

MARIA REINA MARIANISTAS MODEL
UNITED NATIONS 2025



IOU Self Determination Claims in Disputed or Occupied Territories

Case Study: Nagorno-Karabakh



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Letter from the Secretary General

It is with immense excitement and great pleasure that I welcome you to the second edition of Maria Reina Model United Nations 2025. My name is Letizia Soria, and I feel deeply honored to be this year's Secretary General of Maria Reina's MUN conference.

When I first joined the world of Model UN in 2023, I never conceptualized how rapidly it would become a fundamental aspect of who I am. From my very first simulation, where I forgot to print all research or even bring a notepad, to now leading my delegation, representing my school, and becoming Secretary-General, the journey has been filled with a plethora of challenges, lessons, and unforgettable memories.

Across more conferences than I could count, I've had the pleasure of meeting amazing individuals, forging strong friendships with my teammates, and deepening both my knowledge on global conflicts, personal perspectives, and essential soft skills. Of course, there's nothing quite like the thrill of winning a Best Delegate gavel, but what I value most is the sense of companionship, support, and family that emerges within a team. In essence, my experience as a delegate has been most defined by the people who encouraged me to prevail, to try, to speak, and to stand up when obstacles made possibilities seem bleak. The mentors who pushed me to improve, and the team that works together to lift each other up. Those moments are the ones that encapsulate what MUN is truly about.

With that same spirit of teamwork and commitment, we've poured ourselves into the preparation of this year's conference: MRMUN 2025. Every detail, from the topics to the logistics, has been a product of a Secretariat that believes in the power this conference has to challenge, inspire, and empower each delegate who walks into committee. I feel deeply grateful to carry forward the legacy of last year's conference, and I'm confident that this dedication will continue to grow in the years to come.

Thank you to the Secretariat, the staff, my teammates, and coaches who made this possible, and most of all, thank you to each delegate reading this, for being the reason this conference exists. On behalf of everyone behind Maria Reina MUN 2025: Raise your placard, speak your mind, challenge ideas, and most importantly, enjoy the process. Let it shape you.

Best regards,

Letizia Soria



Letter from the Under-Secretary General

Dear Delegates,

It is a true honor to welcome you to the second edition of Maria Reina Model United Nations. My name is Veronica Paz, and I have the privilege of serving as your Under-Secretary General for this year's conference.

Since I began my MUN journey, I've come to realize that these conferences are so much more than debates and resolutions. They're moments that challenge us, push us out of our comfort zone, and show us what we're capable of when we defend a position, even if it's not our own. Being part of MUN has taught me that sometimes you don't get what you want, and instead of punishing yourself for that, it is more important and worthwhile to learn from your mistakes. What I value most is the feeling of being part of an incredible team. A simple "How are you doing?" during breaks in conferences reflects the partnership and trust we share, making me feel like I belong to a new family.

This year's conference represents not just the continuation of a dream but the result of months of effort, teamwork, and vision from an incredible group of people. I'm beyond grateful to be part of this team and see how far we've come.

To all delegates: take this opportunity to speak, to question, to lead –but above all, to grow. You will meet inspiring people, face unexpected challenges, and walk away with experiences that will shape you far beyond this weekend. Whether this is your first conference or one of many, I hope MRMUN 2025 becomes a special part of your journey.

On behalf of the entire Secretariat, I wish you the best of luck and an unforgettable experience.

Sincerely,

Veronica Paz



Letter from the Committee Director

Hello everyone! My name is Camila Neyra and I am thrilled to be one of your directors for the ICJ committee at Maria Reina Model UN.

I am a 22-year-old law student at Universidad de Lima and I love international law and conflict resolution. Outside of the academic scope, I love fashion, brunching, and going to Síclo. Moreover, my MUN experience dates back to 2018 when I joined my school team and competed for two years until I graduated high school. After a break, I started my college journey in mid-2021 and debated for three more years. Also, I've been a faculty advisor for both high school and college level Model UN. And as proud MR alumni and current FA, it fills me with joy being part of the conference.

Regarding the committee, I want to see an interesting debate, understanding debate as an actual debate of ideas and not 3 days sitting in a chair doing roll call and rules of procedure. I'd like to see really argumentative delegates (remember that argumentation is not based on who has the best content, but rather who has the best critical thinking and logical sequence of ideas). Additionally, I love to read books about persuasion and negotiation; and although the outside committee is really interesting to see, it is only the means (a very important means) that will lead you to the end. Finally, the best thing you could bring to the committee is a strategic mindset, with strategy you can cover your logic and argumentative speeches and persuade everyone to achieve your personal (country's) interests, everything with respect and a smile.

