



Arizona Model United Nations 65
International Court of Justice
Short Research Guide

Introduction

Hi everyone! My name is Hannah Stojanovski, and I hold the position of Under-Secretary-General of Rules and Procedures for the 2026-2027 term. One of the committees we have for our conference this year is the International Court of Justice. The International Court of Justice (ICJ) is the principal judicial organ of the United Nations (UN). It was established in June 1945 by the Charter of the United Nations and began work in April 1946. The seat of the Court is at the Peace Palace in The Hague, Netherlands. Of the six principal organs of the United Nations, it is the only one not located in the UN's Headquarters in New York, United States of America. The Court's role is to settle, in accordance with international law, legal disputes submitted to it by the Member States and to give advisory opinions on legal questions referred to it by authorized United Nations organs and specialized agencies. The Court is composed of 15 judges, who are elected for terms of office of nine years by the United Nations General Assembly and the Security Council. It is assisted by a Registry, its administrative organ. Its official languages are English and French.

Case 1: Corfu Channel (United Kingdom of Great Britain and Northern Ireland v. Albania) [ICJ Overview of the Case](#)

The Corfu Channel Case was one of the first major contentious cases decided by the International Court of Justice and remains an important authority in international law. The dispute arose from an incident on October 22nd, 1946, when two British naval vessels, HMS Saumarez and HMS Volage, struck mines while navigating the North Corfu Channel, resulting in much death and damage. The United Kingdom argued that Albania was responsible because the mines were located in Albanian territorial waters and that Albanian authorities should have already known this information. Albania denied responsibility, and argued that the British vessels had violated its sovereignty. The case raised fundamental questions concerning state responsibility, sovereignty, as well as certain court standards.



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In its April 9th, 1949 judgment in this case, the ICJ found Albania internationally responsible for the damage caused by the mines. Although the Court did not find sufficient evidence that Albania had itself laid the mines or directly participated in their placement, it concluded that Albania had knowledge, or should have had knowledge, of the minefield and had failed to warn vessels of the danger. The Court also recognized that the North Corfu Channel constituted an international strait in which states had a right of innocent passage during peacetime. However, the Court rejected the United Kingdom's subsequent minesweeping operation in Albanian territorial waters, holding that it violated Albania's sovereignty. This aspect of the judgment established an important distinction that a state's responsibility for an internationally wrongful act does not automatically give another state the right to intervene alone in its territory.

The Corfu Channel judgment is consequently regarded as a foundational case in several areas of international law. It established important principles concerning state responsibility for omissions, circumstantial evidence, freedom of navigation, territorial sovereignty, and the limits of unilateral action by states. Particularly significant was the Court's acceptance of indirect evidence where direct evidence was difficult to obtain because of Albania's exclusive control over its territory. The case also demonstrated the Court's attempt to balance two fundamental principles of international law: the protection of navigation through international straits and respect for the territorial sovereignty of states. On December 15th, 1949, the Court determined that Albania owed the United Kingdom compensation for the damage resulting from the mine explosions.

Questions:

- 1) How did the ICJ establish Albania's responsibility for the mine explosions despite the absence of direct evidence that Albania had laid the mines?**



2) How did the Corfu Channel judgment balance the principles of territorial sovereignty and the right of innocent passage through international straits?

Case 2: TOPIC II: Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America) [ICJ Overview of the Case](#)

The Military and Paramilitary Activities in and against Nicaragua case was decided by the International Court of Justice in 1986 and is a leading authority on the use of force, non-intervention, and customary international law. Nicaragua brought proceedings against the United States, alleging that the United States had supported the Contras, an armed opposition group fighting the Nicaraguan government, and had engaged in military activities against Nicaragua. The United States challenged the Court's jurisdiction and argued that its actions were justified in the context of regional security and Nicaragua's alleged support for armed groups in neighboring states.

On June 27th, 1986, the ICJ found that the United States had violated international law through certain forms of military and paramilitary intervention in Nicaragua. The Court concluded that the United States had breached the principle of non-intervention by supporting and assisting the Contras and had violated the prohibition on the use of force through particular military activities. Importantly, the Court distinguished between the provision of certain forms of assistance and an actual armed attack, finding that the evidence did not establish that Nicaragua's activities in neighboring countries amounted to an armed attack that would justify the United States' exercise of collective self-defence.

The case is particularly significant because the ICJ relied heavily on customary international law, emphasizing that fundamental principles such as the prohibition of force and non-intervention existed independently of treaty obligations. The judgment also clarified the legal requirements



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for self-defence, including the importance of necessity and proportionality. This remains a foundational case for understanding the limits of state intervention, the prohibition of force, collective self-defence, and the relationship between treaty law and customary international law.

Questions:

- 1) **How did the ICJ determine that the United States violated the principles of non-intervention and the prohibition on the use of force through its activities in Nicaragua?**
- 2) **What did the Nicaragua case establish about the requirements for invoking collective self-defence under customary international law?**