DIPLOMATIC STRATEGIES, STATE COMPLIANCE, AND THE ENFORCEMENT OF INTERNATIONAL LEGAL NORMS IN AN ERA OF GEOPOLITICAL TENSION

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ABSTRACT

The contemporary international order is characterised by a deepening disjuncture between the formal obligations of international law and the actual conduct of states. Against the backdrop of a fragmenting rules-based framework marked by great-power rivalry, the erosion of multilateral consensus, and an unprecedented proliferation of interstate conflicts this article examines the principal diplomatic strategies that states deploy to manage geopolitical tensions, evaluates the structural opportunities available for enhancing state compliance with international legal norms, and proposes a framework of reform strategies designed to strengthen state cooperation in the enforcement of international law. Drawing on the doctrine of transnational legal process, compliance theory, and the comparative study of international institutions, the article argues that the enforcement of international law in a multipolar world demands a shift from coercion-centric enforcement models toward architectures that integrate positive incentive structures, domestic legal internalisation, non-compliance mechanisms, civil society engagement, and reformed multilateral governance. The article concludes that sustainable legal order requires political investment in institutional reform rather than retreat from the multilateral project.

Keywords: diplomatic strategies; geopolitical tensions; international law compliance; state cooperation; multilateral enforcement; non-compliance mechanisms; transnational legal process; sanctions; UN Security Council reform; positive incentives

I. Introduction

The relationship between international law and state behaviour has never been entirely one of faithful obedience. States routinely calibrate their compliance decisions against the competing demands of national interest, domestic political constraint, and the perceived legitimacy of the legal obligations at stake. Yet the present moment represents a qualitative deepening of these tensions. The post-1945 rules-based order constructed on the twin pillars of multilateral institutions and binding treaty frameworks is under structural strain from the combined pressure of great-power rivalry, the resurgence of economic nationalism, the weaponisation of trade, and the selective instrumentalisation of international legal norms by powerful states.

The magnitude of this strain is empirically documented. As of 2025, the world is recording the highest number of state-based armed conflicts since the conclusion of the Second World War.

[1]Organised violence claimed over 154,000 lives in 2023 alone, with one quarter of the global population estimated to be living in conflict-affected territories.[2] Simultaneously, the multilateral architecture designed to prevent, constrain, and resolve such conflicts is itself riven by the geopolitical cleavages it was intended to manage. The United Nations Security Council the institutional locus of binding enforcement authority under international law remains paralysed by strategic veto use. The World Trade Organization's Appellate Body has been effectively neutered. The International Criminal Court prosecutes with conspicuous unevenness, generating legitimacy deficits that undermine its deterrent capacity.

Against this backdrop, this article pursues four related objectives. First, it maps and critically evaluates the principal diplomatic strategies through which states seek to manage geopolitical tensions ranging from classical bilateral negotiation and preventive diplomacy to coercive economic statecraft, public diplomacy, and multilateral forum engagement. Second, it identifies the structural opportunities available for deepening state compliance with international legal norms, focusing on the potential of non-compliance mechanisms, positive incentive architectures, domestic legal internalisation, and civil society engagement. Third, it synthesises these analyses into a set of concrete reform strategies for enhancing state cooperation in the enforcement of international law. Fourth, and most broadly, it situates these prescriptions within a theoretical framework that treats the compliance challenge as simultaneously legal, political, and institutional in character.

The argument proceeds from the premise that the enforcement crisis of international law is not principally a crisis of the law itself, but a crisis of the political and institutional conditions necessary for its sustained application. As Harold Hongju Koh has influentially argued, compliance with international law is best explained not by coercive enforcement alone, but by the process through which legal norms become *internalised* into the domestic legal systems, professional cultures, and normative expectations of states.[3] It follows that strategies for enhancing compliance must attend as carefully to the conditions of internalisation as to the architecture of external sanction.

The article proceeds in four main parts. Part II examines diplomatic strategies for managing geopolitical tensions. Part III evaluates opportunities for enhancing state compliance with international legal norms. Part IV proposes a framework of strategies for strengthening state cooperation in enforcement. Part V concludes.

