

Christoph Priess

The Settlement of Inter-State Disputes through ICJ Advisory Opinions

An Analysis of the Eastern Carelia Doctrine



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Für Alisa

Preface

I have written this dissertation largely between February 2019 and September 2022 during my time as a research assistant at the Chair of International Law, European Law and Public Law at Bucerius Law School in Hamburg. During this time, I had the privilege of completing a research stay at the PluriCourts Centre of Excellence at the University of Oslo from November to December 2021. After a nine-month break to complete an LL.M. degree at the University of Cambridge between September 2022 and June 2023, I have finished the dissertation in Berlin between July 2023 and October 2024. The dissertation was assessed by *Professor Dr Mehrdad Payandeh, LL.M. (Yale)* and *Professor Dr Dr h.c. Jörn-Axel Kämmerer* and accepted by Bucerius Law School in the summer term of 2025. The date of the oral examination at Bucerius Law School was 20 May 2025. The dissertation was nominated as one of three theses for the final selection of the Dissertation Prize of the German Society for the United Nations (DGVN).

I owe the success of this project to the kind support of many people. First of all, I would like to express my sincere gratitude to my doctoral supervisor, *Professor Dr Mehrdad Payandeh, LL.M. (Yale)*. Already when I was a student in one of his classes, he guided me in developing my own positions and questioning the positions of others. These encounters on an equal footing encouraged me to take on the dissertation project. From my initial ideas to the completion of the work, he gave me complete freedom while always being available as my most important mentor.

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Preface

I tested almost every new idea for the dissertation during numerous walks with *Dr Philipp Kleiner* through Hamburg's Stadtpark. I would like to thank him for his enormously important role as a critical sparring partner during this time. I would also like to thank *Dr Shpetim Bajrami* and *Dr Philipp Knitter* for critically proof-reading the book.

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Berlin, December 2025

Christoph Priess

Inhaltsverzeichnis

Table of abbreviations	19
Introduction	23
§ 1 History of the international advisory function	29
A. The international judicial landscape before the 20th century	30
B. The advisory function of the Permanent Court of International Justice	34
I. Relationship between the PCIJ and the League of Nations: Between formal independence and organic connection	34
II. The PCIJ's advisory jurisdiction	36
III. Early criticism against the legal effects of PCIJ advisory opinions	39
IV. Converging the Court's advisory and contentious procedure: Rules of the Court and revision of the PCIJ Statute	42
C. The collapse of the League of Nations and the beginning of a new world order	46
D. The creation of the International Court of Justice	50
I. Dumbarton Oaks Conversations (August to September 1944)	50
II. Washington Committee of Jurists (9 to 20 April 1945)	52
III. San Francisco Conference (25 April to 26 June 1945)	54
E. Conclusions on the history of the advisory function	57
§ 2 Origins of the Eastern Carelia doctrine	59
A. Eastern Carelia case (1923)	61
I. Background	61
II. Article 17 and the Council's competence to request advisory opinions from the PCIJ	62
III. The birth of the Eastern Carelia doctrine by <i>obiter dictum</i>	64
IV. Propriety of giving the requested advisory opinion	65

V. Interim conclusions: (un)limited application of the Eastern Carelia ‘precedent’	66
B. Mosul case (1925)	67
I. Background	67
II. PCIJ reaffirms Eastern Carelia doctrine even where Article 17 is fulfilled	68
C. Conclusions on the origins of the Eastern Carelia doctrine	70
§ 3 Development of the Eastern Carelia doctrine by the ICJ	73
A. Peace Treaties case (1950)	74
I. Background	74
II. Bulgaria, Hungary, and Romania challenge the Court’s jurisdiction	74
III. Judges Azevedo, Krylov, Winiarski, and Zoričić agree with the objections	76
IV. View of the Court majority: Distinction between jurisdiction and discretion	78
1. Jurisdiction and state consent	78
2. Discretionary nature of the advisory competence	80
V. Conclusion: Bringing the <i>Eastern Carelia</i> doctrine into the UN era	81
B. Reservations to the Genocide Convention case (1951)	82
I. Background	82
II. ICJ focuses on the object and purpose of the request	83
C. Judgments of the ILO Administrative Tribunal case (1956)	84
D. Namibia case (1971)	85
I. Background	85
II. South Africa invokes the <i>Eastern Carelia</i> precedent	86
III. Focus on the object and purpose of the request for an advisory opinion	87
E. Western Sahara case (1975)	89
I. Background	89
II. Spain invokes incompatibility of advisory opinion with judicial character of the ICJ	89
III. The ICJ’s standard of discretion	90
IV. Decolonization as an inherently multilateral matter	91

