

# Resolution Of International Conflicts Through The United Nations: The Corfu Channel Case

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## Abstract

States have been and are still the most essential actors in international relations. The primary aim of each state is the maximal realization of its interests *vis a vis* other actors in the international scene. This could potentially result in a disagreement or even conflict. It is precisely the job of the international law to peacefully resolve these issues through the many mechanisms that it has under its disposition. Apart from the disagreements that could arise between/among states, such disagreement could as well arise between a state and another type of international actors e.g. in an organization or even between two or more organizations. Even in the resolution of these types of disagreements, one could apply one of the many mechanisms that are applied in the state vs. state case. When we talk of international disagreements, it is noteworthy to mention that they could be of a political nature and of a legal nature. This division is very often debated since each conflict is invariably linked with some political considerations. This is the reason why it is so difficult to define some of the criteria which would determine the very nature of the conflict and/or disagreement. There are several instruments to solve international disagreements. In the past, many of the disagreements between states were solved through war. However, since the end of the First World War, war has been considered as a forbidden means of solving disagreements between states.

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## Introduction

The Corfu Channel Case is one of the most important cases resolved by the ICJ since its creation. This is because it dealt with a lot of important issues such as freedom of the sea, the right of passage through straits, sovereignty, intervention, self-help measures, the responsibility of the states,

and compensation (Gruda, 2002). Being a case of great importance, it is shown not only by the fact that the case was solved by the ICJ, but it is also an important case for international law itself. However, it was handled by lawyers, political scientists, many historians, and other scholars.

Since 1990 until 2010, this case was treated in about 60 articles that were published in various journals with the Corfu Channel Incident. The main theme confirms that this case was of a very special character. Some Albanian authors who have addressed this issue either directly or indirectly include Arben Puto, Zejnulla Gruda, Ksenofon Krisafi, and Paskal Milo (Punto et al., 2002). Besides arousing the curiosity of the Albanian authors to study this case, it was treated by foreign authors as well.

The Corfu Channel Incident originates since May 15 1946. During this incident, two British warships, *ORION* and *SUPERB*, which passed the northern part of the Corfu Channel were fired by the Albanian battery (Albanian MFA Dossier, No 25. pp.62, 1946). Arben Puto, in his book titled “International Public Law”, emphasized that the British ships sailed without a raised flag, and the firing of the Albanian coastal batteries was done to gain the attention of the warships to raise their flag and make their affiliation known (Punto, 2008).

According to the official Albanian position, the Albanian coastal battery fired as a sign of warning to both ships. It was only after the firing that they raised the British flag, and the Albanian coastal artillery stopped the shooting. According to the official British position, the passage was peaceful (PRO. 1946. FO 371/58492). After this event, Albania and England exchanged notes which resulted to a completely two opposite positions. Albania stated that foreign warships had no right to pass through Albanian territorial waters without prior authorization. The British position was different. They stated that their warships and that of other states had the right to an innocent or peaceful passage. According to the British position, the Corfu Channel is considered as an international channel. As a result, no state, neither England, had the need for any passage permission. However, the incident of May 15 1946 worsened the Anglo-Albanian relations.

### **The case**

After the incident of 15 May 1946, the two governments launched a series of actions. The Albanian government feared the possible revenge military retaliatory actions by the British Navy (Milo, 2010). In 17 May 1946, Chairman Spiro Moses declared the command that prevented the passage of foreign warships and merchant vessels in Albanian territorial waters without prior notification and authorization by the Albanian authorities (Milo, 2010). However, the order would be communicated to the entire diplomatic troupes in Albania. After the order of 17 May 1946, the

orders of the Ministry of Defense followed. Also, they had the same purpose of ensuring the safety and protection of the Albanian coast. The fear of the Albanian state by a British invasion resulted in a dialogue between the head of the Albanian government of that time, Enver Hoxha, and the Yugoslav government leader, J.B. Tito. The meeting was held in Belgrade in June 23, 1946. Consequently, there was no trace in the Albanian archives, but crumbs of protocol about what was discussed at that meeting (Milo, 2010). Thus, what was discussed at that meeting can be seen in the letter of the Soviet ambassador in Albania, Çuvahin, which was conveyed to his foreign minister of the Soviet Union, Molotov. According to him, the two leaders' meeting addressed several issues such as: military affairs, the condition of the land, and the marine borders of the Albanian state. After returning from Belgrade, Enver Hoxha took all measures to strengthen the protection in the south of the country, especially the coastal protection. On the 18 or 19 of August, another meeting was held with the two leaders, Albanian and Yugoslav. This time around, the meeting was held in Bled, Slovenia. There was no document that shows in detail about what was discussed in the meeting. According to Professor Pascal Milo, this meeting was focused on the scenario of placing mines in the Corfu Channel. After the meeting in Bled, in August 29, the chief of the Yugoslav Army, Lieutenant General Koça Popovic, sent a letter to the Ministry of National Defense. In his letter, he indirectly implied that the Yugoslav side expressed readiness to carry out the mining of the Albanian territorial waters in the name of their clearance. However, this mode was designed to preserve the "secrecy" of the operation.