II. Diplomatic Strategies Employed by States to Address Geopolitical Tensions

A. Bilateral and Multilateral Negotiation

Negotiation understood as the direct, structured exchange between states aimed at resolving disputes, managing strategic rivalry, or constructing cooperative frameworks remains the foundational instrument of international statecraft. At the bilateral level, states employ a spectrum of engagement mechanisms: formal summit diplomacy, standing consultative channels, back-channel communications facilitated through third-party intermediaries, and technical working groups that insulate discrete functional issues from the broader political relationship. The utility of bilateral engagement lies precisely in its flexibility and its capacity to generate incremental confidence-building measures without triggering the domestic political costs associated with public multilateral commitments.

The contemporary record yields instructive examples of the potential and the limits of bilateral diplomacy in conditions of strategic competition. The US–China Strategic and Economic Dialogue, the US–Russia New START Treaty framework, and the India–Pakistan Composite Dialogue process all represent attempts to institutionalise bilateral engagement as a hedge against the escalatory risks of unmanaged rivalry. Their intermittent character, however, is equally instructive: bilateral frameworks are vulnerable to domestic political disruption, leadership transitions, and the structural pressures of zero-sum competition in ways that more

institutionalised multilateral settings are designed to mitigate.

Multilateral treaty frameworks offer a different logic of stabilisation. By embedding state conduct within a matrix of reciprocal obligations, institutionalised monitoring, and collective reputational stakes, multilateral instruments generate compliance pull that bilateral agreements typically cannot.

International organisations give effect to this logic by establishing standing fora for the management of disputes, the elaboration of norms, and the coordination of collective responses to violations.[4] Instruments such as the United Nations Charter and the North Atlantic Treaty exemplify how multilateral frameworks not only codify legal obligations but also create accountability structures and political communities whose self-interest lies in the preservation of the framework.

The Joint Comprehensive Plan of Action (JCPOA) on Iran's nuclear programme represents perhaps the most instructive recent case study in the architecture and fragility of multilateral diplomatic engagement. The agreement, concluded in 2015 following years of multilateral negotiation involving the P5+1 (the United States, United Kingdom, France, Russia, China, and Germany), established a verification and compliance regime of considerable technical sophistication.[5] Each participating state assumed distinct roles in negotiation, monitoring, and graduated enforcement, illustrating the capacity of collaborative diplomatic architecture to manage acute geopolitical tensions. The United States' unilateral withdrawal from the JCPOA in 2018 exposed, however, the structural vulnerability of multilateral frameworks to domestic political reversal and demonstrated the limited capacity of remaining parties to sustain compliance incentives in the absence of the agreement's principal economic guarantor.[6] The JCPOA episode thus encapsulates the central tension of multilateral diplomatic strategy: its effectiveness depends precisely on the sustained political commitment of the states whose defection would be most destabilising.

B. Preventive Diplomacy

Preventive diplomacy the deployment of diplomatic instruments to prevent disputes from arising, to contain existing disputes before they escalate to armed conflict, and to limit the geographic and temporal spread of violence when it does occur represents a paradigmatically proactive dimension of international statecraft.[7] Since the end of the Cold War, the concept has

moved from the margins of international practice to the centre of both UN doctrine and regional institutional design, driven by the recognition that the costs of conflict prevention are typically orders of magnitude lower than those of conflict management and post-conflict reconstruction.

The institutional carriers of preventive diplomacy are diverse. Within the UN system, the Secretary-General's good offices function the deployment of personal envoys, fact-finding missions, and confidential mediation constitutes the primary instrument. The Security Council exercises preventive authority through early warnings, presidential statements, and the deployment of political missions. Regional organisations have developed increasingly sophisticated preventive architectures: the African Union's Continental Early Warning System, the OSCE's high commissioners on national minorities, and ASEAN's declaratory framework of conflict prevention all represent institutional expressions of the preventive diplomacy paradigm.