See you in July,

Camila Neyra



Letter from the Assistant Director

Esteemed delegates,

It is my pleasure to be chairing the International Court of Justice in this year's iteration of MRMUN alongside Cami.

To tell you a little bit about myself, I am a third-year law student at the Universidad Católica. My hobbies include playing videogames, watching movies, jogging, and hanging out with friends. I started doing MUN all the way back in 2018 and entered Peruvian Debate Society (PDS) in 2022, a team that I've debated with for the past 3 years and with whom I've travelled to Harvard WorldMUN thrice.

As far as committee expectations go, by far what I evaluate the most is argumentation and understanding of the topic and its concepts. Furthermore, I would look favorably upon proposals that are strongly-built and backed up by case studies and, especially, that bring debate to committee. That last part is very important to me, as I would not look favorably upon delegates focusing solely on their own ideas and proposals. Rather, I really appreciate those delegates that discuss everybody's ideas and that can counter-argument based on that. In regards to negotiations, I like delegates who lead diplomatically and that can efficiently help their bloc (and the committee) move forward towards a resolution.

I am really looking forward to seeing you all in just a couple of weeks. If you have any further questions, feel free to ask us via the committee email.

Best regards,

Santiago Galdo



History of the Committee

Origins and Background

The International Court of Justice (ICJ) was established in 1945, following the end of World War II, as a central component of the newly founded United Nations (UN). Its creation was formalized during the San Francisco Conference, where the UN Charter was drafted and adopted. The ICJ was conceived as a permanent and universal legal body, intended to support the peaceful settlement of disputes among states and uphold international law as a tool for global stability.

The ICJ succeeded the Permanent Court of International Justice (PCIJ), which had been created in 1922 under the League of Nations. Like the ICJ, the PCIJ was based in The Hague, Netherlands, but it gradually became inactive with the decline of the League and the outbreak of World War II. Although the PCIJ never officially ceased to exist, its functions and structure were replaced by the ICJ when the latter began operating in 1946.

Role within the UN system

The ICJ has a unique mandate within the UN system: to settle legal disputes between states and to issue advisory opinions on legal questions referred by other UN organs or specialized agencies. Unlike political bodies such as the Security Council—which operates through voting and may impose sanctions—the ICJ is strictly legal in nature. It does not act on its own initiative; it only hears cases when states voluntarily submit to its jurisdiction.

The ICJ cannot enforce its rulings by force, nor does it judge individuals or private entities. However, its judgments are binding on the states involved, and its interpretations of international law carry significant weight within the global legal order. This role supports the broader aims of the United Nations by providing a peaceful, rules-based mechanism for resolving conflicts and clarifying legal obligations between states.

Functions of the ICJ



The International Court of Justice serves as the main judicial body of the United Nations. Its purpose is to ensure that international law is respected and applied fairly between countries. To achieve this, the Court has two main functions:

- To settle legal disputes between sovereign states that bring a case to the Court.
- To provide advisory opinions on legal questions referred to it by UN bodies and specialized agencies.

Settling Legal Disputes Between States

This means to act like a referee when two or more countries have a disagreement about a legal issue, such as where a border lies, whether one country broke a treaty, or if a country used force illegally. These cases are called “contentious cases.” Only states can bring a case to the Court. In other words, only governments can sue or be sued in the ICJ.

Issuing Advisory Opinions

An advisory opinion is when the ICJ is asked to give its legal opinion on a specific question of international law, but not to decide a case between two states. These opinions are not legally binding, but they carry significant authority and are often used to clarify how international law should be interpreted, help UN bodies make informed decisions, set precedent for future international legal standards.

Relevance of the ICJ in Territorial Disputes and the Rights of Peoples

The International Court of Justice (ICJ) plays a fundamental role in maintaining international peace and stability through the peaceful settlement of disputes. Among the most impactful cases it handles are territorial conflicts and disputes involving the rights of peoples, particularly those related to self-determination, sovereignty, and decolonization.

These issues are deeply political, yet the ICJ approaches them from a strictly legal perspective, offering clarity and legitimacy to situations where historical claims, national identity, and international law intersect.