On September 6, the Albanian Majesty accepts the proposal after been informed a few days before the Yugoslav Marine combat units left for the Albanian ports with the aim of taking measures.

The mining of Albanian territorial waters on the southern coast and in the Corfu Channel was done on the night of 18 September 1946. The mission itself was confidential. Therefore, such action was to be carried out at night. The process of mining was conducted by the Yugoslav federation with the participation of an Albanian officer.

The secret of mining the territorial waters in the autumn of 1946 was known to a very limited circle of people which include; Enver Hoxha, Mehmet Shehu, Bedri Spahiu, Hysni Kapo, Koçi Xoxe, Kristo Themelko, Nako Spiru, and other leaders of that time.

For the Englishmen, the incident of 15 March 1946 that occurred in the Corfu Channel was considered as a severe wound to the English national pride and its Navy. When carried out by a small country such as Albania, this action could not be easily accepted by the English state. In this regard, as a return to what happened on March 15, 1946

in Albania, England made a secret operation code-named XCU, on October 5. Thus, this was associated with the operations plan of October 13, code-named XCUI, which meant "Training Corfu". The British secret plan was actually prepared to provoke the Albanian state.

On October 21, the preparations for operation XCU were completed. It was planned that during this day, the ships were to conduct the operation in the Corfu Channel. The British considered this day and date to be very important since it corresponded with the famous victory of the English Royal Navy of 1805. The plan foresaw that the operation would last for an hour. The plan would be carried out secretly, and even the Greek State was advised to keep it as a secret as they were informed about the operation. On October 22, four British cruisers and destroyers came from the port of Corfu and move towards the direction from the northern part of the Corfu Channel. At this time, what was foreseen in the British operation will not happen. During the cruise, one of the British destroyers, *the Samuarez*, struck a mine and was gravely damaged. The other destroyer, *the Volage*, which was sent to assist Saumarez, struck another mine and was also seriously damaged. This incident was regarded as second in the Corfu Channel which was also a tragedy for the English. Therefore, this is because 44 British sailors were killed and 42 were injured without calculating material damages. The Albanian Coast Guards helped the British authorities, but refused the aid offered them by the Albanian state.

Furthermore, this case was more severe than the case of 15 May, and this was why the British tried to carefully administer it from the beginning. It is worth mentioning that in relations with the public, they carefully communicated a statement to the public on October 23. Thus, they expressed their regret for the British ships which were damaged by mines in the north-east of the Corfu Channel. In addition, they reported the victims and promised further information as soon as possible (Gardiner, 1966).

Several days later, they addressed Albania by informing them about a mine cleaning action which they will conduct on the Corfu Channel. According to them, the mine cleaning in the Corfu Channel would begin once England got the approval of the Central Committee of Mine Clearance with its headquarter in Cairo, Egypt.

The Albanian Government rejected the proposal of England, because the operation did not involve the participation of the Albanian authorities. The Albanian state proposed a creation of a joint commission that will clear the mines in the Corfu Channel. This proposal was not accepted by the British state. As such, the Albanian state informed the UN about the problem through a telegram of protest on October 30, 1946. However, the UN did not show any reaction or particular interest regarding the telegram sent by the Albanian state.

On the 12 and 13 of November 1946, England commenced the operation of clearing the mines in the Corfu Channel. On 14 November 1946, the Central Committee of Mine Clearance openly announced that the operation undertaken by England on 12 and 13 of November was not given any authorization. Thus, the mine clearing operation in the Corfu Channel was conducted without the authorization of this committee.

