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The role of the United Nations General Assembly in advancing accountability for atrocity crimes: legal powers and effects

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THE ROLE OF THE
UNITED NATIONS GENERAL ASSEMBLY IN
ADVANCING ACCOUNTABILITY FOR ATROCITY
CRIMES:
LEGAL POWERS AND EFFECTS

Michael Ramsden

PROPOSITIONS

Propositions relating to the dissertation
The Role of the United Nations General Assembly in
Advancing Accountability for Atrocity Crimes:
Legal Powers and Effects
by Michael Ramsden

1. The Assembly's established practice concerned with atrocity crimes accountability should be appreciated through the lens of five categories of resolutions: quasi-legislative; quasi-judicial; empowering; recommendatory; sanctioning.
2. While Assembly practice has not evolved to attribute a legally binding quality to its resolutions, this does not devoid them of effects.
3. Assembly resolutions can produce legal effects within the UN system through their interaction with UN Charter primary norms.
4. Assembly quasi-legislative and quasi-judicial resolutions have influenced the development of various international regimes in the atrocity crimes context.
5. Assembly quasi-judicial and recommendatory resolutions have had political and symbolic effects.
6. Although the Assembly's role in atrocity crimes accountability remains underdeveloped, the powers and practice identified serve as a foundation for future creative solutions in atrocity situations.
7. Assembly engagement in international justice is a microcosm of the wider dynamics of UN engagement in global governance, including the continued desirability of the Security Council's dominant role in the maintenance of international peace and security.
8. Despite rising institutionalism of international justice, principally with the creation of the ICC, there remain gaps in securing accountability for atrocity crimes.
9. Increasing multilateral engagement in forging international justice solutions is another indicator towards the maturation of an international rule of law.
10. The UN Charter is a living instrument and, ultimately, belongs to Member States; they can adapt it to address changing exigencies.
11. When the bad combine, the good must associate for international justice to prevail (inspired by Edmund Burke).