Proceedings of the 3rd International Conference on International Law and Legal Policy
DOI: 10.54254/2753-7048/55/20240030

Analysis on Motivation of a State with no Direct Conflict of Interest in an Application in the International Court of Justice

Yiran Wang[1,a,*]

[1]*Institute of European Languages and Cultures, Beijing Language and Culture University, 15 Xueyuan Road, Haidian, Beijing, 100083, China*
a. 2393728943@qq.com
**corresponding author*

Abstract: Recently, the cases that a state with no direct conflict of interest filed an application to the International Court of Justice (ICJ) have raised intensive discussions among international society. This research focuses on the motivation of these applicant states. Through analyzing 6 cases classified in this sort from various angles, and considering the historical background and political environment of the applicant states, it is found that the motives can be concluded as public interest and applicant states' interest. The latter covers the pursuit of diplomatic obligation, global attention, alignment of domestic attitude and implementation of the ideology, and better international environment as well as reputation. These motives have close internal interaction, and are highly influenced by diverse domestic and international situations, which can serve as supports or catalysts of the filing of some applications. This article also discusses the development during these 14 years of all motives, and predicts their application in the near future.

Keywords: ICJ, international law, international relations, intervention of international conflicts, international conflict settlement

1. Introduction

Nowadays, due to the multi-polarization with various global challenges that wage more complicated international conflicts, and general progress in the area of international law, the International Court of Justice (ICJ) shows more significance. The Articles 36 of the Statute of the Court permits a member to bring a case before the ICJ for the resolution of a problem even if this member is not involved in it directly, and this legal base has been adopted in practice many times in recent years.

Obligations erga omnes is the basic theoretical support of this action, despite the fact that this concept is still widely controversial due to the preoccupation of abuse of litigation and intensification of international conflicts caused by potential large amount of *actio popularis*. According to Liao, though this idea has been used many times since the Barcelona Traction, Light and Power Company Limited case in 1970, the Rohingya case was the first in which the applicant state based its standing totally on this concept [1]. However, considering the religious and political factors that the figure of Gambia was the representative of the Organization of Islamic Cooperation (OIC, formerly Organization of Islamic Conference before 2011), this statement is not convincing. Since there is no

DOI: 10.54254/2753-7048/55/20240030

pure *obligations erga omnes* based application *stricto sensu*, it is inevitable to define it in a wider limitation that the applicant state with no obviously direct conflict of interest for pragmatic study (e.g. despite the element of disputes on territory [2], Whaling case is discussed here for that Australia did not mention it in the application submitted). Thus, technically, six cases should be classified into this type until now: 1.Whaling in the Antarctic (Australia v. Japan: New Zealand intervening) on 31 May 2010, and the final Judgement was on 31 March 2014; 2. Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. nine countries) on 24 April 2014, and the final Judgements of cases against India, Pakistan and the United Kingdom (UK) were on 5 October 2016 (The three defendant states had recognized the compulsory jurisdiction of the Court pursuant to Article 36, paragraph 2, of its Statute. China, North Korea, France, Israel, Russian, and America were also sued, but their consent were not given); 3. Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar) from 11 November 2019; 4. Application of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Canada and the Netherlands v. Syrian Arab Republic) from 8 June 2023; 5. Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel) from 29 December 2023; 6. Proceedings instituted by the Republic of Nicaragua against the Federal Republic of Germany from 1 March 2024.

In the present era, there is a widely accepted belief that multilateralism and the international law system are closely linked. Some scholars argue that mandatory multilateralism is emerging, particularly in matters of peace and security [3]. This means that it is easier for entities to become involved in international conflicts, and dispute resolution organizations like the ICJ will play a more crucial and challenging role.

Recently, due mainly to two Gaza cases, this kind of legal intervention has received great global attention. These recent cases applied by countries in Sub-Saharan Africa and Centro America seem to confirm the worry of *actio popularis*, but the practical effect of provisional measures has proved the effect of application by spurring the promotion of human rights conditions in Gaza. The long-lasting Western *vox populi* hegemony is weakened, which cheers up the third world, and the authorities of two applicants have received domestic and international support. A demonstration effect is causing, and more countries are highly probably encouraged to intimate them, indicating the indispensability of concerning comprehensive study to cope with possible conditions in the near future.