On December 3, 1946, the British government addressed the Albanian government with a note. Through this note, the Albanian government was informed about the completion of the sweeping operation in the Corfu Channel. Also, the note disclosed their claims towards the Albanian government. According to the British government, during the operation in question in the Corfu Channel, a total of 22 mines were found. Two of these mines were sent to the British naval base in Malta, to develop an expertise. The note also stated that through the expertise, it was concluded that the mines were placed not earlier than 6-7 months before the incident and was produced in Germany. In the note, they explained that the Corfu Channel was cleaned once after the war. As a result, this led to the conclusion that the mines were placed by the Albanian government; or at least, the Albanian government should have been aware of the placement of mines. Based on the fact provided by the English government, Albania should apologize to England. Also, they should compensate the victims and the state for the damages suffered in the incident of October 22, 1946. Thus, these were the English claims.

The English note ended with the allegations that if the Albanian government will not accept the demands of the English party, the English side will request an examination by the UN and the Security Council.

After analyzing the English note, and after appropriate consultations with the Yugoslav state on December 14, they sent a brief note to the British party. As the English note to the Albanian government was very harsh to the Albanian, the Albanian government gave a very brief response stating that the Albanian government was still examining the British note. They further stated that they are not ready to give a response to the British party within the deadline set by the English government in the note on 3 December, 1946. Indeed, the Albanian government attempted using tactics by delaying their response. The British Government could not wait anymore. Hence, on December 18, they sent another note which stated: "If his Majesty's Government does not receive a satisfactory response to the note sent to the Albanian government..., in the deadline set in this note, which is midnight of 23 December, as stated earlier, we would refer the matter to the UN Security Council." (PRO. 1946. FO 371/58497)

The English note was examined very carefully by the Albanian authorities and on December 23, they responded to the English government

through a different note. Hence, this time, their note was longer than the previous one. On the note, they stated that Albania at that time did not have the tools for placing and removing mines. Given this fact that Albania had no tools at that time, they cannot be held responsible for placing mines in the Corfu Channel. To avoid further accusations about the mine placement, the Albanian government suggested that the mines in the Corfu Channel could have been placed by the Greek state.

After the response given by the Albanian government, the British state was forced to deliver the case to the UN Security Council.

In January 1947, England submitted the matter to the UN Security Council. In accordance with Article 35 of the UN Charter (Paragraph 1), England requested the Security Council to discuss Albania's responsibility for the Corfu Channel incident (PRO. 1947. FO. 371/66884).

Subsequently, the SC began the review of the English request on February 18, 1947. The Albanian Party in the SC was represented by Hysni Kapo and Kahrman Ylli, while the British side was heavily represented by Alexander Kadogan.

In the UN Security Council, the first party that featured their positions regarding the incident in the Corfu Channel was the English side. The English side once again reaffirmed its position that the Albanian government is to be held responsible for the incident that occurred at the Corfu Channel. They also confirmed that the mines were placed secretly within a period of six months or less, and that the incident was a serious international crime. In addition, they affirmed strongly that their placement without notice constituted a crime against humanity.

The Albanian party rejected the English accusations. According to the Albanian representative, Hysni Kapo, he stated that the British had no evidence in the charge raised against Albania. He stated that his country would never commit such act against a country with which they were an ally in war (Kapo, 1980). He further stated that the entry of British warships in the territorial waters of Albania, without notice and in war formation, constituted a violation of the territorial sovereignty of Albania.

Further examination of the Corfu Channel incident by the SC went on to establish a commission of inquiry, composed of one representative from Australia, Colombia, and Poland. The Commission drafted two reports: one designed by the representative of Colombia and Australia who favored the English side, and another report drafted by the representative of Poland to favor the Albanian side. It is worth noting that in the SC debate on this issue, most states inclined the conclusion to make Albania responsible for the incident. After several sessions of the SC, on March 25, 1947, the SC made their pronouncement concerning the issue. In the debate that followed in the SC, it became apparent that representatives of the

western countries supported England's conclusion of accusing Albania to be responsible for the incidents (Puto, 2008). Therefore, it was the Soviet Union that opposed such a position in the SC.

### **Court Proceedings at the International Court of Justice**

After the veto of the Soviet Union, on April 3, under Article 36 of the Charter of the UN Security Council, England presented a new resolution-project. This project proposed that the Security Council should recommend the parties to address the ICJ, and to solve this conflict in judicial proceedings.

However, when England was found in an unfavorable situation after the Soviet veto, they presented a different resolution-project to the SC on March 3, 1947. In March 9, 1947, the SC adopted this resolution. This resolution recommended that the parties should choose the conflict between them in the ICJ.