Territorial disputes are among the most sensitive and frequent conflicts brought before the ICJ. They typically involve disagreements over: borders (land or maritime), sovereignty over regions



or islands, access to resources or strategic locations. However the ICJ provides a legal forum where states can present maps, treaties, historical evidence, and legal arguments, rather than resorting to force.

Moreover another area where the ICJ's influence is critical is in addressing the rights of peoples, especially under international human rights law and humanitarian law. These cases often involve non-state actors, such as oppressed populations or territories seeking independence. Although the ICJ cannot judge individuals, it plays a central role in clarifying legal principles of self-determination, advising UN bodies on questions involving the legitimacy of actions against peoples or reinforcing the UN's commitment to decolonization and human rights.

Introduction to the Topic

One of the most powerful and controversial principles in international law is the right to self-determination. This right, at its core, affirms that "all peoples have the right to freely determine their political status and pursue their economic, social, and cultural development". But when this principle is applied to territories that are disputed or under foreign occupation, it creates deep tensions with another fundamental legal concept: the territorial integrity of States.

What Is Self-Determination?

Self-determination is a legal and political principle that gives people the right to choose how they are governed—whether they want to be independent, join another State, remain autonomous, or stay as part of the country they currently belong to.

This principle is enshrined in key legal documents:

- The United Nations Charter (Article 1.2) states that one of the main purposes of the UN is to promote “friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples.”
- The International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) both begin with the same Article 1: “All peoples have the right of self-determination. By virtue of that right they



freely determine their political status and freely pursue their economic, social and cultural development.”

In the 20th century, this principle was crucial in supporting decolonization. Colonized peoples used self-determination to gain independence from European empires. In that context, the application of the principle was clear and widely accepted by the international community.

What Are Disputed or Occupied Territories?

A disputed territory is a geographic area claimed by more than one party —usually States or governing entities— based on legal, historical, ethnic, or political grounds. The dispute may involve competing interpretations of treaties, colonial boundaries, ethnic composition, or historical control. Crucially, in many of these territories, there are local populations who identify as distinct “peoples” and who may seek to exercise self-determination, even if the territory is legally recognized as part of a sovereign State.

An occupied territory, in contrast, is a region that is under the temporary or long-term control of a foreign military power, without being legally annexed. Under international law —specifically the Geneva Conventions— occupation does not change the legal status of the territory, but it often leads to political instability, demographic shifts, and tensions over sovereignty.

In both cases, disputed and occupied, there may be ethnic or national groups living in these regions who do not identify with the central government, and who claim the right to govern themselves or to separate entirely.

What Is Territorial Integrity?

Territorial integrity is a core principle of international law that protects the sovereignty, unity, and borders of existing States. It guarantees that:

- A State’s borders cannot be changed by external aggression or internal rebellion without the State’s consent.
- No State should support separatist movements that threaten the unity of another sovereign State.



- The international community must respect the political independence and territorial boundaries of all recognized States.

Territorial integrity is essential for maintaining international stability. Without it, every separatist or nationalist movement could potentially redraw borders, leading to a domino effect of secession, civil wars, and conflicts across the world.

Self-Determination vs. Territorial Integrity: A Legal and Political Collision

While both self-determination and territorial integrity are protected under international law, they are not always compatible, especially in disputed or occupied territories.

The conflict arises when a group of people, living within the borders of an internationally recognized State, demands independence or separation on the basis of self-determination. If their claim is accepted, it challenges the territorial integrity of the State they wish to leave. If their claim is denied, it may be seen as a violation of their fundamental right to self-determination.

In legal terms, the international system has developed a narrow interpretation of when self-determination justifies secession. The general rule is:

- In cases of decolonization, self-determination supports full independence.
- In cases of foreign occupation, the occupied people have the right to resist and claim self-determination.
- In exceptional cases of severe oppression or denial of internal autonomy, a “remedial” form of secession may be considered—but this is highly controversial and not well established in law.

Outside of these categories, international law tends to favor the preservation of existing borders and encourages autonomy or minority rights within the existing State, rather than full secession.

This means that two core values of the international legal system —protecting peoples' rights and maintaining State sovereignty— can directly contradict each other. There is no automatic answer. Each situation must be judged on its specific context, legal claims, historical facts, and human rights conditions.