V. Judge Gros on the conditions of a bilateral dispute	93
VI. Conclusion	95
F. Wall case (2004)	95
I. Background	96
II. UNGA’s permanent responsibility for the Israeli-Palestinian conflict places matter in “broader frame of reference”	97
III. Access to necessary information and evidence	98
IV. The ICJ addresses the international responsibility of Israel	99
V. Legal consequences for states other than Israel and the UN	101
G. Kosovo case (2010)	102
I. Background	102
II. ICJ gives deference to requesting organ assuming its need for an advisory opinion	103
H. Chagos case (2019)	104
I. Background	105
II. Position of the states participating in the proceeding	107
1. UK and others: Giving an advisory opinion violates the Eastern Carelia doctrine	107
2. Mauritius and others: Advisory opinion concerns decolonization, not a territorial dispute	110
3. Germany proposes compromise	112
III. The Court follows Mauritius’ argumentation	114
1. Court majority	114
2. Separate opinions and Declarations by Vice-President Xue and Judges Gaja, Iwasawa, and Salam	116
3. Criticism by Judges <i>Donoghue</i> , <i>Tomka</i> , and <i>Gevorgian</i>	119
a) Dissenting opinion by Judge <i>Donoghue</i>	120
b) Declaration by Judge <i>Tomka</i>	121
c) Declaration by Judge <i>Gevorgian</i>	123
J. Policies and Practices of Israel in the Occupied Palestinian Territory case (2024)	123
I. Background	124
II. ICJ pays lip service to Eastern Carelia doctrine	126

K. Conclusions: Function, standard, and future of the Eastern Carelia doctrine	128
I. The Eastern Carelia doctrine's overarching function: safeguarding the integrity of the Court's judicial function	128
II. The Eastern Carelia's three-pronged test: Bilateral dispute, lack of consent, dispute settlement by means of the advisory opinion procedure	128
III. Abandoning or continuing the Eastern Carelia doctrine?	129
§ 4 Eastern Carelia before other international courts and tribunals	133
A. European Court of Human Rights	134
I. Overview of the ECtHR's advisory jurisdiction	135
1. Article 47-procedure	135
2. Protocol 16-procedure	140
II. Use of ECtHR advisory opinions to settle inter-state disputes	141
B. Inter-American Court of Human Rights	142
I. Overview of the IACtHR's advisory jurisdiction	142
II. Use of IACtHR advisory opinions to settle inter-state disputes	146
1. Death Penalty case (1983)	146
2. Consular Assistance case (1999)	148
3. Environment and Human Rights case (2017)	152
4. Asylum as a Human Right case (2018)	153
III. Interim conclusions	154
C. African Court on Human and Peoples' Rights	155
I. Overview of the ACtHPR's advisory jurisdiction	155
II. Use of ACtHPR advisory opinions to settle inter-state disputes	158
D. International Tribunal for the Law of the Sea	158
I. Overview of the ITLOS's advisory jurisdiction	159
1. Seabed Disputes Chamber	159
2. ITLOS	161
II. Use of ITLOS advisory opinions to settle inter-state disputes	170
1. Seabed Disputes Chamber	170

2. ITLOS	172
III. Interim conclusions	175
E. Conclusions on the Eastern Carelia doctrine before other ICs	176
§ 5 Legal framework of the Eastern Carelia doctrine	179
A. Relevant provisions	179
B. Methods of treaty interpretation	180
I. Basic rules of treaty interpretation	180
II. Principle of specialty and principle of implied powers	181
C. General scope of the ICJ’s advisory jurisdiction	184
I. Jurisdiction <i>ratione personae</i> – request from an “authorized organ”	184
1. Authorization	185
2. Question arising within the requesting organ’s scope of activities	187
a) ICJ interprets “scope of activities” narrowly	188
b) Applying the “scope of activities” limitation to the UNSC and the UNGA	189
c) Relationship between the UNGA and the UNSC	191
II. Jurisdiction <i>ratione materiae</i> – “any legal question”	194
1. Political questions	195
2. Questions of fact, historical questions, interpretation of the UN Charter	196
D. The question of state consent	197
I. Grammatical interpretation	198
II. Context	199
1. Provisions governing the scope of activities of the UNGA and UNSC	200
2. No consent requirement in Articles 66–68 ICJ Statute	201
3. Rules of the Court expressly refer to inter-state disputes	202
III. Subsequent agreements and subsequent practice	205
1. Subsequent agreements relating to the use of ICJ advisory opinions to settle international disputes	205
2. Subsequent practice in the application of Article 96 UNC and Article 65 ICJ Statute	206
a) UNGA requests for advisory opinions on inter-state disputes	209