However, at the present stage, there is still no systematic and general study on this sort of case. Besides, the relative researches on these cases mainly focus on pure legal area, whilst the elements of politics, religion and history are less considered. Generally speaking, there is still a notable gap in the penetrate and comprehensive study on this special sort of applications.

Thus, this study will be done mainly by analyzing the motive of the applicant state. In order to explore in depth, this comprehensive study is conducted from a multidiscipline perspective. Qualitative research serves as the principal methodology to summarize and induct from multiple angles to draw a conclusion.

2. Case Study

All applicant countries have their comprehensive motives, which interact complicatedly. One primary common character is *obligations erga omnes.* Hence, they naturally enjoy the moral high ground, supported by domestic and international society, and can always achieve desirable political reputation. For example, in an interview about Rohingya case, the OIC said “the goodwill and positive publicity that The Gambia is garnering all around the world with this move will certainly comeback to benefit

DOI: 10.54254/2753-7048/55/20240030

the people of The Gambia, in reputation and recognition." [4] Besides, the action of litigation is significant in expressing the attitude of the applicant and calling up global attention.

International law is supposed to be independent of politics, though in practice, the application can be regarded as a country's policy on the international stage to achieve various objectives for better development of the country, and the authorities who choose to adopt it can therefore get more reputation and supports from domestic and international society. As a result, the current situation influences greatly the content of the application and the choice of the defendant.

It is common for a government to apply relatively radical policies to attract voters when the next general election is coming, while in the middle of the term, the political style is always moderate to reduce potential risk. Table 1 here illustrates the dates to file this sort of applications and the recent general election dates (or years) in applicant states. In Whaling case, Syria case and the first Gaza cases, the party in office of Australia, Netherland and South Africa authorities were highly possible to appeal votes through the litigation; and in the second Gaza case, Nicaragua may mean to maintain stability by litigating Germany instead of America, the major ally of Israel.

Table 1: Timetable of Application and General Election

Country	Date to File Application	Recent General Election Date (or Year)
Australia	31 May, 2010	August, 21, 2010
Marshall Island	24 April, 2014	2012, 2016
Gambia	11 November, 2019	2017, 2021
Canada	8 June, 2023	2024 or 2025
Netherland	8 June, 2023	November 22, 2023
South Africa	29 December, 2023	May 29, 2024
Nicaragua	1 March, 2024	2021, 2026

It is worth mentioning that though the next general election in Canada is planned to proceed in 2025, it is possible to anticipate the date if people appeal. An investigation conducted between 30 November to 2 December 2023 shows that 46% Canadians preferred to have the next federal election as soon as possible or in 2024 than to wait until 2025 [5], and this can be illustrated by another investigation that 54% Canadians thought the performance of federal government was poor or very poor in 2023, ranking the first in the last 10 years [6].

2.1. Public interest

All these applications have the basic character of public interest litigation. Moreover, on account of the long term of adjudication, this principle is epitomized in the requisition of provisional measures (like the recent admirable ones in Gaza), since they provide a legal basis to improve the situation of local people and/or the environment before the final judgement.

International law itself is "a mechanism for the production and protection of community interests" [7], and all discussed cases were applied for violation of conventions with this inherence(International Convention for the Regulation of Whaling in the Whaling Case, Nuclear Weapons Convention in Marshall Islands case, Convention against Torture in Syria Case, Convention on the Prevention and Punishment of the Crime of Genocide in Rohingya case and two Gaza Genocide Case), which permitted the applicant state to sue pursuant to Article 36 of the Statute. Community interests include the common interests of humankind and the protection of individuals or groups of individuals [8]. The interests in the preservation of international peace, the protection of the global environment, and the management of spaces beyond national territorial jurisdiction such as minorities are categorized in the first kind [9]. The applicant states and the intervening ones all expressed their concerns based

DOI: 10.54254/2753-7048/55/20240030

on the community interest in their applications and declarations of intervention. The protection of environment is specially mirrored in Whaling case and Marshall Islands cases.