The 2024 UN Secretary-General's report preparatory to the Summit of the Future articulated an ambitious agenda for reinvigorating preventive diplomacy. The Secretary-General urged member states to treat prevention at the global level as a strategic priority, including through addressing the geopolitical divisions that paralyse collective action, and called for a paradigm shift in the UN's peace architecture toward upstream prevention and sustaining peace rather than reactive deployment.[8] The gap between this normative aspiration and operational reality manifest in the Security Council's inability to act preventively in Ukraine, Gaza, and Sudan reflects the degree to which preventive diplomacy remains a hostage to great-power consensus.

C. Coercive Diplomacy: Sanctions and Economic Statecraft

Economic sanctions have become the primary coercive instrument of states and international organisations seeking to enforce international norms without resort to military force. In the broadest sense, sanctions and embargoes serve as mechanisms for signalling collective condemnation, imposing material costs on violating states, and creating inducements for behavioural change.[9] The theoretical justification for their deployment rests on the proposition that rational states will modify their conduct when the costs of non-compliance demonstrably exceed the benefits.

The European Union's response to Russia's invasion of Ukraine represents the most extensive coordinated sanctions regime in contemporary international practice. By 2025, the EU had

adopted fifteen successive packages of restrictive measures against Russia, encompassing financial sanctions, energy import bans, export controls on dual-use and advanced technology items, and targeted individual designations.

[10]The EU simultaneously confronted the challenge of sanctions circumvention through third-country routing a challenge that required parallel diplomatic engagement with states in Central Asia, the South Caucasus, and the Gulf that had become conduits for sanctioned goods. The European Parliament's resolution of 2025 called for proactive diplomacy with non-EU partners to minimise circumvention, reflecting the recognition that coercive economic statecraft must be accompanied by sustained diplomatic outreach to be operationally effective.

Coercive diplomacy, however, is subject to well-documented structural limitations that demand analytical candour. Sanctions impose asymmetric costs: they tend to fall disproportionately on civilian populations and economically marginalised groups rather than on the governmental and economic elites whose conduct they seek to alter. The empirical literature on sanctions effectiveness from Gary Hufbauer's foundational study onwards reveals that unilateral and bilateral sanctions rarely achieve their stated objectives and that even multilateral sanctions produce compliance only under relatively narrow conditions, including regime vulnerability, prior international isolation, and the credible prospect of relief.[11]

[12]These limitations counsel a strategic approach that treats sanctions not as stand-alone enforcement mechanisms but as one instrument within a broader diplomatic toolkit that integrates positive inducements, mediation, and credible pathways to sanctions relief.

The doctrinal foundation for Security Council sanctions the primary legal basis for multilateral coercive measures lies in Chapter VII of the UN Charter. UN Security Council action remains, as the scholarly literature consistently emphasises, the gold standard of multilateral coercive legitimacy: it provides the most encompassing legal basis for sanctions and the most broadly recognised political mandate.[13] However, strategic veto use by permanent members has increasingly redirected coercive diplomacy toward regional organisations and ad hoc coalitions whose legal authority under international law is contested and whose legitimacy deficits may diminish enforcement effectiveness.

D. Public Diplomacy and Norm Entrepreneurship

Public diplomacy the cultivation of foreign publics, civil societies, and transnational epistemic

communities as stakeholders in a state's foreign policy objectives has undergone a fundamental transformation in the digital era. No longer confined to state broadcasting and cultural exchange programmes, public diplomacy now encompasses a broad spectrum of informational, normative, and narrative strategies aimed at shaping the cognitive environment within which geopolitical competition occurs.

