



## Committee supporting the candidacy of Professor Marcelo Kohen for the election to the International Court of Justice

Latin America and the Caribbean Region

In 2023, the General Assembly and the Security Council will elect five judges of the International Court of Justice, one of them corresponding to the Latin America and the Caribbean Region. We are pleased to support the candidacy of Professor Marcelo Kohen for this important function.

Professor Kohen is an Argentine citizen and a world-renowned academic and professional with extensive knowledge of the Court's functioning and jurisprudence.

Professor Kohen is known for his independence, impartiality, and profound commitment to the rule of law, which are fundamental qualities for the exercise of the judicial function. In addition to Spanish, his mother tongue, he works interchangeably in the two languages of the Court (French and English), and he also has knowledge of several others.

He is the author and editor of fourteen books and more than one hundred academic articles and chapters on different issues of international law, in English, French, and Spanish. He started to teach the discipline in Argentina and continued doing it at the Graduate Institute of International and Development Studies in Geneva for twenty-seven years. He has also taught courses and lectures, and he has participated in hundreds of academic activities in four continents, including the Academy of International Law in The Hague. He has contributed to the dissemination of international law by giving lectures at the United Nations Audiovisual Library of International Law in English, French, and Spanish, as well as teaching courses organized by the Codification Division of the United Nations. He has been a member of the scientific councils of various international law journals and societies, and is the co-editor of the *Annuaire de l'Institut de Droit International*.



Professor Kohen has had a lifelong commitment to the promotion and development of international law. He was the founder of the Latin American Society of International Law and served as its first Director General. Since 2007 he has been a member of the Institut de Droit International, an institution that was awarded the Nobel Peace Prize in 1904. He serves as Secretary General of the Institut since 2015, a position to which he was re-elected in 2021. He has been Rapporteur in this Institute on the issue of State succession and international responsibility, whose resolution was adopted in 2015. He was also Co-Rapporteur on issues of State succession of the International Law Association and Co-Rapporteur appointed by the Committee of Legal Advisers of the Council of Europe (CAHDI) to produce an important report on the practice of State immunities.

The peaceful settlement of international disputes is one of his main areas of specialization, both in theory and practice. He has written extensively on the International Court of Justice, has acted before it in twelve cases representing states from different continents (both in advisory and contentious proceedings) and has been invited by the Court to speak at academic events organized by it on the occasion of various anniversaries. Professor Kohen has the experience of having served as arbitrator in seventeen international tribunals in which he has been appointed by states from four continents and very different traditions and regimes. He is one of the co-founders of the Geneva *LLM* dispute resolution program (MIDS) where he has taught the Court's procedure for fifteen years.

Professor Kohen has extensive knowledge and practice of different issues that frequently arise before the International Court of Justice, such as territorial and maritime disputes, the environment, the interpretation and application of treaties, international responsibility, succession of states, immunities, jurisdiction and others. This is reflected in his publications and his activity as a counsel before the Court and as an international arbitrator.

In addition to Professor Kohen's outstanding trajectory, we believe rotation is also important at the Court. The Court should be composed of judges from different countries within its represented regions. There have only been two Argentine judges since the creation of the Permanent Court of International Justice: Lucio Moreno Quintana (1955-1964) and José María Ruda (1973-1991). Professor Kohen's election would contribute to a fuller reflection of the diversity of nationality of member states in the composition of the Court.



Professor Kohen's extensive experience and knowledge of the judicial function would make a significant contribution to the Court's work. He would also bring his impeccable work ethic and commitment to collegiality and independence. During the election procedure, we hope that all member states have the opportunity to meet him and discuss with him his vision of the Court and its future. We are convinced that they will recognize his high qualities for the exercise of this function at the principal judicial organ of the United Nations.

*First signatures (Signatures are on individual capacity):*

**Abi-Saab, Georges**, Honorary Professor at The Graduate Institute of International and Development Studies, former Judge ad hoc of the ICJ, former Judge of the Appeals Chambers of the ICTY and ICTR, former Member and Chairman of the WTO Appellate Body, Honorary Member of the IDI

**Al-Khasawneh, Awn**, former Judge and Vice-President of the ICJ, former Prime Minister of Jordan

**Alston, Philip**, John Norton Pomeroy Professor of Law at the New York University, former UN Human Rights Council's Special Rapporteur on extreme poverty and human rights, former Member and President of the UN Committee on Economic, Social, and Cultural Rights

**Bedjaoui, Mohammed**, former Judge and President of the ICJ, former Minister of Foreign Affairs of Algeria, Emeritus Member of the IDI

