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**THE INTERNATIONAL COMMISSION OF JURISTS**

**THE MERITS OF THE ICJ**

**Justice Michael Kirby AC CMG**

**Former President and Chairman of the Executive Committee of the  
International Commission of Jurists  
Justice of the High Court of Australia**

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1. *Why is the ICJ and its work so important today?* In the so-called clash of civilisations, certainly the present international tensions, the rule of law and human rights are subjected to new challenges. An important voice of steady principle and wisdom is that of judges and other jurists. Uniquely, the ICJ mobilises these well informed custodians of national and international law. Since the ICJ was founded, many institutional human rights advocates have come on the scene. They are welcome and there is room for many more. But the ICJ is the oldest, with a tried and proved record of access (which most others lack) to the informed opinions of judges and other leading jurists. In today's world, the ICJ is needed as never before.

2. *How does ICJ advocacy work have an impact?* The impact of the ICJ's advocacy work is immeasurable. It is seen in countless spheres. The ICJ presents a galaxy of exceptionally talented people with tried and proved credentials of integrity and commitment to the defence of the rule of law and human rights. The ICJ members and staff are frequently recruited to senior positions as United Nations

Reporteurs, Special Representatives and other office-holders. The ICJ is trans-continental and, like the demand for the rule of law and human rights itself, universal. The ICJ looks forward, not backwards. It has an established track record in perceiving and addressing new human rights issues long before most other agencies do. These include the human rights impact of biotechnology and informatics. The concerns of gender, HIV status and sexuality. The importance of economic, social and cultural rights as well as the more traditional civil and political. The topics of impunity, the International Criminal Court and terrorism. The ICJ has established an enthusiastic network of supporters in local sections and affiliates throughout the world.

**What is unique about the ICJ?** The unique feature of the ICJ lies in its capacity to mobilise highly talented judges and lawyers who generally shy away from human rights activism. Yet as leading actors in the protection of the rule of law and human rights in their own countries, their voices are essential and their engagement is critical at this time in human affairs. The ICJ has promoted the *Bangalore Principles*, encouraging national judges to give effect to international human rights law when resolving ambiguities in their own law or gaps in its principles. The ICJ is not a group of "fuddy-duddy" judges and lawyers. By sticking to its specialised focus, scrupulously following proper procedures and speaking with the authority of its members, the ICJ has earned, and deserved, the respect of the world community. Its advice is listened to in Geneva,

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New York and everywhere that humanity meets to face common problems and address shared challenges. The best years of the ICJ are ahead.