During these years, with the intensification of international situation and more challenges in peace and security issues, the causes of action have turned from common interests of humankinds in 2010 and 2014 to concrete human rights problems of groups of individuals in 2019, 2023 and 2024, and the frequency increased in recent years.

2.2. Mutual assistance in the same interest group as a diplomatic obligation

It is natural for entities classified into the same interest group to incline to each other, and to oppose their common enemies together, which is always considered as a diplomatic obligation. This interest group can formalize itself through the legal procedures such as a treaty or international organization. The entities are not necessarily formal allies, but they are supposed to realize the mutual assistance and supported by the interest group to protect the interest of the belonged community. The same or similar ideology or religion can facilitate the formation of the interest group, though these factors can hardly decide the diplomatic standing of a country without other conditions. This phenomenon is also common in the stage of the ICJ.

2.2.1. Gambia and the OIC's support to Muslims in Rohingya

The function of the OIC in the Rohingya case, which led to that Myanmar questioned "the real applicant is the OIC" [10] as a main argument in its Preliminary Objections, is a typical example. In Gambia's application, it mentioned the OIC and "Muslims" many times. Similarly, Maldives, another Islamic country, in its Declaration of Intervention also emphasize its presence in the OIC. On the contrary, in the Joint Declaration of Intervention of several Western countries, the intervenors simply used the term "Rohingya group".

Obviously, the accusation is a collective diplomatic action of the OIC. In an official press release of Bangladesh, the resolution to "pursue a legal recourse through the ICJ" is called "a major diplomatic breakthrough" which "came after a long series of negotiations" [11]. In 2018, the OIC Ad Hoc Ministerial Committee on Accountability for Human Rights Violations against the Rohingyas (MCCAR) chaired by Gambia was established to ensure accountability, gather criminal evidence and seek international support [12]. In 2019, the OIC approved the MCCAR's plan of "action to engage in international legal measures" and called upon member states to fund it voluntarily [13]. In 16 September 2019, the OIC decided to pursue a case under the Genocide Convention before the ICJ [14]. On 25 September 2019, at a meeting of the MCCAR, Gambia was authorized to select a legal firm for the case, and the proceedings were ensured again to be funded by OIC Member States [15]. In an interview on 16 December 2019, the ICJ also explained that it "is paying all the fees, so this doesn't cost The Gambia anything" [16]. Until 6 December 2020, the OIC had funded USD 1.2 million (Bangladesh donated USD 500,000. Saudi Arabia donated USD 300,000, Turkey, Nigeria and Malaysia donated USD 100,000 each, and the Islamic Solidarity Fund, a subsidiary organ of the OIC, donated USD 100,000) for the legal proceedings [17].

2.2.2. Two organizations behind Canada and Netherlands

North Atlantic Treaty Organization (NATO) and European Union (EU), organizations with a large common interest and many common member states, are less notable in Syria case. Traditionally, as the core of the NATO, America and other member states enjoy close relations and alignment of interest in ideology and geopolitics. Like many member states of the NATO, since 2011, both Canada and Netherlands downgraded and broke their diplomatic relations with Syria, and have objected Syrian government diplomatically and politically so far.

DOI: 10.54254/2753-7048/55/20240030

Netherlands asked Syria to negotiate the torture issue in a diplomatic note in September 2020 as "a necessary first step in dispute settlement", at that time this country anticipated the application before the ICJ [18]; then Canada joined this process in March 2021. The decision of Netherland can also reflect the EU's common negative attitude that "war criminals and torturers in Syria must not go unpunished", said by 18 foreign ministers of both the NATO and the EU member states [19].

In 2023, in Middle East, Islamic countries showed more diplomatic independence, and continue to ease the tension and develop regional cooperation. Syria reestablished diplomatic relations with Tunisia and Saudi Arabia and rejoined the League of Arab States in May 2023, which mirrors the decline of America's influence in this area [20], then the long-time prepared application against Syria was brought before the ICJ, which can be explained as the attempt to intervene Syria's reconciliation with its neighbors.

