



Rappresentanza Permanente
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Statement by the Head of Legal Affairs of Italy, Min. Plen. Andrea Tiriticco, at the 71st UN General Assembly Meeting on the Report of the International Court of Justice

Date: 10/27/2016

Mr. President,

I would like to thank the President of the International Court of Justice, Judge Ronny Abraham, for his address today to this Assembly, which appropriately and effectively emphasized a number of important points.

In light of the principles enshrined in its Constitution and in view of the constitutive treaties of the European Union, Italy considers that judicial scrutiny over State activities is an indispensable element of any system based on the Rule of Law.

At the international level the peaceful settlement of disputes is an obligation for States which is clearly set out in the UN Charter and the core value of the international community, which decided to ban the use of force. In this connection, the availability of judicial settlement through the International Court of Justice, the principal judicial organ of the UN, is a key component.

Resort to judicial mechanisms is a solid and serious option for States, which believe in an international community based on the Rule of Law. For this reason Italy (following a pledge made in 2012 in the framework of the High Level Summit on the Rule of Law) accepted the compulsory jurisdiction of the Court under Article 36 of the Statute, and we encourage others to do the same. I am therefore pleased to address this audience for the first time since the entry into force of our declaration.

Italy confirms the fundamental contribution that judicial review brings to the stability of the international community, where the Rule of Law provides the guiding blueprint, both in terms of rights and obligations, for State membership.

As the international community framework expands to include new actors and a progressively tightened network of relations, and as international law adjusts to new scenarios, we cannot fail to recognize the increasing call for the primacy of a number of principles that should constitute the pillars of peace in this new magmatic world order.

In this respect, we express our belief that the inalienable right to human dignity is one of such fundamental principles emerging in international law. It draws its force not only by virtue of its universality but also from the recognition given by States, whether constitutionally enshrined or through a consolidating domestic jurisprudence.

From this perspective, we wish to convey our vision that the international law system should ensure its own effectiveness through a fairly balanced approach between the different principles governing the international community today.

Thank you, Mr. President.