History of the Topic

The Nagorno-Karabakh conflict is one of the longest-standing and most complex ethnic and territorial disputes in the post-Soviet space. It centers on the ethnic Armenian population of the Nagorno-Karabakh region —located within the internationally recognized borders of Azerbaijan— and their claim to self-determination, often at odds with Azerbaijan’s claim to territorial integrity. Over decades, this conflict has evolved from internal Soviet administrative disputes to full-scale wars, fragile ceasefires, and shifting regional dynamics.

Pre-Soviet and Early Soviet Period (Before 1920s)

- The Nagorno-Karabakh region has historically had a majority Armenian population, though it has also been home to Azerbaijani and other Turkic communities.
- In the early 20th century, Armenia and Azerbaijan fought over the region during the collapse of the Russian Empire.
- After the Bolshevik takeover, Soviet authorities initially promised the territory to Armenia, but in 1923, Joseph Stalin incorporated Nagorno-Karabakh into the Azerbaijan SSR as an autonomous oblast (NKAO), sowing the seeds for later ethnic tension.

Soviet Period (1923–1987)

- The Nagorno-Karabakh Autonomous Oblast (NKAO) functioned under Azerbaijani jurisdiction but was overwhelmingly populated by ethnic Armenians.
- Throughout the Soviet era, ethnic Armenians in Nagorno-Karabakh expressed dissatisfaction with Azerbaijani rule, citing discrimination, economic neglect, and restrictions on Armenian cultural expression.
- Petitions and protests increased in the 1970s and 1980s, particularly as Soviet control began to wane under Perestroika and Glasnost.



Escalation and First Nagorno-Karabakh War (1988–1994)

- In 1988, the regional parliament of Nagorno-Karabakh voted to unify with Armenia, sparking violent riots and retaliatory pogroms in Sumgait and Baku.
- The move was rejected by both the Azerbaijani SSR and the Soviet central government, intensifying ethnic tensions.
- With the collapse of the USSR in 1991, war broke out between Armenia and Azerbaijan.
- In 1991, ethnic Armenians declared the Republic of Nagorno-Karabakh (later Artsakh), an unrecognized state.
- By the end of the war in 1994, Armenian forces had taken control of Nagorno-Karabakh and seven surrounding Azerbaijani districts.
- A Russian-brokered ceasefire in 1994 ended active fighting, but no formal peace treaty was signed. Over one million people were displaced, mostly Azerbaijanis.

Stalemate and OSCE Mediation (1994–2020)

- The OSCE Minsk Group, co-chaired by Russia, France, and the U.S., led mediation efforts.
- Negotiations produced several frameworks, most notably the Madrid Principles (2007), proposing phased withdrawal and a referendum on the region's status—but no consensus was reached.
- The Republic of Artsakh operated as a de facto state with Armenian support but remained internationally unrecognized.
- Occasional border clashes and ceasefire violations occurred throughout the 2000s and 2010s.

44-Day War (September–November 2020)



- In September 2020, large-scale fighting erupted, marking the Second Nagorno-Karabakh War.
- Azerbaijan, backed by Turkish military support and Israeli drone technology, regained significant territory, including the strategic city of Shusha/Shushi.
- The war ended with a Russia-brokered ceasefire on November 10, 2020, which:
- Confirmed Azerbaijan's territorial gains.
- Deployed Russian peacekeepers to Nagorno-Karabakh.
- Allowed a land corridor (Lachin Corridor) to connect Armenia and the remaining Armenian-controlled areas.

Post-2020 Developments and 2023 Crisis

- The post-war situation was marked by growing instability, periodic skirmishes, and accusations of ceasefire violations.
- In 2022, the EU and other actors attempted new mediation efforts, with limited success.
- In 2023, Azerbaijan launched a military operation to regain full control over Nagorno-Karabakh, following the closure of the Lachin Corridor and the humanitarian blockade of Armenian-populated areas.
- The de facto Republic of Artsakh capitulated in September 2023.
- Over 100,000 ethnic Armenians fled Nagorno-Karabakh to Armenia, marking one of the largest recent displacements in the region.
- In October 2023, the de facto government of Artsakh announced its dissolution, effective January 1, 2024.

Current Situation (2024–2025)



- As of 2025, Nagorno-Karabakh is under full Azerbaijani control, with the Russian peacekeeping presence significantly reduced and regional dynamics shifting.
- Armenia and Azerbaijan have signaled interest in a formal peace treaty, though mutual distrust remains high.
- The status of displaced persons, accusations of ethnic cleansing, and questions of accountability for war crimes are under international scrutiny.
- The ICJ is currently considering cases filed by both Armenia and Azerbaijan under the CERD convention, which may set precedents relevant to both self-determination and human rights law.