In recent years, with the constant multi-polarization and development of regional cooperation (especially in Global South), the addition of interest groups has increased the probability of this application. Due to the Islamic special sense of identity to the conjunto of culture, religion and the shared memory of empire [21], and potency of Islamic organizations like the OIC, Rabita al Alam al-Islami which support the Islamic campaigns, groups and political powers and urge the circulation of information and resource in worldwide Muslim group [22] to make the interest group more solid, this group deserves special attention.

2.3. Seeking for international attention

2.3.1. Marshall Island's unusual applications

Marshall Island's application can hardly be explained from a legal or diplomatic perspective, since it never offered any particulars to the defendants. It is more possible for Marshall Island to call upon international attention and sympathy through legal proceedings in the ICJ, so that there could be more opportunity for this country to protect its legitimate rights with the help of the pressure of public opinion. Hence, the accusation itself is more significant than the judgement.

The Marshall Islands suffered repeated nuclear weapons testing from 1946 to 1958, under the trusteeship of America. In 2012, Human Right Council reported that "the harm suffered by the Marshallese people has resulted in an increased global understanding of the movement of radionuclides through marine and terrestrial environments" [23]. During a long time, the international society paid less attention to this problem. After the trusteeship, though Marshall Island has political independence, it is still largely controlled by America in the economy, defense, etc. However, local people have insisted on their claims to America since 1982 with American domestic law, though the actions brought little effect [24]. In April 2014, Marshall Islands had legal resources to United States district courts and United States Court of Appeals for the Ninth Circuit for declaratory and injunctive relief, which ended in failure. The real breakthrough should be a resolution adopted by the Human Right Council in 2022 [25], 6 years after the final decision of the ICJ, which has less likelihood of being the direct achievement of the international applications.

Practically, this application drew some global attention. But there is criticism that under the *vox populi* hegemony of nuclear power, the exposure of the tragedy of this less developed country is still limited. The decision of the ICJ is controversial for "surrender of its vocation" that not "[spoke] justice to power, redeemed the rights of a small nation, affirmed the basic principle of the sovereign equality of states, and outlined the law on an issue of fundamental importance to the global community" [26].

Anyhow, this unique case indeed discourages less developed countries from defending their rights in this way, but the possibility for them to expand the influence originally limited to them through the ICJ still exists.

DOI: 10.54254/2753-7048/55/20240030

2.4. Domestic attitude and ideology effected by traditional relationship and history

The public interest is always the common value admired by all mainstream ideologies. The historical relationship is also an indispensable element in an application, because it can greatly influence domestic attitude and then prompts the adoption of diplomatic policies.

2.4.1. South Africa and Palestine's common history

A similar historical experience in a country can always call upon the sympathy of people in another country, which can be mirrored in the applicant states' support of Palestine in the two Gaza cases.

In the apartheid era, the Palestine Liberation Front actively supported the liberation of black people in South Africa, while Israel helped the authorities to suppress uprisings by offering weapons and military training, which contributed to South Africa's traditional friendship with Palestinian people. Until today, Israeli territorial fragmentation and legal discrimination based on two legal systems (military law for Palestinians and civil law for Israeli settlers) in the West Bank arise criticism of Israeli Apartheid [27]. As a result, in South Africa, there were several large-scale protests in favor of Palestinian people after 7 October 2023, even "rival political parties including the ruling African National Congress and the leftist opposition Economic Freedom Fighters were among the scores of demonstrators" [28].

A similar attitude is also reflected in Nicaragua's support to Palestinian people for the common ideal. In TeleSur, Montes stated "the nationalist ideals, aspirations, organizational actions and revolutionary struggle of Sandino and Carlos Fonseca are living reflection in the ideals, aspirations, struggle and resistance of the Palestinian people, in defense of their motherland, against colonialism and all forms of manifestation of imperialism (tran.)" [29].