After the Security Council resolution, the English party began making preparations to send the case to the ICJ. Based on the preparation of the request that will be brought before the ICJ and to follow the process that would begin, a team was assigned. This team was led by Eric Becket and the General Prosecutor, Harley Shoukros.

On May 22, the English side officially presented the case to the ICJ. The request to petition the English case to the ICJ was based on Article 40 of the Statute of the ICJ. In fact, this was a unilateral action of the English party, because under the Statute of the ICJ, a prerequisite to a court for review of a dispute is the agreement of the parties concerned which do not exist in this case. According to the English party, the court had jurisdiction to review the case. They argued that by referring to the Resolution of the Security Council which had decided that the parties should resolve the conflict between them in the ICJ, the Albanian government had accepted the requirement of the Security Council to accept all obligations as a member of the UN when they accepted the invitation to take part in the discussions that took place in the SC on the matter. In addition, the UN members must accept the decisions of the Security Council in accordance with the UN Charter.

ICJ, after accepting the English request, notified the Albanian party that the English side had filed a suit against them.

On July 2, 1947, the Albanian side responded to the Court through a letter addressed to them. First of all, they emphasized that the British government had acted in violation of the Statute of the Court, and that the procedure followed by them was illegal. However, the Albanian government "in this matter, felt itself pretty confident". As such, they were ready to

appear before the ICJ, having the English side's terms of violation in mind (Punto, 2008).

After receiving this response from the Albanian side, the ICJ will officially begin to examine the Corfu Channel case. Since the procedure before the ICJ was conducted in two phases, written and verbal stage, the Court set deadlines for the submission of documents by the parties. On October 1, 1947, the English side had to present the documentation to the Court. On the other hand, the Albanian side had to do this on December 10, 1947.

Under the term fixed by the Court, on October 1, 1947, the English side presented their documents to the Court. On December 9, the day before Albania submits the documentation to the Court, Professor Puto states that they would make a "preliminary objection". With this, the Albanian government returned to the issue raised in the letter since the beginning of July addressed to the ICJ. Thus, this entails the procedural violations of the English government. Albania requested that the ICJ should state that the English claim was "unacceptable" and that the Court was not competent to review the matter without prior agreement between the parties (Punto, 2008).

On January 19, 1948, the British side presented its objections to the Court, where they will argue that the compromise between the two governments as a condition for accepting the jurisdiction of the Court asked by the Albanian side should not have been taken into consideration.

After the actions of the two governments, Britain and Albania, were completed on February 26, 1948, the first court hearing on the case commenced. Thus, this was the first court session of the ICJ, from when it was inaugurated as one of the main organs of the UN (ICJ 1946).

The case judged by 16 judges from different countries. Thus, these judges include: President Basdevant, Vice-President Guerro, and Judges Alvarez, Hackworth, Winarski, Zorieic, De Visscher, Klaestad, Badawi Pacha, Krylov, Read, Hsu No, Azevedo, and Sir Arnold McNair. Invoking the Statute of the ICJ, Albania was entitled to appoint an ad hoc judge. Therefore, Daxner was appointed as the ad hoc judge (ICJ 1947).

It is important to note that both sides had made their preparations and their teams were created to defend the case before the ICJ. Albania was represented by Ylli Kahreman as their agent, who was the then Ambassador of Albania in Paris. Also, they appointed the Czechoslovak Vahosh as their lawyer. On the other hand, the English side was represented by Eric Becket, in the capacity of the agent, and the Attorney General Shoukros Harley as their lawyer.

According to the procedure established by the Statute of the ICJ, the Court will first hear out the "preliminary objection" on the Albanian side.



Thus, this was heard by the Court during the first three sessions in which the Albanian party presented their position, with regards to the complaint presented by the English side. In the other three sessions, the English side also presented their arguments in objection to Albania.

On March 25, 1948, the ICJ finished examining the issue and made a decision based on the preliminary objection of the Albanian side which was rejected. Following this decision, the Court set new deadlines for submission of documents by the parties. According to these new deadlines, Albania had to submit its counter-memorandum until September 15, 1948 and September 28, 1948. However, the English side presented their objections.

