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CAHDI (2009) 14
Anglais seulement

**COMMITTEE OF LEGAL ADVISERS ON PUBLIC INTERNATIONAL LAW
(CAHDI)**

**38th meeting
Strasbourg, 10-11 September 2009**

**Item 10 a.: PEACEFUL SETTLEMENT OF DISPUTES :
COMPULSORY JURISDICTION OF THE ICJ (Article 36 (2))**

**DRAFT PROPOSAL FOR MODIFICATION OF THE DOCUMENT CAHDI (2009) 10
IN THE LIGHT OF REQUEST BY GEORGIA**

Document prepared by the Secretariat of the CAHDI

1. **INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION, ADOPTED BY UN GENERAL ASSEMBLY ON 21 DECEMBER 1965 AND ENTERED INTO FORCE ON 4 JANUARY 1969**

[...]

Article 22

Any dispute between two or more States Parties with respect to the interpretation or application of this Convention, which is not settled by negotiation or by the procedures expressly provided for in this Convention, shall, at the request of any of the parties to the dispute, be referred to the International Court of Justice for decision, unless the disputants agree to another mode of settlement.

[...]

2. **DOCUMENT CAHDI (2009) 10 “INTERNATIONAL COURT OF JUSTICE’S JURISDICTION UNDER SELECTED INTERNATIONAL TREATIES AND AGREEMENTS, SITUATION CONCERNING THE MEMBER STATES OF THE COUNCIL OF EUROPE”**

➤ ***Current version:***

[...]

C. The International Convention on the Elimination of all forms of Racial Discrimination, monitored by the Committee on the Elimination of Racial Discrimination, 1966

All **member States** are parties. All of the **observers** are parties.

Article 22 provides for the compulsory jurisdiction of the ICJ for the settlement of disputes about the interpretation or application of the Convention, once the negotiation process has failed. Israel, Turkey and USA are maintaining **reservations** on this provision.

➤ ***Version amended in the light of the request by Georgia:***

[...]

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