**Boisson de Chazournes, Laurence**, Professor of International Law at the University of Geneva, Member of the IDI

**Caflich, Lucius**, Honorary Professor at The Graduate Institute of International and Development Studies, former Judge ECtHR, former Member and President of the ILC, Member of the IDI

**Candioti, Enrique J.**, former Member and President of the ILC

**Clapham, Andrew**, Professor of International Law at The Graduate Institute of International and Development Studies, Member of the UN Commission on Human Rights in South Sudan

**Dugard, John**, Professor of Law, Honorary Professor at the University of Pretoria, former Judge ad hoc of the ICJ, former Member of the ILC, Member of the IDI

**Dupuy, Pierre-Marie**, Emeritus Professor of International Law at the University of Paris Panthéon-Assas, Member of the IDI

**Fernández Arroyo, Diego**, Professor at Sciences Po, Paris, Member of the PCA, Member of the IDI

**Fernández de Gurmendi, Silvia**, President of the Assembly of State Parties of the ICC, former Judge and President of the ICC

**García-Corrochano, Luis**, Dean of the Faculty of Law of the Peruvian University of Applied Sciences, President of the Inter-American Juridical Committee of the OAS

**Kamto, Maurice**, Professor at the University of Yaoundé II, former Member and President of the ILC, Member of the IDI

**Kelly, Elsa**, former Judge of the ITLOS

**Kirsch, Philippe**, former Judge and First President of the ICC, Member of the IDI

**Mälksoo, Lauri**, Professor of International Law at the University of Tartu, Member of the PCA, Member of the IDI

**Meron, Theodor**, Professor of Law Emeritus and Judicial Fellow at NYU Law, former President of the ICTY, former Judge and President of the MICT, former Judge of the Appeals Chambers of the ICTY and the ICTR, Member of the IDI

**Mikulka, Václav**, former Member of the ILC, Member of the PCA, Member of the IDI

**Moreno Ocampo, Luis**, former Founding Prosecutor of the ICC, Senior Fellow at the Carr Center for Human Rights Policy at Harvard University

**Nesi, Giuseppe**, Professor of International Law at the University of Trento, Member-Elect of the ILC

**Odio Benito, Elizabeth**, former Judge and President of the IACtHR, former Judge and Second Vice-President of the ICC, former Judge of the ICTY, former Second Vice-President of Costa Rica

**Ouguergouz, Fatsah**, former Judge and Vice-President of the African Court on Human and Peoples' Rights, Member of the IDI

**Owada, Hisashi**, former Judge and President of the International Court of Justice, Member and former President of the IDI

**Pinto, Mónica**, Emeritus Professor at the University of Buenos Aires, former UN Special Rapporteur on the independence of judges and lawyers, Member of the IDI

**Roucounas, Emmanuel**, Former President of the Academy of Athens, Member of the PCA, Member and former President of the IDI

**Ruiz Cerutti, Susana**, former Minister of Foreign Affairs of Argentina, Member of the PCA

**Ruiz-Fabri, Hélène**, Director of the Max-Planck Institute Luxembourg for Procedural Law

**Salvioli, Fabián**, Professor of Public International Law at the University of La Plata, UN Special Rapporteur on Truth, Justice and Reparation, former Member and Chair of the Human Rights Committee

**Schrijver, Nico**, Emeritus Professor at Leiden University, State Councillor at the Council of State of the Netherlands, Member and former President of the IDI

**Shany, Yuval**, Hersch Lauterpacht Chair in Public International Law at Hebrew University, former Member and President of the Human Rights Committee, Member of the IDI

**Sicilianos, Linos-Alexander**, Dean of the Athens Law School, former Judge and President of the EcTHR, Member of the PCA, Member of the IDI

**Simma, Bruno**, Professor of Law at Michigan Law, former Judge of the ICJ, former Member of the ILC, Member of the IDI

**Tanzi, Attila**, Professor of International Law at the University of Bologna, Member of the PCA

**Tomuschat, Christian**, Emeritus Professor at the Humboldt University in Berlin, former Member and President of the ILC, Member of the IDI

**Torres Bernárdez, Santiago**, former Registrar of the ICJ, former Judge ad hoc of the ICJ, Member of the IDI

**Thürer, Daniel**, Emeritus Professor at the University of Zürich, former member of the ICRC, member of the IDI

**Vidmar, Jure**, Professor of international Law at Maastricht University, Member of the PCA

**Vinuesa, Raúl**, Emeritus Professor at the University of Buenos Aires, former Judge ad hoc of the ICJ, member of the PCA, member of the IDI

**Viñuales, Jorge**, Harold Samuel Professor of Law and Environmental Policy at the University of Cambridge, Director-General of the Latin American Society of International Law, Member of the IDI

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