Statement of the Issue

The situation of Nagorno-Karabakh exemplifies the legal and political complexities that arise when the principle of self-determination is claimed within the territory of an internationally recognized sovereign State. This case forces the international legal community to confront a central question: To what extent can a group claim the right to external self-determination—potentially including secession—when doing so challenges the territorial integrity of the State to which they legally belong?

Under international law, the right of peoples to self-determination is a foundational principle. It is enshrined in Article 1 of both the ICCPR and ICESCR, as well as the UN Charter. However, this right is not absolute. In practice, international law has largely restricted the legitimate exercise of external self-determination (i.e., through secession or independence) to three main scenarios: decolonization, foreign military occupation, or remedial secession in cases of severe oppression. Outside of these exceptional contexts, the international system tends to favor solutions based on internal self-determination, such as autonomy or cultural rights, within the existing borders of the State.

In the case of Nagorno-Karabakh, the ethnic Armenian population historically sought to separate from Azerbaijan and govern themselves, citing cultural identity, political marginalization, and security concerns. Their claim invokes the language of self-determination, but it exists in



direct conflict with Azerbaijan's internationally recognized borders and its sovereign right to territorial integrity, also a core tenet of international law. The Azerbaijani government, like many others facing separatist movements, argues that allowing such claims would destabilize the global order by setting precedents for fragmentation.

The challenge is that both sides invoke principles protected by international law—self-determination versus sovereignty—but the law offers limited guidance when these principles clash. The case does not fit neatly into the traditional frameworks that have previously justified secession. Nagorno-Karabakh was neither a colonial territory nor under foreign occupation in the classical sense. And while there are serious allegations of ethnic discrimination and conflict, it remains debated whether the threshold for remedial secession has ever been met, or if such a right even exists under customary international law.

This legal uncertainty is further complicated by the region's evolving status. As of 2025, Nagorno-Karabakh is fully reintegrated under Azerbaijani control following military operations and the dissolution of its de facto institutions. The ethnic Armenian population has been largely displaced. These developments raise additional legal questions: Does the dissolution of the secessionist entity close the legal question of self-determination, or do unresolved issues of displacement, identity, and human rights keep the claim alive in some form?

The ICJ is now faced with determining not only the legality of past claims and actions, but also clarifying how self-determination functions in a non-decolonial, post-conflict, and contested territorial context. This requires a careful balancing of competing norms: the protection of peoples' rights, the preservation of state sovereignty, the prohibition of force, and the need for regional stability.

Ultimately, this case demands an answer to a deeply consequential question: Can the international legal system accommodate claims to self-determination in disputed or occupied territories without undermining the foundational principle of territorial integrity? In answering this, the Court's analysis will likely shape how similar claims are treated globally and define the limits of self-determination for generations to come.



Current Situation

As of 2025, the situation in Nagorno-Karabakh has undergone a fundamental transformation. Following Azerbaijan's military operation in September 2023 and the subsequent dissolution of the self-proclaimed Republic of Artsakh, the Azerbaijani state now exercises full territorial control over the region. Almost the entire ethnic Armenian population—estimated at over 100,000 people—has fled to Armenia in what many observers have described as a mass displacement. As of January 1, 2024, the de facto institutions of Artsakh ceased to exist, and Azerbaijani administrative structures have been reestablished across the territory.

This new status quo presents significant legal and humanitarian consequences. Numerous international actors and human rights organizations have raised alarms about the nature of the displacement, with Armenia and others accusing Azerbaijan of conducting a campaign of ethnic cleansing. Although Azerbaijan denies these accusations, the scale and speed of the exodus, combined with restrictions on humanitarian access during the Lachin Corridor blockade, have triggered widespread concern regarding possible violations of international law.

Currently, two cases are pending before the International Court of Justice, filed by Armenia and Azerbaijan under the International Convention on the Elimination of All Forms of Racial Discrimination (CERD). These cases involve mutual accusations of:

- Discrimination based on ethnic origin,
- Incitement to racial hatred,
- Destruction of cultural heritage,
- Mistreatment of prisoners and civilians during and after the conflict.