After the Court announced the decision on that very same day on March 25, K. Ylli and Becket informed the Court that they had signed a compromise agreement on behalf of their respective governments. This is for the purpose of bringing to trial the issue of the Corfu Channel incident. However, it contained two points in the form of two separate questions that were being put forth to the International Court of Justice:

1. Is Albania responsible, under international law, for bombings that occurred on October 22, 1946 in Albanian waters, and also for the human losses that followed? And if so, does this present a case for reparations?
2. Has Great Britain, based on the international law, violated the sovereignty of the People's Republic of Albania with the undertaken military action by the British Navy in Albanian waters on October 22, 1946, and on the 12 and 13 of November 1946, and is there any place to give her satisfaction? (Milo, 2010)

The agreement of compromise was in favor of the Albanian. This is because the Court cannot review the matter without a compromise agreement between the parties which serves as a condition for accepting the jurisdiction of the Court. On the other hand, the decision of the Court dismissed the preliminary objection of Albania. It constitutes a disadvantage for the Albanian side. It is important to note that the reasons for such a decision by the Court was as a result of the Albanian government's letter to the Court, dated July 2, 1947. Thus, this letter stated that the Albanian government "felt very confident in this matter". It was very much ready to appear before the ICJ, which actually implied the acceptance of the Court's jurisdiction. Therefore, this clearly shows that the Government did not have a well-prepared team that would present the case before the Court.

While analyzing their weaknesses, the Albanian side continued to strengthen the team and mitigate whatever disadvantage that would help them proceed with the case at the ICJ. In this regard, it later involved the renowned French lawyer, Pierre Cot, professor of international law, and

an outstanding personality of French politics. Part of the Albanian side also constitutes Nordman Joe, Marc Jacquier, and Paul Villard. This panel of attorneys represents the Albanian side in the Court. The Albanian side also engaged consultants and renowned experts of mines, so that they could appear before the Court with dignity.

After signing the Compromise agreement on June 15, the Albanian side put forward their Reminder to the Court. Through this, they laid out all the facts against the English charges. The Reminder stated that: "The Albanian government has never laid mines in the waters of Saranda or elsewhere after 15 May 1946 or before that date, and never had knowledge of such action." The Reminder also attempts to place an argument on the actions undertaken by the Albanian side with respect to the incident at the Corfu Channel. It stated that on 22 October 1946, British military vessels had entered the Albanian coastal waters in the war lineup. Thus, they did not correspond with the British position that the transition was peaceful.

On July 30 1948, the English side responded to the Albanian's Reminder letter with a Counter-Reminder was delivered to the Court. Thus, they try to weaken the position of Albania before the Court. They urge Albania "to shed light on the circumstances in which the two Yugoslav warships, Miljet and Meljine, which were loaded with the German contact mines type Y, sailed southwards from the port of Sibenik on, or about 18 October 1946, and continued toward the Corfu Channel" (ICJ 1948). The British side also stated categorically that the transition was peaceful and was not intended to infringe between inland Albanian waters. In the Counter-Reminder, it was also stated that on the 12 and 13 of November 1946, Albania's sovereignty was never infringed upon. On September 20, 1948, the Albanian presented a Counter-Reminder to answer the British Counter-Reminder of 15 to 30 July 1948. In this document, the Albanian side once again reiterated their position of 15 June 1948. Also, they added the issue of why the English government in its counter-Reminder of 30 July, has not submitted the documents that dealt with the operations of 22 October 1946 to the Court. In this regard, the Albanian party sought from the British side to put at the disposal of the Court, all the documents that had to do with the trips of the English authorities, their mission on October 22, 1946, cruise books and journals, set paths, reports, and the enforcement records of the two destroyers, Saumarez and Volage.

After the Albanian party presented this Counter-Reminder, the ICJ began the public hearings of the case. Therefore, November 9, 1948 will mark the beginning of the public hearings in the Court. This is with the English side presenting the case first through their lawyer. Their lawyer, Shoukros, stated that the passage of British ships in Albanian territorial waters on October 22, 1946 was a peaceful transition. In their discussions,

the British lawyers will also focus on who should take responsibility for setting the mines in Albania's territorial waters, and the incurred damages on the English side. In addition, they argue that the British ships were transitioning peacefully in Albanian territorial waters. They maintained that at no point did they violate the sovereignty of Albania on October 22, 1946. By this, they are contending with the charges filed by Albania on 22 October 1946 that the British ships transition was not peaceful. However, there was an operation that was essentially provocative and hostile (ICJ 1948/49).

