



**Committee:** Legal committee General Assembly 4

**Issue:** The accountability of States caused by internationally wrongful acts

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## Introduction to the Issue

The act of international law violations has been an issue to the states of the world since the earliest ages of humanity, but to understand the concept of internationally wrongful acts we have to understand how the international law works. In 1945 when the Francisco Agreement was made to set the founding grounds of the United Nations the nations of the world came up with the ‘‘International Court Of Justice.’’ the main judicial organ of the states around the world the main reason why the nations felt the urge to create such an organisation was to eliminate and overcome situations like the violation of the Munich Agreement by Hitler which initially led to the start of the second world war. The way how the organisation works is it has basic ground rules that protects sovereignty of nations from other nations or groups and thus bring a common ground on justification and prosecution of these acts caused by each state. to entitle every state to this prosecution the first article of the ‘‘Responsibility of States for Internationally Wrongful Acts’’ document suggests ‘‘Every internationally wrongful act of a State entails the international responsibility of that State. ‘’ by doing so they make the states agree on the actions that they do will have a prosecution if it's wrong and also the third article on the same document states ‘‘The characterization of an act of a State as internationally wrongful is governed by international law. Such characterization is not affected by the characterization of the same act as lawful by internal law.’’ by putting this clause in action the ICJ and the UN states that they no longer recognize the internal law of the country when committing an act on international matters and grounds. So, let's think of it this way when a nation is to attack another nation before the creation of the United Nations and the ICJ it could do so in a surprise attack manner and if the attacking nation wins there would be no institution, law or country to stop the aggression or even think that the aggressor is wrong but by bringing the international law a common ground for all nations the UN gives the right to every sovereign nation to defend themselves in front of international law and thus criminalize the actions of the aggressor. So the biggest example of this would be as aforementioned pre UN charter nations were allowed to attack whenever and however but now they have to first diplomatically announce this and send an ultimatum and declare to the world in a



transparent manner that there is going to be a war and if this is not the case that war will not be considered legitimate and the UN Security Council alongside the ICJ will immediately act to embargo and even stop if necessary the aggressor state one of the biggest example of this would be the Korean war which will be tackled in the next chapter. But the initial problem starts when the aggressor state is heard by the international community in most of the cases they justify their actions through their domestic and national laws and therefore puts the international law under pressure for example even though the world sees the occupation of the Crimean peninsula as an occupation the Russian Government sees it as the freeing of the Russian minority in Ukraine and backs it up by the ‘‘plebiscite’’ that was done under Russian martial law so the problem starts with who to believe because initially even though this is an occupation, the charter of the United Nations suggests that the organization (UN) is not allowed to interfere with the domestic affairs of the state and as a result this leads to the Russian government justifying its ‘‘freeing’’ of its people and the international community is left with nothing but non ending hours of trials/hearings and some strong states embargoing the aggressor which leads to a loophole that cannot be solved. With many different issues around the globe today many acts of aggression lack international law have caused greater conflicts and escalating tensions between nations.

## Involved Countries & Organizations

**International Court Of Justice (ICJ):** The ICJ is the modern day or the continuation of the Permanent Court of International Justice which was established in 1920 by the League of Nations by the end of the second world war. After the Second World War, both the League and the PCIJ were replaced by the United Nations and ICJ. The Main laws of the ICJ, which sets forth its purposes, comes heavily from its predecessor. All member states of the UN are party to the ICJ and may start cases and trials against one another; however, advisory proceedings may only be submitted by certain UN organs and agencies.