Although the current proceedings before the ICJ focus on allegations of racial discrimination under the CERD, the broader legal and political dimensions of the case remain deeply intertwined with the unresolved issue of self-determination. The collapse of the de facto Artsakh administration and the mass displacement of its population have not erased the historical context in which the region's Armenian community asserted a collective right to self-governance. In fact, the aftermath of that claim—and its forceful suppression—raises ongoing legal questions that are directly relevant to the rights of peoples under international law.



The issue of self-determination, continues to inform the legal implications of the conflict in several important ways:

- The argument of “remedial secession” was invoked by Armenian leaders in Artsakh to justify their claim in the past, but it has never been recognized by an international tribunal.
- The legal consequences of the conflict continue to touch on themes related to the rights of peoples, such as the right of return, minority protection, and state responsibility for displaced or politically suppressed populations.
- Furthermore, the case may set indirect precedents on how the limits of self-determination are interpreted—especially in relation to the treatment of populations who once actively pursued that right.

At the same time, no formal peace agreement has been signed between Armenia and Azerbaijan, and diplomatic negotiations remain stalled. Although both sides have occasionally expressed openness to dialogue, mutual distrust is deep, and the legal status of displaced persons, reparations, and cultural protection remain unresolved. Moreover, the withdrawal of Russian peacekeepers and the limited capacity of international monitoring raise concerns about the long-term protection of civilians and the potential for future tensions.

Past Actions

The international community has taken various diplomatic, legal, and humanitarian actions in response to the Nagorno-Karabakh conflict, with a particular focus on the principles of territorial integrity and self-determination. While some efforts have sought to mediate and de-escalate tensions, others have emphasized the legal framework surrounding the status of disputed and occupied territories.

United Nations Involvement

The United Nations has consistently reaffirmed Azerbaijan’s territorial integrity in the context of the Nagorno-Karabakh conflict. The most prominent resolution is UN Security Council



Resolution 884 (1993), along with Resolutions 822, 853, and 874, all passed in 1993 during the height of the First Nagorno-Karabakh War. These resolutions condemn the occupation of Azerbaijani territories by Armenian forces, demand the withdrawal of occupying forces, and reaffirm support for Azerbaijan's sovereignty and territorial integrity. However, the UN did not actively enforce these resolutions, and no peacekeeping or binding enforcement mechanism was implemented.

The UN General Assembly has also addressed the issue. For instance, Resolution A/RES/62/243 (2008) reaffirmed the right of return for displaced Azerbaijani populations and emphasized the inadmissibility of the use of force to acquire territory. Nevertheless, these resolutions have had limited direct effect on the ground.

The OSCE Minsk Group

The Organization for Security and Co-operation in Europe (OSCE) Minsk Group, co-chaired by France, the United States, and Russia, was established in 1992 to mediate a peaceful resolution. It spearheaded the negotiation of the Madrid Principles (2007), which suggested a phased return of occupied territories, the right of displaced persons to return, and eventual determination of Nagorno-Karabakh's status through a legally binding expression of will.

Despite these efforts, the Minsk Group has largely failed to achieve a lasting peace. The lack of trust between the parties, shifting geopolitical interests, and ineffective enforcement mechanisms rendered its role largely symbolic by the time of the 2020 Second Nagorno-Karabakh War, after which Russia brokered a separate ceasefire agreement without Minsk Group involvement.

Human Rights and International Declarations

Various UN bodies and international organizations have documented human rights violations in the region. Reports from Amnesty International, Human Rights Watch, and the UN High Commissioner for Human Rights have cited displacement, mistreatment of prisoners of war, and destruction of cultural heritage on both sides of the conflict.



The Council of Europe and European Court of Human Rights (ECtHR) have received numerous cases relating to the Nagorno-Karabakh conflict, often emphasizing the need to protect civilians and uphold international humanitarian law.

ICJ Legal Precedents

The International Court of Justice (ICJ) has not ruled directly on Nagorno-Karabakh's status but has set relevant legal precedents. The ICJ Advisory Opinion on Kosovo (2010) concluded that Kosovo's declaration of independence did not violate international law, highlighting that international law contains no prohibition on declarations of independence—though it did not equate such declarations with a right to statehood.

This precedent is frequently cited by both sides in territorial disputes but is also context-specific. The ICJ emphasized that its opinion should not be interpreted as a blanket endorsement of unilateral secession.

