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No neutral ICJ response on Kosovo possible

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The coordinator of Serbia's legal team Sasa Obradovic has said that it is not realistic to be anxious that the International Court of Justice (ICJ), which the United Nations General Assembly has asked for an advisory opinion on whether the declaration on the proclamation of the independence of Kosovo is in keeping with international law, could adopt a decision that could be interpreted differently.

"The mere question does not leave much space for a neutral response. The Court may in its consideration view all the circumstances of the case, but it must in the end offer a very clear answer to a clear and concrete question. I do not see any other possibility," Obradovic said.

Pointing out that one of the arguments of Serbia's opponents was that the question is political rather than legal, Obradovic underscored that "we have prepared answers to it."

"This is a political, but also a legal problem. These two areas do not rule each other out. In a large number of cases so far, the Court found that some expressly political conflict included legal elements about which a decision should be made. So far, the Court declined to take a stand in only one of 24 cases," Obradovic said.

There is practically no possibility that the Court should this time declare itself non-competent, he said, "because this is an exceptional legal problem for international law at the beginning of the 21st century".

"This is an opportunity for the International Court of Justice to establish a system of international law in connection with territorial integrity and the right to self-determination of nations," Obradovic said.