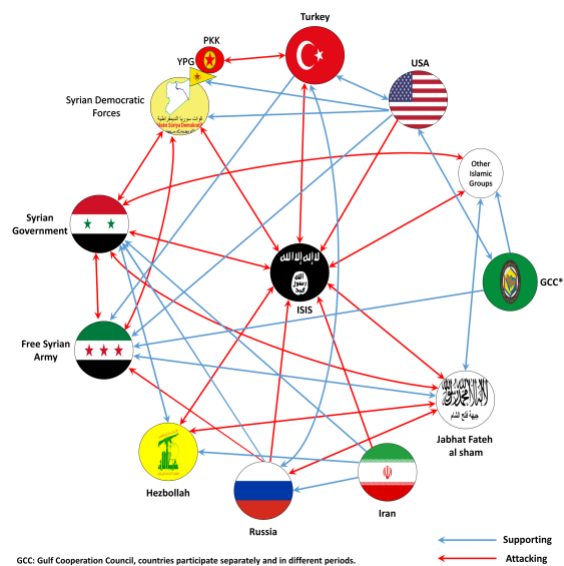


### **The Russian Federation and the occupation of Donbass, Crimea and the autonomous city of A**

**Sevastopol** : On the 25th Of December 1991 the Russian Federative Soviet Socialist Republic left the Soviet Union thus dissolved the Soviet Union and initially ended the cold war, but in the year of 1999 with the election of Vladimir Putin the country started its new post-soviet era policies which is a mix of modern day capitalism with socialist ethics and unlike the former soviet union takes a pride of the Russian Orthodox Church and the Russian Imperial Family. In February and March 2014 Crimea was annexed by the Russian Federation and since then the area has been under Russian Control. Although this brought a shock in the international community Russia justified its actions by a plebiscite that was conducted later in the occupation in early March under Russian Martial law and to further justify its ‘‘Invasion’’ they brought up the fact that majority of Ukrainians living in the area speak Russian more than Ukrainian and feel more Russian than Ukrainian and also used an agreement that was signed within the Soviet Union on the 9th of March 1954 stating that ‘‘In a case of leaving or dissolving of the Union the Crimean region of the Ukrainian Soviet Republic will be granted full autonomy.’’ and here starts the issue because this was an internal agreement done by Russia with another autonomous state the international community nor the ICJ can act because then this is against the constitution and the main laws of the ICJ.

### **Syrian Arab Republic and the Syrian civil war:**

In 2011, the Protests in Syria as a part of the Arab Spring grew to an uncontrollable level and as a result to protect the domestic integrity of the state, Bashar al-Assad, the president increased the amount of police brutality thus led the protests and the public being against the government and to make matters worse the government instead of trying to negotiate set out more police brutality which initially led to the militias being created in the region. To this day the UN could not interfere in the war because the Assad government was and is a rightful elected president and for the UN to intervene this would cause violations of the charter. Now due to the lack of political actions there is an ongoing civil war with sides being backed up by major powers both worldwide and in the region these states are: The Turkish Republic, United States Of America and The Russian Federation.



**Israel and the conflict between the Palestinian liberation forces:** Since the end of the second world war, the world, with the creation of the UN, started an era of decolonization. When this era started the biggest question was who was going to be the owner of all these mandates and colonial states. Although many conflicts of the Middle East come from this era there is still one conflict that still goes on just like the same day and that is the conflict of Israel and Palestine over the disputed areas of mandate of Palestine. To solve the issue in 1948 Britain reported to the UN that they are going to dissolve the mandate of Palestine but they do not know who to authorize the ownership to the dissolved state as a result the UN creates “The commission on the mandate Of Palestine.” The commission consisted of the representatives of the big three religions in the area which were and still are The Christians, The Jews and the Muslims. Everything in the Commission was going well in terms of division of the lands between the Jews and Muslims until the topic of Jerusalem came the international community and the advisors of international law of the time proposed for a neutralised Jerusalem where a UN city commission would rule the city with representatives from the three major religions and all types of commerce would be banned within the city and every individual who wants to travel to Jerusalem could only for religious purposes. Although this seemed like a valid solution the Muslim delegation/representatives were not happy so outraged by this they left the panel as a result the panel voted in favor of the resolution and the new border and Jerusalem due to diplomatic issues was left to the newly created state of Israel. Although this happened in 1948 the hatred between the two religions went to aver extreme level and still continues today and even though the two side viciously attack each other because the 1948 agreement was signed



by the international community the UN as in other cases does not have the right to intervene and thus considered the lands of today's Israel as their rightful land.



## List of Important Events

There is no important order of events for this Issue please check and further read about global issues going around the world that lack international law enforcement. Examples other than then the aforementioned ones are the issues in Hong Kong, Pakistan Vs India (Kashmir crisis), Cyprus, Greece vs Turkey and etc.

## Past Attempts to Solve the Issue

There have been no certain diplomatic actions in general for the agenda item other than Trials and sanctions being implemented on singular issues.

## Related Documents

[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)

[https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_pv\\_7138.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_pv_7138.pdf)

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<https://www.icj-cij.org/en/case/166>

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<https://www.un.org/unispal/wp-content/uploads/2018/06/P2-Mr.-Ziad-Abuzayyad-E.pdf>

<http://unscr.com/en/resolutions/doc/478>

<http://unscr.com/en/resolutions/doc/476>

<http://unscr.com/en/resolutions/doc/2334>

## **Possible Solutions**

For a possible solution to emerge, states will need to give compromises in certain situations without crossing their national policies and without violating their domestic affairs. To achieve this I highly recommend the delegates to be very open to conduct diplomacy, amongst other nations. Please don't be afraid of the change of system!



## **Bibliography**

[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)

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