



# General Assembly

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## Seventy-eighth session

Item 75 of the provisional agenda\*

### Report of the International Court of Justice

## Secretary-General's trust fund to assist States in the settlement of disputes through the International Court of Justice

### Report of the Secretary-General

#### I. Introduction

1. The present report is submitted pursuant to paragraph 16 of the revised terms of reference, guidelines and rules of the Secretary-General's trust fund to assist States in the settlement of disputes through the International Court of Justice ([A/59/372](#), annex) and is subsequent to the report submitted to the General Assembly at its seventy-seventh session ([A/77/204](#)).

#### II. Mandate

2. The trust fund was established in 1989 under the Financial Regulations and Rules of the United Nations, following consultations with the President of the International Court of Justice. In accordance with the revised terms of reference, financial assistance is to be provided to States for expenses incurred in connection with: (a) a dispute submitted to the Court by way of a special agreement on the basis of Article 36, paragraph 1, of its Statute; (b) a dispute submitted to the Court by way of an application on the basis of Article 36, paragraphs 1 and 2, of its Statute, provided that certain conditions are fulfilled (see [A/59/372](#), annex, para. 6 (ii)); or (c) the execution of a judgment of the Court.

#### III. Beneficiaries

3. Subject to the requirements of paragraph 6 of the revised terms of reference, an application for financial assistance from the fund may be submitted by any State Member of the United Nations, any other State party to the Statute of the International Court of Justice or any State not party to the Statute of the Court having complied with Article 35, paragraph 2, of the Statute.

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\* [A/78/150](#).



4. During the period under review (1 July 2022 to 30 June 2023), the fund did not receive any new applications. The application from the Democratic Republic of the Congo relating to a dispute on the question of reparations in the case concerning *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)*, which was received during a previous reporting period (1 July 2019 to 30 June 2020), remains pending. Owing to delays caused by the coronavirus disease (COVID-19) pandemic and the departure from New York of the members of the panel of experts established during the previous reporting period, the examination of the application could not be completed. A new panel of experts was constituted, in accordance with paragraph 9 of the revised terms of reference, to continue the examination of the application and to recommend to the Secretary-General the amount and parameters of the financial assistance, if any, to be provided. The recommendation of the panel and the decision of the Secretary-General on the award of financial assistance will be made in accordance with established practice, bearing in mind the resources of the fund and the need to accommodate potential future applications.

#### **IV. Contributions**

5. Voluntary contributions to the fund may be made by States, intergovernmental organizations, national institutions and non-governmental organizations, and by natural and juridical persons.

6. During the period under review, no voluntary contributions were made to the fund.

7. As at 30 June 2023, the total balance of the trust fund was \$3,467,172.

#### **V. Needs assessment**

8. The Charter of the United Nations, in Article 1, paragraph 1, recognizes the settlement of international disputes by peaceful means and in conformity with the principles of justice and international law as one of the basic purposes of the United Nations and as an essential tool for the maintenance of international peace and security. The Court is the principal judicial organ of the Organization. As noted above, the fund was created with a view to facilitating a decision by parties to a dispute to seek judicial settlement of their dispute through the Court. The absence of any contributions during the reporting period, as well as in the four prior reporting periods, is concerning. All States and other relevant entities are therefore urged to give serious consideration to making contributions to the fund, substantially and on a regular basis.

#### **VI. How to contribute**

9. Voluntary contributions to the fund can be made by bank transfer or by cheque. Cheques should be to the order of the United Nations general trust fund, indicating “ICJ trust fund (TJA)” in the reference field, and sent to:

United Nations Headquarters  
United Nations Treasury  
New York, NY 10017  
United States of America  
Attention: Room No. S-2011

For bank transfer details, please contact the United Nations Treasury ([unhq-cashier-office@un.org](mailto:unhq-cashier-office@un.org)). <mailto:unhq-cashier-office@un.org>

10. For any additional information, please contact the Office of the Legal Counsel, Office of Legal Affairs (tel: +1 212 963 3999; fax: +1 212 963 6430).

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