b) Practice of the Court	212
c) Practice of States Parties	214
IV. Object and purpose	215
V. Preparatory work of the UNC and ICJ Statute	218
VI. Interim conclusions on state consent	221
E. Admissibility of the request and the Court's "discretion"	222
I. "Discretion" of the PCIJ under the League's Covenant	224
II. The ICJ's standard of "discretion"	226
III. Views in legal doctrine on the "discretion" of the ICJ	229
1. Discretionalist school	229
2. Eclecticist school	231
3. School of denial	233
IV. Interim conclusions	236
§ 6 Justification of the Eastern Carelia doctrine: the Court's judicial function	237
A. The role of courts under domestic legal systems	240
I. The concept of "judicial power" in Germany	240
II. Characteristics and tasks of domestic courts	243
1. Characteristics of domestic courts	243
a) Decision-making body	243
b) Subject-matter of the decision	244
c) Standard of decision-making	245
d) Decision-making procedure	245
e) Effects of the decision	245
2. Tasks of domestic courts	247
III. Advisory procedures as a challenge to the judicial function of domestic constitutional courts	247
1. US Supreme Court	248
2. Federal Constitutional Court of Germany	250
a) The FCC's advisory opinion in the context of German rearmament	250
b) Content of the advisory opinion	252
c) Removal of the FCC advisory procedure	255
d) Relevance for the ICJ's advisory procedure	256
IV. Interim conclusions	257

B. The ICJ's judicial function	257
I. Defining "judicial function" as judicial characteristics	258
II. Defining "judicial function" as judicial tasks	261
1. Primary judicial task: Dispute settlement	263
a) First supporting task: law-finding task	264
b) Second supporting task: Fact-finding task	265
2. Other judicial tasks	269
a) Stabilizing normative expectations	269
b) Law-making	270
c) Control	274
III. Interim conclusions	275
C. Scope of the consent requirement in contentious procedures	275
I. Defining the term jurisdiction	276
1. Jurisdiction of states	276
2. Jurisdiction clauses in human rights treaties	277
3. Jurisdiction of international courts and tribunals	278
II. Jurisdictional regime of the ICJ Statute	280
1. General and special jurisdiction	281
2. Abstract and concrete jurisdiction	282
3. Personal, material, temporal, and spatial jurisdiction	285
III. Exercise of jurisdiction limited to binding decisions	287
1. Binding decisions as an exercise of jurisdiction	288
2. The elements of a binding decision: Binding force and res judicata	288
a) Binding force	289
b) Res judicata	293
3. Advisory opinions on inter-state disputes as an intervention in domestic matters?	294
a) Intervention	295
b) In matters essentially within the domestic jurisdiction	297
4. Sovereign equality of states	298
IV. Interim conclusions	300
D. Advisory opinions as a circumvention of the contentious procedure's consent requirement	301
I. Circumvention of state consent in contentious matters: The Monetary Gold doctrine	302
1. Content of the Monetary Gold doctrine	303

2. Doctrinal justification of the Monetary Gold doctrine	307
3. Applying the rationale of the Monetary Gold doctrine to advisory proceedings	312
II. Legal effects analogous to binding force: The authority of ICJ advisory opinions	320
1. Authority of international courts and tribunals	321
a) Legal formalist approaches	322
b) Normative approaches	324
c) Sociological approaches	327
d) Compliance studies and performance-based approaches	328
e) Practice-based approaches	329
2. Formal and normative authority of ICJ advisory opinions	330
3. De-facto authority of ICJ advisory opinions	336
a) A practice-based approach to studying the authority of ICJ advisory opinions	338
b) De-facto authority of the Wall advisory opinion	342
aa) Narrow de-facto authority: Reactions by the UNGA and Israel	344
(1) Reactions by Israel	344
(2) Reactions by the UNGA and other UN organs	345
bb) Intermediate authority: Reactions by other states and organizations	348
(1) Obligations of third states not to recognize and support the Wall regime	348
(2) Reactions by EU institutions	353
(a) The Brita case	354
(b) The Organisation juive européenne case	356
cc) Conclusions on the Wall advisory opinion	357
c) De-facto authority of the Chagos advisory opinion	358
aa) Narrow authority: Reactions by the UK, Mauritius and the UN	358
bb) Intermediate authority: The Maritime Delimitation case between Mauritius and the Maldives case	361
(1) ITLOS Special Chamber judgment	363
(2) Analysis	370