2.4.2. Australian traditional opposition against Japanese whaling

The traditional rival attitude of Japanese whaling also contributed to Australia's application in Whaling case. Despite the close economic, political and military collaboration, due to the historical and geopolitical conflicts, Australia and Japan have complicated relationships, which leads to Australia's amply and constant objection to Japanese Whaling.

From 1930 to 1970, the concerns were mainly about the protection of Australia's coastal whaling industry, national security and Antarctic territorial claim. In the 1970s, environmental protection became the chief factor, and anti-whaling non-governmental organizations (NGOs) began to have considerable influence on Australian policy. The Australian Government and NGOs have used legal arguments in the course of diplomacy, domestic laws, and international litigation as a mechanism of influence [30], and the Whaling case is a milestone in Australia's legal opposition to Japanese whaling.

All applications mentioned were filed based on certain domestic consensus. Undoubtably, this kind of historical and/or ideological background tend to provide more domestic support for applications and reinforce ideal solidarity. This advantage helps forecast more potential applicants and brings more worry about *actio popularis*.

2.5. Seeking for better international environment and reputation

This motive is highly related with the logic of interest group and ideology.

2.5.1. Germany as the defendant

Highlighting the international consensus on situations in Gaza and provisional measures indicated by the ICJ, Nicaragua sued Germany for constant "political, financial and military support" [31] to Israel and the suspension of the funds to the United Nations Relief and Works Agency for Palestine

DOI: 10.54254/2753-7048/55/20240030

Refugees in the Near East, which contributes to violation of the Convention on the Prevention and Punishment of the Crime of Genocide. However, all these deeds are collective activities for many Western countries. In 1 February 2024, the UK, Germany, Netherlands and Canada were notified by Nicaraguan Government for these problems in a Press Release [32], but Germany was the only one corresponded among the four countries mentioned. Furthermore, the major ally and supporter of Israel should be America, which was not touched in these papers.

In the note verbale from the Ministry of Foreign Affairs of Nicaragua to the German Federal Foreign Office, Nicaragua emphasized Germany's awareness of relative legal provisions and situations in Gaza. Obviously, the history of fascist genocide against Jewish people puts Germany in a special position in the topic of anti-genocide. Besides, recently, Germany shows an active presence among Israeli supporters. For example, in June 2023, the exercise Air Defender 23 in Germany is the largest deployment exercise of air forces in NATO's history.

Under the Second Pink Tide, the current Nicaraguan government have shown a vivid left-wing standing during these years. It returned to Bolivarian Alliance for the People of Our America (ALBA) in 2020, reestablished diplomatic relationship with China in 2021 and exited the Organization of American States leaded by America in 2023. However, while the Latin American left-wing countries apply diplomatic strategies highlighting resistance of American hegemonism and emphasize political independence [33], instead of pure anti-American attitude, in the present stage, they commonly smooth the relationship with this potent neighbor [34].

The statements before can explain why Nicaragua brough the case before the ICJ, but the defendant was German instead of others Israeli supporters.

Especially in recent years, the Global South's political and diplomatic independence has led to more participation in international affairs and more global influence. South Africa is a representative of emerging regional powers that practice multilateralism and protect the rights of developing countries [35], which is exemplified by their legal support for the Palestinian people. Other emerging powers can take inspiration from this legal action and use their influence to support causes globally, so that they can receive more international recognition. Besides, their current diplomatic policies can highly influence the choose of defendant. If a country A plans to intervene in conflict via application to the ICJ, and it has no intention to oppose directly another country B for some reasons, even though the country B fits more the accusation, its allies of a special history and relatively active presence in related issues are more likely to become the objectives. In a word, the ultimate aim for the applicant state is to construct an international environment more beneficial to itself.

3. Conclusion

The research aims to study the motivation of applications filed by a country without a direct conflict of interest in the ICJ. Through case study and based on qualitative analysis, the motives can be concluded as for public interest and the interest of the applicant country, which includes protecting the interest of a belonged interest group of religion and/or geopolitics, or diplomatic obligation; getting global attention and more probability of potential resolution for the facing dilemma; aligning domestic attitude and implement the ideology effected by traditional relationship and history; and getting a better international environment as well as reputation.

