# Modern History · GS - II

**Examine the role of the International Court of Justice in enforcing State accountability for genocide. What institutional and geopolitical constraints limit the enforcement of its judgments?**

| EXAM YEAR | PAPER | SUBJECT |
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| MARKS | WORD LIMIT |
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| 10 | ~150 words |

## Answer Hint

**Genocide Convention, State responsibility, ICJ jurisdiction, binding judgments, Article 94 of UN Charter, Security Council, veto power, international accountability.**

## Model Answer

### Introduction

The International Court of Justice (ICJ), the principal judicial organ of the United Nations, plays a significant role in resolving disputes between States and establishing their responsibility for violations of international law, including the Genocide Convention.

### Role in State Accountability

- **Legal determination:** The ICJ examines whether State conduct violates obligations under the Genocide Convention.
- **State responsibility:** It can determine whether a State has breached its international obligations and require cessation, guarantees of non-repetition or reparation where applicable.
- **Provisional measures:** The Court can order urgent measures to prevent irreparable harm while proceedings are pending.
- **International precedent:** Its judgments clarify the interpretation and application of international legal obligations.

**Constraints on Enforcement**

- **Limited enforcement powers:** The ICJ does not possess its own police or enforcement machinery.
- **Security Council dependence:** Article 94(2) of the UN Charter permits recourse to the Security Council for non-compliance, but political considerations can restrict action.
- **Veto power:** Permanent members' vetoes may obstruct effective enforcement.
- **State cooperation:** Investigations, access to evidence and implementation of judgments often depend on State cooperation.
- **Geopolitical interests:** Strategic alliances may influence international responses to alleged violations.

**Conclusion**

The ICJ strengthens international accountability by establishing legal responsibility and clarifying State obligations. However, effective implementation requires political cooperation, institutional support and respect for international law beyond the courtroom.

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