

AMERICAN JOURNAL OF INTERNATIONAL LAW

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Certain UN organs continue to resist procedural limitations on their decision-making authority. Yet, paradoxically, failure to accord due process has compromised the strength of UN authority, as seen in relation to the targeted-sanctions regime and the Haiti cholera outbreak that began following the arrival of UN peacekeepers in 2010. This article questions current, formalistic approaches to due process in the UN setting—which rely on traditional sources of international law. As an alternative, it presents a value-based approach that takes into account instrumentalist, dignitarian, and public interest principles.

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