All of them interrelate closely, and operate under the influence of domestic and international situations, such as the date of the general election, the international attitude to the conflict, etc.

4. Discussion

There are many pending cases discussed here, and the fact that there is little information or research on these cases is a major concern. Additionally, the lack of analysis of domestic politics in the

DOI: 10.54254/2753-7048/55/20240030

Marshall Islands makes it difficult to understand the country's motives and perspectives beyond its attempts to gain international attention.

It is foreseeable that in the near future, more countries with the discussed motives are probable to file this sort of applications in the ICJ. The essence of the worry about *actio popularis* is the incoordination of the judicial ability and the practical necessity. Since the binding force of decisions from the ICJ is extremely limited, at least this organ should insist on and reinforce the basic common value of multilateralism and justice in the legal stage. The addition of *ad hoc* courts and judges may become a provisional solution to cope with adding litigations, and the construction of these organs and personals should be concerned with the maximum protection of massive common people.

References

[1] *Liao, X. (2020). " Obligations to the International Community " and the Jurisdiction of the International Court of Justice – Based on the Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar) . Chinese Review of International Law, 2020(6), 26-43*

[2] *Counter-Memorial of Japan, 9 March 2012*

[3] *Liao, F. and Wang, H. (2024). From Choice to Obligation : The Multilateralism from the Perspective of International Law. Chinese Review of International Law, 2024(1), 31-43*

[4] *Human Rights Watch, "What Makes Gambia a Good Champion of The Cause of The Rohingyas, Interview with Reed Brody", 16 December 2019*

[5] *Nanos.(2023) Canadians are more likely to want the next federal election to take place now or in 2024 than to wait until 2025. https://nanos.co/wp-content/uploads/2024/01/2032-2497-CTV-Nov-Populated-Report-Election-with-Tabs.pdf*

[6] *Nanos.(2024) Positive views on the performance of the federal government and international reputation break records with 17-year lows – Tracking Study. https://nanos.co/wp-content/uploads/2024/01/2023-2523-Mood-of-Canada-December-Populated-Report-with-Tabs.pdf*

[7] *Wojcikiewicz Almeida, P. and Cohen, M. (2023). Mapping the 'Public' in Public Interest Litigation, p98. London, Routledge.*

[8] *ibid.*

[9] *Wolfrum, R. (2011) 'Enforcing Community Interests through International Dispute Settlement: Reality or Utopia?' in Ulrich Fastenrath et al. (eds), From Bilateralism to Community Interest: Essays in Honour of Judge Bruno Simma (Oxford University Press 2011) 1132–1136.*

[10] *Preliminary objection of the Republic of the Union of Myanmar, 20 January 2021, p8,16,45,52*

[11] *The second press release of the Ministry of Foreign Affairs of Bangladesh in 4 March 2019*

[12] *OIC Res. No. 59/45-POL, On The Establishment of an OIC Ad Hoc Ministerial Committee on Accountability for Human Rights Violations Against the Rohingyas, May 2018*

[13] *C Res. No. 61/46-POL, The Work of the OIC Ad hoc Ministerial Committee on Accountability for Human Rights Violations Against the Rohingya, March 2019*

[14] *UN Fact- Finding Mission, Report of the Detailed Findings (2019), para. 40*

[15] *OIC, Report of the Ad Hoc Ministerial Committee on Human Rights Violations Against the Rohingya, OIC/ACM/AD-HOC ACCOUNTABILITY/REPORT-2019/FINAL, 25 September 2019*

[16] *Human Rights Watch, "What Makes Gambia a Good Champion Of The Cause of The Rohingyas, Interview with Reed Brody", 16 December 2019*

[17] *Anwar, T. (2020, 6 December). "OIC draws US$ 1.2 million for Gambia to run Rohingya genocide case". Bangladesh Sangbad Sangstha, https://wp.bssnews.net/?p=495599*

