



2013-Resolutions

The International Association of Jewish Lawyers and Jurists (IAJLJ) Conference on **“Three Aspects of International Justice at The Hague: ICJ, ICC and ICTY”** was held at the Peace Palace in The Hague on October 9-13, 2013.

The venue of the Conference was symbolically chosen, due to the critical issues on the agenda of the IAJLJ, which transpire at The Hague. The Conference organizers and participants, lawyers, jurists, academicians and practitioners representing Governments, NGOs and independent experts, hailing from many different states, as well as local observers, are grateful to the Director of the Peace Palace Library, Mr. Jeroen Vervliet, for hosting, under welcoming auspices, this unique international event.

The IAJLJ,

Committed to protecting Jewish rights and universal compliance with Human Rights principles;

Exposed to the complexity of the issues, limitations, conflicting interests, and political climate affecting the functions of the ICJ, ICC and ICTY;

Aware of the impact of the ICC – high hopes, expectations and disappointments on various continents;

Following two days of scholarly judicial presentations, the IAJLJ:

1. Urges the end to impunity for serious humanitarian crimes and welcomes the establishment of international institutions to prosecute war crimes, genocide and crimes against humanity.
Noting that international criminal jurisprudence is in its early stages and that international criminal courts and tribunals are a recent form of intergovernmental institution, and

Noting that politicisation of prosecutions would undermine the legitimacy of international criminal courts and tribunals:

2. Encourages the further development of procedures and constitutional processes to ensure integrity and even-handedness in judicial decision-making. Such judicial procedures and processes should set out the usual guarantees of judicial conduct, including: codes of conduct, conditions for recusal, performance reviews, and public reporting.

3. Encourages the development of procedures for judicial oversight of the initiation of prosecutions.



הארגון הבינלאומי של עורכי-דין ומשפטנים יהודים (ע"ר)
THE INTERNATIONAL ASSOCIATION OF JEWISH LAWYERS AND JURISTS (R.A.)

Noting that national jurisprudence on international crimes is enriched by international tribunal decisions and vice versa,

4. Urges reciprocal communication of jurisprudence emerging in international criminal law across jurisdictions and its implementation across jurisdictions in all regions and across all levels.

The IAJLJ observes that repeated questions of proper jurisdiction of the International Court of Justice arise in both its advisory and dispute resolution capacities. The Court's jurisprudence on these questions is particularly unsettled in relation to matters of armed conflict. Therefore, the IAJLJ

5. Encourages the adoption of jurisdictional doctrines, including the "political question" doctrine, that would entail judicial restraint in cases of ongoing conflict where the consent of states directly concerned is absent, and demerral in matters of international peace and security of which the Security Council is actively seized.

6. Urges the International Tribunals to cooperate, on the basis of positive shared complementarity, with the relevant national domestic prosecutorial and judicial authorities.

The Conference raised urgent immediate questions, including "What, if anything, is being done regarding the slaughter of 120,000 civilians in Syria by a dictator ignoring international criminal law?"

The Conference noted that Israel respects international institutions and believes in the ideals these institutions stand for. However, these institutions must respect facts, law and justice.