audience for their contributions.

Overall, the panel discussion highlighted the ICJ's crucial place in enforcing justice, places for improvement particularly in climate action, and how young people can be involved in the ICJ's work. We would like to thank everyone who spoke in the panel, asked questions, and shared their insights.