The Albanian side began the discussions before the Court on 15 November 1948. Through attorney Nordman, they objected to the theses raised by the English party, stressing that Albanian could not perform such actions at a time when it had just applied for UN membership.

Over the course of 16, 17, and 18 November, another attorney presented Albania's government positions with respect to the incident. In his speech, he begins with a statement from the famous French philosopher of the seventeenth century, Pascal: "Politics has its reasons which reason knows not of." He stated that "the honor of Albania and perhaps its national future, its independence are at stake, because the Albanian government is accused to have committed an act contrary to international law obligations and humanitarian laws".

Furthermore, English ships as well as the documentation concerning the orders of the English authorities were done with regards to their mission on October 22, 1946, records and journals of navigation, established routes, reports, and records of enforcement commanders of the Saumarez and Volage destroyers. According to Cot, on October 22 1946, the norms of international law were violated. The request for the submission of documentation regarding the Corfu incident, although was an undeniable proof that would have probably given another direction to the trial, was never submitted by the British side.

Therefore, Cot closed his discussion with rare skills and professionalism. He addressed the Court with the words: "I believe I have proved that England had violated international law by penetrating into Albanian territory. It is not the English people that are sitting before the Court, but the English state. The only issue that arises here is not to learn whether the English nation is a great nation, but simply to learn whether the English acted always in accordance with the rule of law in the Corfu Channel case." (ICJ 1949)

From November 22 1948 until December 17 1948, witnesses and experts appeared before the Court. From the English side, the captains of ships Saumarez and Volage, Mauritius direction officer, and other officers of the English Navy such as commander Whiteford were

witnesses. On the other hand, Saranda port's captain Shtino Ali, Commander of Coastal Defence and former deputy, Akile Polena, as well as the ex-vice-president of the Executive Committee of Saranda, Mr. Xhavit Muco were the Albanian side's witnesses. Based on the capacity of experts, the Albanian side was represented by Captain Oramov and Admiral Mulek (Milo, 2010).

### **ICJ's Verdict**

After listening to the expert witnesses, the ICJ withdrew to take the verdict. On April 9, 1949, they gave the verdict. According to the verdict, Albania was responsible for what happened on October 22, 1946.

The Court's verdict will provide answers to both questions that both parties had referred to the Court with their Compromise agreement of 25 March 1948. Regarding the question: "Is Albania responsible, under international law, for bombings that occurred on October 22, 1946 in Albanian waters, and also for the human losses that followed? And if so, does this present a case for reparations?" Therefore, the Court responded by stressing that the government of Albania is responsible for blasting the mines in the Corfu Channel on October 22, 1946. This is because they have no option but just have to be aware of who set the mines. This part of the decision was adopted with 11 votes for and 5 against. The court also mentioned the issue of reparations. In this question, the court will not only give an affirmative answer to the question, but also declared itself to be competent in determining the amount of reparations that the Albanian side should give. At this point, the decision was taken with 10 votes for and 6 against (Milo, 2010).

In the second question: Has Great Britain, based on the international law, violated the sovereignty of the People's Republic of Albania with the undertaken military action by the British Navy in Albanian waters on October 22, 1946, and on the 12 and 13 of November 1946, and is there any place to give her satisfaction?, the Court gave two answers. Firstly, with 14 votes for and two against, the court stated that there had been no violation of the territorial sovereignty of Albania on October 22, 1946, on the day of the mine blasts. Consequently, they argued this in the light of the right to pass through international channels, without mentioning whether English warships performed a demonstration of force. Secondly, the Court unanimously recognized that on the 12-13 of December 1946, the English government violated the territorial sovereignty of Albania. This they accomplished by sending their navy to clear mines unilaterally, without the knowledge of the Albanian authorities (Puto, 2008)

## Conclusion

Notwithstanding the fact that Albania considered the Court to be incompetent in determining the amount of reparations on December 10, 1949, the ICJ set the amount of reparations to be 843.947 pounds. This amount is the compensation that Albania had to pay regarding the Corfu Channel incident (Puto, 2008). Therefore, this decision was communicated to the Albanian government which will, in turn, continuously challenge the decision of the ICJ. Furthermore, it was the Corfu Channel incident that has sabotage the relationship between Albania and England for more than five decades.

Aside from Bilateral issues, with the verdict on the Corfu Channel case, the International Court of Justice and the United Nations had shown the capacity to impose international law. In addition, it also presents itself as a credible institution for resolving international conflicts among its members or beyond.

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