

**Committee:** GA6

**Agenda Item:** Implementing measures to ensure state accountability for violations of international law

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## Introduction

The agenda item, Implementing Measures to Ensure State Accountability for Violations of International Law, addresses the persistent challenges of implementing this legal theory into practicality in the field of diplomacy. While the International Law Commission's rules (ARSIWA) clearly states that a State must cease harmful acts and pay for compensation. These include restitution, and satisfaction. Demanding for a State to accept these is often really difficult because of the way the world is organized around State Sovereignty. This means that each nation is seen as being in charge of itself and doesn't easily accept when other states try to intervene with their decisions. This body must, therefore, thrive, innovate, be enforced and legally sound measures to ensure that States are held definitively and justly accountable for their breaches, in order to guard the integrity of international law. However, decisions that are made by the necessary UN organs often require states to consent and sign treaties which most of them refuse due to reparation fees that the losing side is ordered to give. It's also difficult to come to a result in these violation cases due to the hardship there is with collecting evidence. Delegates need to ensure that states can be held accountable for their actions and ensure that the legal process is enforced.

## Definition of Key Terms

**Reparation:** Payments made by a defeated nation in order to compensate for the damages that were done against the winning side throughout the war. (Cambridge Dictionary)

**International Law:** International law, the body of legal rules, norms, and standards that apply between sovereign states and other entities that are legally recognized as international actors. (Britannica)

**ARSIWA:** Is an acronym for Articles on the Responsibility of States for Internationally Wrongful Acts. These articles are considered as the most informative and accepted one regarding how and when a state is held responsible for breaching international law.

**Internationally Wrongful Act:** An act of a State must be characterized as internationally wrongful if it constitutes a breach of an international obligation. (ICJ)

**Compensation:** Money that is paid to someone in exchange for something that has been lost or damaged or for some problem. (Cambridge dictionary)

## Major Actors Involved

**International Court of Justice (ICJ):** The ICJ, which is situated in the Peace Palace in The Hague, a city in the Netherlands, was established in 1945 as a way of settling disputes between countries. The court also provides advisory opinions on legal questions that have been referred to it by other authorized UN organs.(UN)

**UNCC:** The United Nations Compensation Commission (UNCC) was located at the Palais des Nations within the United Nations Office in Geneva, Switzerland. It was created in 1991 as a subsidiary organ of the United Nations Security Council under Security Council resolution 687 (1991) to process claims and pay compensation for losses and damage suffered as a direct result of Iraq's unlawful invasion and occupation of Kuwait in 1990-1991. (UN)

The commission was closed in 31th of December 2022 under the resolution 2621

## General Overview of the Issue

### Identifying the Issue With State Responsibility:

Continuation of international peace and safety relies fundamentally on expectations that the states will take responsibility and oblige to the international laws and will not violate them. However if a State refuses to abide by these rules and violate the primary framework; ARSIWA. The State commits an Internationally Wrongful Act (IWA). These agreements require the faulty State to cease the wrongful acts and provide full reparation for the damage they have caused. Moreover It's expected that this system would benefit a just international justice system for the nations and create a more just environment, yet there are issues with state accountability. Despite how clear the legal mandate is, the measures are not enough when it comes to enforcement. The committee's main goal is to implement necessary measures to ensure that state responsibility is not merely declared in theory but enforced as well.

### Example: Nicaragua v. United States (1986)

There have been some cases in history where the gap in enforcement of this law can be seen. ICJ ruled that the USA was funding the Contras paramilitary group in Nicaragua which is a violation of international law as they unlawfully interfered with Nicaragua's affairs. The decision that came from the ICJ was for the USA to pay reparation. However, the USA refused to pay and withdrew their acceptance of compulsory ICJ jurisdiction and because the USA is a P5 country that has a right to veto, USA blocked the enforcement of the ICJ's judgement.

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### How It Connects To The Current Situation

The tragedy of the Nicaragua case, which represents the issues with the current system, it truly highlights the most fundamental structural flaw: The politicization of accountability. The United Nations Security Council (UNSC), the body with the principal responsibility for imposing enforcement measures such as sanctions or referring cases to the International Criminal Court (ICC), is often paralyzed when a major power or its friends are implicated. This institutional paralysis ensures that States responsible for even the most inhumane violations, including war crimes and genocide, can always evade their mandatory accountability under the ARSIWA.

### Past Solution Attempts

In 1991 following Iraq's invasion of Kuwait. The UN decided to establish a new

organization by the name of the United Nations Compensation Commission. This organization's main goal is to collect the reparation money, It was relatively successful by looking over 2 million claims and paying out more than 50 billion dollars in reparation fees.

## Useful Links

Resolution 2621:

[https://uncc.un.org/sites/default/files/2023-05/sc\\_resolution\\_2621.pdf](https://uncc.un.org/sites/default/files/2023-05/sc_resolution_2621.pdf) Mert

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## Bibliography

International Law Commission. *Draft Articles on Responsibility of States for Internationally Wrongful Acts*. 2001. United Nations, [https://legal.un.org/ilc/texts/instruments/english/draft\\_articles/9\\_6\\_2001.pdf](https://legal.un.org/ilc/texts/instruments/english/draft_articles/9_6_2001.pdf)

International Court of Justice. *Military and Paramilitary Activities in and Against Nicaragua (Nicaragua v. United States of America)*, Case No. 70. ICJ, <https://www.icj-cij.org/case/70>.

Shaw, Malcolm. "international law". Encyclopedia Britannica, 1 Dec. 2025, <https://www.britannica.com/topic/international-law>. Accessed 7 December 2025.

Britannica Editors. "sovereignty". *Encyclopedia Britannica*, 5 Dec. 2025,  
<https://www.britannica.com/topic/sovereignty>. Accessed 7 December 2025.

Shaw, Malcolm. "international law". *Encyclopedia Britannica*, 1 Dec. 2025,  
<https://www.britannica.com/topic/international-law>. Accessed 7 December 2025.

Mingst, Karen. "International Court of Justice". *Encyclopedia Britannica*, 11 Nov. 2025, <https://www.britannica.com/topic/International-Court-of-Justice>. Accessed 7 December 2025.

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