

Translation

Statement by Foreign Minister Guido Westerwelle on the ICJ judgment in the case between Germany and Italy

Foreign Minister Guido Westerwelle issued the following statement on today's ruling by the International Court of Justice in The Hague in the case between Germany and Italy concerning the principle of state immunity:

“I welcome the judgment delivered today by the International Court of Justice which endorses our legal position with regard to the principle of state immunity. Clarifying this issue was not just in Germany's interest but in the interest of the international community as a whole. It is good that we now have legal certainty.

We will now address all issues concerning the implementation of this ruling in a spirit of partnership, building on the close relations based on mutual trust that we and our Italian friends enjoy.

The case was not directed against victims of the Nazi regime. Their suffering has always been fully acknowledged by the German Government. And of course the Government did not intend to put in question or belittle Germany's responsibility for the crimes of World War II.

After World War II, restitution for the wrongs committed was made in compliance with international law through comprehensive peace treaties and reparations agreements concluded with the states concerned. Germany shouldered its historical responsibility for the wrongs perpetrated by the Nazi regime during World War II and additionally made reparations that went beyond its legal obligations – also vis-à-vis Italy and Greece.”

Germany instituted proceedings before the International Court of Justice in 2008 with the agreement of the Italian Government. On 18 November 2008, Germany and Italy underscored in a joint declaration that they both thought an ICJ ruling on state immunity would help clarify this complex issue of international law.