

Declarations recognizing as compulsory the Jurisdiction of the International Court of Justice

Region	United Nations (UN)
Subject	Diplomatic Relations
Sub Subject	
Type	Declaration
Reference Number	
Place of Adoption	
Date of Adoption	April 19th 1965
Date of Ratification/Adoption	
Date of Entry into Force	
Treaty Status	
Signature Date	
Date Deposited	
Place of Deposit	
Declarations and Reservations	
Domestic Legislation	
Relevant Ministry	

Declaration Recognizing as Compulsory the Jurisdiction of the International Court of Justice

The States parties to the Statute of the Court may "at any time declare that they recognize as compulsory ipso facto and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the Court" (Art 36, para. 2 of the Statute).

Each State which has recognized the compulsory jurisdiction of the Court has in principle the right to bring any one or more other State which has accepted the same obligation before the Court by filing an application instituting proceedings with the Court, and, conversely, it has undertaken to appear before the Court should proceedings be instituted against it by one or more such other States.

The Declarations Recognizing as Compulsory the Jurisdiction of the Court take the form of a unilateral act of the State concerned and are deposited with the Secretary-General of the United Nations.

The texts of declarations under Article 36, paragraph 2, of the Statute, which, based on the information provided by the depository, had not expired by effluxion of time, or whose withdrawal or replacement

had not been notified by 18 April 2012 will be found below. The fact that a declaration is or is not included in this section, is without prejudice to its possible application by the Court in a particular case. In view of the provisions of Article 36, paragraph 5, of the Statute of the International Court of Justice, the present section also contains the texts of declarations made under the Statute of the Permanent Court of International Justice which have not lapsed or been withdrawn. There are now six such declarations. The declarations, deposited by a total of 67 States, are given here in English. Where this is not the original language of the declaration, the translations used, except where otherwise indicated, are by the Secretariat of the United Nations or of the League of Nations.

The following declaration have been filed with the Secretary-General of the United Nations (the date shown after the name of the State is that on which the declaration was deposited) :

Kenya

19 April 1965

I have the honour to declare, on behalf of the Government of the Republic of Kenya that it accepts, in conformity with paragraph 2 of Article 36 of the Statute of the International Court of Justice until such time as notice may be given to terminate such acceptance, as compulsory ipso facto and without special Agreement, and on the basis and condition of reciprocity, the jurisdiction over all disputes arising after 12th December, 1963, with regard to situations or facts subsequent to that date, other than:

1. Disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method or methods of settlement;
 2. Dispute with the government of any State which, on the date of this Declaration is a Member of the Commonwealth of Nations or may so become subsequently;
 3. Disputes with regard to questions which by general rules of International Law fall exclusively within the jurisdiction of Kenya;
 4. Disputes concerning any question relating to or arising out of belligerent or military occupation or the discharge of any functions pursuant to any recommendation or decision of an organ of the United Nations, in accordance with which the Government of the Republic of Kenya have accepted obligations.
- The Government of the Republic of Kenya reserves the right at any time by means of a notification addressed to the Secretary-General of the United Nations to add to, amend, or withdraw any of the foregoing reservations. Such notifications shall be effective on the date of their receipt by the Secretary-General of the United Nations.

Nairobi, 12 April 1965.

(Signed) Joseph MURUMBI,
Minister for External Affairs.

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