

Contents

<i>Table of Cases</i>	xiii
<i>Table of Other Primary Authorities</i>	xxiii
<i>List of Abbreviations</i>	xxvii

1. Responsibility as a Form of Accountability and the UN Legal Order	1
I. Forms of Accountability and the Significance of (Legal) Responsibility	2
II. Accountability for the Exercise of Non-Forcible Powers by the Security Council	7

I THE ENGAGEMENT OF RESPONSIBILITY

2. Attribution of Conduct to the United Nations	17
I. Attribution of Security Council Conduct to the United Nations	19
II. Attribution of Member State Conduct to the United Nations	33
III. Derivative Responsibility of the UN for Internationally Wrongful Acts of Member States—Attribution of Responsibility rather than Conduct	45
IV. Interim Conclusion	52
3. The Element of Breach: Sources of Obligations Incumbent upon the United Nations	54
I. Charter Law: The <i>Lex Specialis</i>	57
II. General International Law: The <i>Lex Generalis</i>	69
III. Interim Conclusion	83

II THE DETERMINATION OF RESPONSIBILITY

4. Judicial Determination	87
I. The Question of Qualification of Judicial Involvement	88
II. Judicial Determination of Responsibility	90
III. 'Judicial Review' of Council Action	94
IV. Interim Conclusion	110
5. Determination by States	112
I. States as <i>Judices in Causae Suae</i>	113
II. The Exercise of the Power of Auto-Determination	123
III. Interim Conclusion	136

III THE CONSEQUENCES OF RESPONSIBILITY

6. The Content of International Responsibility	141
I. Cessation: Between Performance and Restitution	141
II. Reparation	144
III. Interim Conclusion	152
7. Implementation through Self-Enforcement	154
I. Availability of Countermeasures	155
II. Disobedience	157
III. Other Countermeasures	191
IV. 'Lawful' Measures by States 'Other than the Injured State'	198
General Conclusion	201
<i>Bibliography</i>	205
<i>Index</i>	235