[18] *The Netherlands holds Syria responsible for gross human rights violations, September 18, 2020, news of Ministry of Foreign Affairs, from https://www.government.nl/ministries/ministry-of-foreign-affairs/news/2020/09/18/the-netherlands-holds-syria-responsible-for-gross-human-rights-violations*

[19] *18 European Foreign Ministers: "War criminals and torturers in Syria must not go unpunished", Aprill 1, 2021, news of Ministry of Foreign Affairs, from https://www.government.nl/ministries/ministry-of-foreign-affairs/news/2021/04/01/joint-statement-syria*

[20] *Pang, R. and Zou, Z. (2024). Geopolitical Conflicts and International Pattern(2022-2023). In Annual Report on International Politics and Security(2024)(pp.48-49, p.52). Beijing: Social Sciences Academic Press(CHINA).*

[21] *Lapidus, I.M. (1983). History of Islamic Societies(p.3). Cambridge: Cambridge University Press.*

[22] *Metcalf, B.D. (1986) The Comparative Study of Muslim Societies. Items, 1986(3), 3.*

DOI: 10.54254/2753-7048/55/20240030

[23] *Report of the Special Rapporteur on the Implications for Human Rights of the Environmentally Sound Management and Disposal of Hazardous Substances and Wastes, Calin Georgescu: addendum (2012) https://digitallibrary.un.org/record/734444?v=pdf*

[24] *Luo, H. (2023) International Claim for Nuclear Pollution Damage - - The Practice and Enlightenment of the Marshall Islands' Claim to the United States. Asia-Pacific Security and Maritime Affairs,2023(5),83-103.*

[25] *Technical assistance and capacity-building to address the human rights implications of the nuclear legacy in the Marshall Islands: resolution / adopted by the Human Rights Council on 7 October 2022, https://digitallibrary.un.org/record/3992232?v=pdf*

[26] *Anghie, A. (2017). Politic, Cautious, and Meticulous: An Introduction to the Symposium on the Marshall Islands Case. AJIL Unbound. 111. 62-67.*

[27] *Buheji, M. And Hasan, A. (2024). The Beginning of the End: A Comparison Between the Apartheid (South Africa Vs. Israeli Occupation). International Journal of Management (IJM) Volume 15, Issue 1, Jan-Feb 2024, 241-264.*

[28] *South Africa: Hundreds of people join pro-Palestinian march in Johannesburg. Africanews, November29, 2023, from https://www.africanews.com/2023/11/29/south-africa-hundreds-of-people-join-a-pro-palestinian-march-in-johannesburg/*

[29] *Montes, E.N.(February 6, 2024). Nicaragua: Solidaridad Militante de la Causa Palestina, en Defensa del Derecho Internacional. Telesur, from https://wp.telesurtv.net/news/Nicaragua-Solidaridad-Militante-de-la-Causa-Palestina-en-Defensa-del-Derecho-Internacional-20240226-0018.html*

[30] *Scott, S.V. and Oriana, L.M. (2019). The history of Australian legal opposition to Japanese Antarctic whaling. Australian Journal of International Affairs, 73:5, 466-484.*

[31] *Application instituting proceedings and request for the indication of provisional measures,1 March, p15*

[32] *Press Release of the Government of Nicaragua, 1 February 2024, https://www.el19digital.com/articulos/ver/titulo:148879-gobierno-de-nicaragua-impedir-y-detener-el-genocidio-en-palestina*

[33] *Zou, Z. and Xiao, H. (2024). World Politics and Security Situation in 2023. In Annual Report on International Politics and Security(2024) (p17). Beijing: Social Sciences Academic Press(CHINA).*

[34] *Wang, Y. (2023). International Situations in Latin America and the Caribbean: More Left-Wing Power, More Challenges. In International Situation and China's Foreign Affairs(2022/2023)(p112). Beijing: World Knowledge Publishing House.*

[35] *Shen, C. and, Xu, X. (2024). New Trends and Challenges in the Global South.* In Annual Report on International Politics and Security(2024)(*p206-207). Beijing: Social Sciences Academic Press(CHINA).*