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reparation to be



**ASSIGN
BUSTER**

As all the members are sovereign States, it is not possible to summon any State against its will to submit to the jurisdiction of the Court. Moreover, the Court cannot proceed to adjudicate a dispute merely because one State files a case against another. The other party, too, must agree to the jurisdiction of the Court. The jurisdiction of the International Court of Justice extends to cases which involve the interpretation of a treaty, questions of international law, and the existence of any fact which, if established, would constitute breach of an international obligation, and the nature or extent of the reparation to be made for wrongs suffered by a State. Several nations have signed the so-called "Optional Clause" by which they have agreed that the Court may try all cases or cases relating to specified subjects, which may arise in future. But most countries have specified a limited number of subjects on which they will accept jurisdiction.

Once a case has been brought before the Court, the parties to the dispute must abide by its decision. Should any party to a case before the Court fail to perform its obligation under a judgment of the Court, the other party may bring the matter before the Security Council. The Security Council is empowered by the Charter to make recommendations or decide upon measures to be taken to give effect to the judgment. The Court consists of fifteen members elected independently by the General Assembly and the Security Council. The Judges should be persons of high moral character and possess qualifications required in their respective countries for the highest judicial offices or they should be Juris Consults of recognised ability in International Law. No two of the Judges may be nationals of the same State.

The normal term of Judges is nine years, although, in the first election, five Judges were chosen for a term of three years, five for six years and the other five for the full nine-year term. The Judges elect from among themselves the President of the Court for a term of three years. The Court is permanently in session, except during judicial vacations. A quorum of nine Judges is necessary to hear a case and all decisions are by majority of the Judges present. If the votes are equal, the President has a casting vote.

Where there is on the Court a Judge of the nationality of one party to a dispute and none of the other, the other party is permitted to choose a Judge for the hearing of that dispute. In addition to deciding cases, the Court can be asked by the General Assembly and Security Council to give advisory opinions on any legal question. The other organs of the United Nations and the specialised agencies, subject to the approval of the General Assembly, may ask the Court for advisory opinion on matters within their competence. The permanent seat of the Court is in the Netherlands at The Hague, but it can meet elsewhere when it thinks desirable.