Additionally, Armenia and Azerbaijan have brought mutual cases against each other to the ICJ under the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), accusing each other of ethnic discrimination and incitement. These cases are ongoing as of 2025 and may shape future interpretations of self-determination and minority protection.

Bloc Positions

When approaching disputes over self-determination in contested territories, countries often formulate their positions guided by a mix of legal principles, political interests, historical experiences, and regional considerations. Understanding these guiding factors helps to anticipate the perspectives states might adopt during deliberations, based on their own circumstances and policies rather than fixed alliances.

1. **Countries directly involved or neighboring the conflict:** These states typically prioritize the principle of territorial integrity, emphasizing the importance of maintaining recognized borders to safeguard sovereignty and security. While they may acknowledge



humanitarian concerns or minority rights, they usually oppose any unilateral moves toward independence that could undermine state unity or regional stability.

2. **Regional actors with strategic or security interests:** Countries or regional groups with stakes in the area's stability tend to support negotiated solutions that prevent escalation or conflict spillover. They balance respect for sovereignty with pragmatic alliances, sometimes offering political or military backing aligned with their broader geopolitical aims and security calculations.
3. **Countries facing similar internal separatist movements:** States with their own ongoing territorial or ethnic disputes generally favor strict interpretations of territorial integrity to avoid setting precedents that could encourage secessionist claims within their own borders. Their positions often reflect caution or outright opposition to the use of self-determination as a basis for secession.
4. **Countries guided by ethnic, religious, or historical affiliations:** Some countries' stances are influenced by cultural, ethnic, or religious ties to the populations involved in the conflict. However, these affinities are often tempered by political and strategic considerations, meaning support or opposition is not automatic but conditioned by broader diplomatic and regional factors.
5. **States and actors focused on legal principles and international precedents:** Certain countries and international organizations prioritize adherence to international law, emphasizing peaceful dispute resolution through legal frameworks. They uphold the sovereignty of recognized states while advocating for minority rights and protections, seeking balanced solutions that respect both territorial integrity and the rights of peoples under international law.

Key Principles and Interests Guiding Country Positions

- The defense of territorial integrity remains a dominant principle for countries concerned about state sovereignty and border stability.



- Conditional support for self-determination is often limited to exceptional circumstances, such as decolonization or severe oppression, rather than broad acceptance of secession claims.
- Geopolitical interests including regional security, alliances, and access to resources; play a major role in shaping state responses and levels of engagement.
- Commitments to international law and regional stability encourage many countries to seek negotiated, peaceful solutions that uphold human rights and prevent conflict escalation.

This framework is meant to help delegates understand the variety of perspectives that countries may adopt when debating issues of self-determination and territorial disputes, particularly in complex cases like Nagorno-Karabakh. It invites consideration of how legal, political, historical, and strategic factors influence national positions, rather than assuming fixed blocs.

QARMAs

1. To what extent does international law recognize the right to self-determination as potentially justifying secession within an internationally recognized State?
2. Under what conditions, if any, could self-determination justify secession in disputed territories like Nagorno-Karabakh? How does the concept of “remedial secession” relate to existing international legal frameworks?
3. What is the legal status of territorial integrity under international law when faced with competing claims? How can the principle of territorial integrity be balanced with peoples' rights to self-determination?
4. What role should allegations of human rights violations, including ethnic cleansing, play in the ICJ's legal opinion on the status and rights of populations in Nagorno-Karabakh? Can systematic violations of human rights influence the legitimacy of self-determination claims under international law?



5. What international legal precedents are relevant for the ICJ in issuing an advisory opinion on the issues of self-determination, territorial integrity, and minority rights in this case?

Committee Dynamic

This committee simulates the procedure of the International Court of Justice (ICJ) when issuing an Advisory Opinion, following a legal question formally requested by an authorized United Nations body, in this case, the Security Council. The format is modeled closely on the real-life 2010 ICJ Advisory Opinion on the Independence of Kosovo, which serves as a direct precedent and guide for how States can participate in these proceedings.

Unlike a typical Model UN committee, this is not a forum for political debate or resolution drafting. Instead, delegates act as legal representatives of their States, presenting official legal positions on complex questions of international law. The goal is to contribute to a collective legal interpretation, which the ICJ will consolidate into its advisory opinion.

Fictional Context: Why This Advisory Opinion Is Being Requested

Due to renewed conflict and escalating tensions in the South Caucasus region, alongside a prolonged diplomatic deadlock between Armenia and Azerbaijan over Nagorno-Karabakh's status, the United Nations Security Council has formally requested the ICJ to issue an advisory opinion on the legal implications of unilateral declarations of independence in disputed or occupied territories.

