

**Recent Developments with Respect to
Interventions by Third States in
State-to-State Disputes**

Thursday, October 27, 2022

6:00 p.m. - 9:00 p.m.

The lecture will be followed by a reception

**Foley Hoag LLP
1301 Avenue of the Americas
(6th Avenue) - 25th Floor
New York, NY 10019**

Concept Note

Interventions enable third party States to defend their legal interests and/or provide clarifying insights in treaty interpretation, thereby enabling international courts and tribunals to consider issues against the backdrop of the broader interests in the dispute. For example, Articles 62 and 63 of the ICJ Rules provide two distinct channels of intervention that define the scope of the intervention and its admissibility, as well as the authority of a potential judgment on the intervening party. Article 62 provides that a State may
der[s] that it has an interest of a legal nature which

In recent months, there has been an unprecedented increase in the number of States seeking to intervene as non-parties in State-to-State contentious proceedings. Non-party intervention is particularly important in multilateral treaty frameworks given that the interpretation of a treaty by the Court will constitute authoritative precedent and can also influence decisions of other international courts and tribunals as well as the manner in which State parties to the interpreted treaty perform their treaty obligations, especially in the field of human rights and erga omnes obligations. On the other hand, interventions may also politicize proceedings and interfere with the principle of equality of parties.

With this background in mind, the lecture will address the following questions:

What are avenues and procedure for interventions?

What is the legal significance of interventions and what are their implications on the disputing State parties, the intervening parties, and beyond?

What are the policy considerations that are at play in the context of interventions?

Speakers:

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