cc) Conclusions on the Chagos advisory opinion	372
E. Conclusions on the justifications for the Eastern Carelia doctrine	374
§ 7 Conclusion and Summary	377
A. Conclusion	377
B. Summary	379
Postscript	383
Table of cited advisory opinions, judgments and arbitral awards	387
A. Decisions and advisory opinions of general international courts and arbitral tribunals	387
B. Decisions and advisory opinions of regional human rights courts	391
C. Decisions of national and supranational courts	393
Bibliography	395

Table of abbreviations

ACHPR	African Commission on Human and Peoples' Rights
ACHR	American Convention on Human Rights
ACtHPR	African Court on Human and Peoples' Rights
AJICL	African Journal of International and Comparative Law
AJIL	American Journal of International Law
ALQ	Arab Law Quarterly
AU	African Union
AYBIL	Australian Yearbook of International Law
BIOT	British Indian Ocean Territory
BUILJ	Boston University International Law Journal
CJEU	Court of Justice of the European Union
CJTL	Columbia Journal of Transnational Law
CLJ	Cambridge Law Journal
CLR	California Law Review
CoE	Council of Europe
COSIS	Commission of Small Island States on Climate Change and International Law
ECHR	European Convention on Human Rights
ECOSOC	United Nations Economic and Social Council
ECtHR	European Court of Human Rights
EDC	European Defence Community
EEZ	Exclusive Economic Zone
FAO	Food and Agriculture Organization
FCC	Federal Constitutional Court of Germany
GLJ	German Law Journal
HRLR	Human Rights Law Review

Table of abbreviations

IACHR	Inter-American Commission on Human Rights
IACtHR	Inter-American Court of Human Rights
IACtHR Statute	Statute of the Inter-American Court of Human Rights
IAEA	International Atomic Energy Agency
IBRD	International Bank for Reconstruction and Development
IC	International Court or Tribunal
ICAO	International Civil Aviation Organization
ICCPR	International Covenant on Civil and Political Rights
ICJ	International Court of Justice
ICJ Statute	Statute of the International Court of Justice
ICLQ	The International and Comparative Law Quarterly
IDA	International Development Association
IFAD	International Fund for Agricultural Development
IFC	International Finance Corporation
IHRL	International Human Rights Law
ILM	International Legal Materials
ILO	International Labour Organization
ILOAT	Administrative Tribunal of the International Labour Organization
IMF	International Monetary Fund
IMO	International Maritime Organization
ITLOS	International Tribunal for the Law of the Seas
ITU	International Telecommunication Union
JIDS	Journal of International Dispute Settlement
LJIL	Leiden Journal of International Law
LoN	League of Nations
MPYUNL	Max Planck Yearbook of United Nations Law
MULR	Monash University Law Review
NGO	Non-Governmental Organization

NZJPIL	New Zealand Journal of Public and International Law
OAS	Organization of American States
PCA	Permanent Court of Arbitration
PCIJ	Permanent Court of International Justice
PCIJ Statute	Statute of the Permanent Court of International Justice
RSFSR	Russian Soviet Federative Socialist Republic
SCOTUS	Supreme Court of the United States of America
SDC	Seabed Disputes Chamber
SRFC	Sub-Regional Fisheries Commission
UN	United Nations
UNC	Charter of the United Nations
UNCLOS	United Nations Convention on the Law of the Sea
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNGA	United Nations General Assembly
UNIDO	United Nations Industrial Development Organization
UNRoD	United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory
UNSC	United Nations Security Council
UNSG	United Nations Secretary General
USSR	Union of Soviet Socialist Republics
VCCR	Vienna Convention on Consular Relations
VCLT	Vienna Convention on the Law of Treaties
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMO	World Meteorological Organization

