

## The Jurisdiction Procedure of the International Court of Justice :

The Relationship between the Practice and the Revisions of the Rules of Court

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To have its jurisdiction, the International Court of Justice (ICJ) requires the consent of the Parties to a dispute. Therefore, when one of the Parties objects to the Court's jurisdiction, the Court has to decide whether it has jurisdiction before it can proceed to the merits of the case. According to the Rules of Court, such a procedure is known as a "Preliminary Objection" (Art. 79). However, there are many cases whose categories are not "Preliminary Objections," although these procedures deal with the Court's jurisdiction and the admissibility of the application.

Why does the Court provide these different categories? It may be because the category of "Preliminary Objections" became complex and evolved into a procedural matter after several revisions of the Rules of Court.

Accordingly, focusing on the relationship with ICJ's practice, this article examines the purpose and the reasons for the revisions of the Rules. Moreover, reconsidering the concept of the "Preliminary Objection," this article clarifies the present jurisdiction procedure and analyzes its problems.

Finally, this paper observes that there are many means that are not provided by the Rules. In conclusion, as the consent of the Parties is indispensable to have the Court's jurisdiction under the present rules and the Court has to ascertain those consent, the Court does not have to make the procedure more complex by revising the Rules.