

INTERNATIONAL COURT OF JUSTICE GLOSSARY

Advisory opinion - opinion issued by a court or a commission that does not have the effect of deciding a specific legal case, but merely advises on the constitutionality or interpretation of a law. Usually issued by nations that are not involved within a case, but are still affected by it, or scientists and other pundits who have information that may sway the decision of a case.

Corpus iuris gentium - body of the law of nations. The entirety of the rules of international law, both substantive and procedural This includes all local and international laws and agreements and the failure to comply with these usually leads to contention

De facto - in fact, or in effect, whether by right or not. Anything considered "de facto" should be treated as truth or law, not to be argued against. For example, if a country has been divided "de facto" then that means that are officially considered two nations.

Dissenting opinion - an opinion in certain legal systems written by one or more judges expressing disagreement with the majority opinion. Although it is not a majority opinion, can be used as precedent in appellate courts.

General Assembly - principal deliberative body of the United Nations, in which each member nation is represented and has one vote.

Inter alia - among other things. A synonym of also or as well.

Jurisdiction - the official power to make legal decisions and judgments. A court must first determine if they have jurisdiction in a case before hearing it.

Opinio juris communis - refers to customary international law. The cases and agreements that have been decided previously that could potentially have an effect on the case at bar.

Political settlement - an agreement or understanding between political elites which moderates the violence and winner takes all nature of unrestrained conflict. A legal compromise between two nations.

Post hoc - occurring or done after the event.

Prima facie - based on the first impression; accepted as correct until proved otherwise. Often refers to the first time that a case was heard.

Security Council - is the primary instrument for establishing and maintaining international peace Often issue resolutions which become a part of the corpus iuris gentium.

Ultra vires-beyond one's legal power or authority. Often used when the court decides that they do not have jurisdiction in a case.

Vel non- is a term used by the courts in reference to the existence or nonexistence of an issue for determination, refers to the possibility that a case lacks merit. Often used when the court decides that a nation does not have a viable point of contention.