This request follows years of failed peace efforts, changing territorial control, and serious humanitarian concerns. States remain divided on how key principles—such as self-determination, territorial integrity, and the non-recognition of secessionist entities—should be interpreted under international law in this sensitive context.

By clarifying these legal questions, the Security Council aims to provide a framework that may guide future diplomatic initiatives and help prevent renewed violence and instability.



Legal Question and Scope

The primary legal question posed to the Court — and reflected in this committee's QARMAs — focuses on whether unilateral declarations of independence in situations like Nagorno-Karabakh are compatible with international law, and what legal obligations States have in responding to such declarations.

Precedent: The 2010 Kosovo Advisory Opinion

This simulation draws heavily from the 2010 ICJ Advisory Opinion on Kosovo's unilateral declaration of independence:

- Over 30 States submitted written legal statements expressing their views.
- A selection of States participated in oral proceedings before the Court.
- The ICJ issued a detailed legal opinion, including majority, concurring, and dissenting opinions.

This precedent demonstrates how advisory opinions can involve broad multilateral participation while maintaining the seriousness and rigor of judicial proceedings. It also highlights the ICJ's crucial role in interpreting complex and politically charged legal issues.

Role of Delegates

Delegates in this committee represent UN Member States who have decided to submit their official legal views to the ICJ regarding Nagorno-Karabakh. While Armenia and Azerbaijan are the directly affected parties, the legal question has wider global implications.

Position Paper

A Position Paper is a policy statement in which delegates analyze and present their country's view on the issue being discussed, focusing on past national and international actions and the development of viable proposals for the topic.



Your position paper should always include a heading with the title (“Position Paper”), your delegation (the country you are representing), your committee (full name), the topic you are discussing (as stated in your study guide), your full name and the name of your school.

Additionally, a standard position paper is comprised of three paragraphs:

1. Your first paragraph should include a brief introduction to the topic, always connecting the issue to your country. Try to include statistics, data and phrases that may apply. Always bear in mind that you should be focusing on answering the question “Why is the issue relevant to my country?” and explain your country’s situation and policy about the issue.
2. Your second paragraph should include a summary of past actions taken by the international community related to the topic. Explain your country’s involvement, comment on the effectiveness of the measures, and state how they can be improved.
3. Your third paragraph should focus on proposing solutions, always according to your country’s policy. Try to be creative and propose original ideas that will help other delegates (and your dais) remember your contribution to the debate. Finally, do not forget to write a strong closing sentence.

The format for the position paper is the following:

- Font: Times New Roman
- Font Size: 12
- Spacing: 1.15
- Bibliography: APA 7th edition
- Margins: Standard

Each delegation is responsible for submitting a Position Paper by Thursday, July 3rd (11:59 pm) to the mail icj@mariareinamarianistas.net . It is important to mention that delegates who do not present the position paper would **NOT** be eligible for awards.



Bibliography

1. Cassese, A. (1995). *Self-determination of peoples: A legal reappraisal*. Cambridge University Press.
2. Crawford, J. (2012). *The creation of states in international law* (2nd ed.). Oxford University Press.
3. International Court of Justice. (n.d.). *About the Court* <https://www.icj-cij.org/en/court>
4. International Court of Justice. (2010). *Accordance with international law of the unilateral declaration of independence in respect of Kosovo (Advisory Opinion)*. <https://www.icj-cij.org/case/141>
5. Organization for Security and Co-operation in Europe (OSCE). (2007). *Madrid Principles on the peaceful settlement of the Nagorno-Karabakh conflict*. <https://www.osce.org/>
6. United Nations. (1945). *Charter of the United Nations*. <https://www.un.org/en/about-us/un-charter/full-text>
7. United Nations. (1966). *International Covenant on Civil and Political Rights*. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>
8. United Nations. (1966). *International Covenant on Economic, Social and Cultural Rights*. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>
9. United Nations Security Council. (1993). *Resolutions 822, 853, 874, and 884 on the situation in Nagorno-Karabakh*. <https://2001-2009.state.gov/p/eur/rls/or/13508.htm>
10. United Nations General Assembly. (2008). *Resolution 62/243: The situation in the occupied territories of Azerbaijan*. <https://undocs.org/A/RES/62/243>