The European Union has articulated the most institutionally developed conception of modern public diplomacy among major actors. The EU Parliament's 2025 report on the implementation of EU common foreign and security policy called for the development of an independent European diplomatic identity encompassing public and cultural diplomacy, climate diplomacy, digital diplomacy, and cyber diplomacy a vision that treats norm-setting through public engagement as a strategic complement to formal treaty-making and as an instrument of geopolitical competition with authoritarian alternatives.[14]

Cyber diplomacy represents the most consequential frontier of this evolution. The United States Department of State, through its Bureau of Cyberspace and Digital Policy, has engaged systematically in multilateral fora including the UN Group of Governmental Experts (GGE) and the Open-Ended Working Group (OEWG) to develop frameworks of responsible state behaviour in cyberspace, including peacetime norms governing state-sponsored cyber operations.15 The GGE's 2021 consensus report, reaffirming the applicability of existing international law to state conduct in cyberspace, represents a significant normative achievement, albeit one whose practical enforcement remains deeply contested. As the theoretical literature on norm diffusion demonstrates, the capacity of states to function as norm entrepreneurs proposing, championing, and institutionalising new rules is itself a form of soft power that shapes the trajectory of international legal development.

E. Multilateral Forum Diplomacy and the Pact for the Future

The architecture of multilateral forum diplomacy has expanded significantly beyond the formal UN institutional framework. The G20 functions as a summit-level coordination mechanism for the management of global economic governance. The BRICS+ grouping has emerged as an alternative pole of multilateral engagement, offering developing states an institutional platform that does not carry the conditionalities associated with Western-led financial institutions. Regional organisations the African Union, ASEAN, the OAS, and the SCO conduct their own multilateral diplomacy on security, trade, and governance questions.

The practice of forum-shopping the deliberate selection by states of the institutional setting most likely to produce normatively favourable outcomes has become a characteristic feature of contemporary multilateral diplomacy. Rising powers exploit this structural opportunity systematically: China pursues its interests through RCEP, the SCO, and bilateral belt-and-road frameworks while strategically engaging WTO dispute settlement when it serves its trade interests. Russia leveraged the BRICS summit in Kazan in October 2024 to project an image of non-isolation and to build coalitional support against Western sanctions regimes.[16]

The most institutionally significant multilateral diplomatic achievement of 2024 was the adoption by member states of the Pact for the Future at the UN Summit of the Future in September. The Pact negotiated under the co-facilitation of Germany and Namibia commits member states to action to reinvigorate multilateralism, reform the international financial architecture, and restructure the UN Security Council to achieve greater representativeness of Africa, the Asia-Pacific, and Latin America.[17] The Pact's significance lies not in its immediate operational impact its commitments are principally aspirational but in its function as a normative anchor for ongoing reform negotiations and as an expression of political will by a majority of UN member states to modernise the institutions of global governance rather than abandon them.

III. Opportunities for Enhancing State Compliance with International Legal Norms

A. Non-Compliance Mechanisms as Constructive Alternatives to Adversarial Adjudication

The dominant enforcement model of international law formal adjudication before an international tribunal, followed by the reference of non-compliant judgments to the Security Council is increasingly inadequate as a mechanism for securing widespread treaty compliance. It is adversarial by design, generating political costs that deter states from submitting to jurisdiction; it is episodic, intervening only after violations have occurred; and it is structurally dependent on Security Council enforcement authority whose availability is contingent on great-power consensus that is rarely forthcoming in matters of strategic significance.

Non-Compliance Mechanisms (NCMs) committee-based, expert-led processes that assess, report on, and facilitate compliance through dialogue, technical assistance, and graduated response offer a structurally distinct alternative. As demonstrated in the recent comparative

study edited by Christina Voigt and Geir Ulfstein, highly developed NCMs are now found across a wide spectrum of multilateral treaty regimes, extending well beyond their origins in international environmental law.[18] These mechanisms share a common institutional logic: they treat non-compliance as a problem to be solved through constructive engagement rather than a wrong to be punished through adversarial proceedings. The distinction matters both analytically and practically. NCMs are better calibrated to address compliance failures attributable to incapacity, resource constraints, or interpretive disagreement rather than strategic defiance a category of failure that likely accounts for the majority of treaty implementation gaps in practice.

Specific NCM models merit attention. The Compliance Committee under the Aarhus Convention on Access to Information, Public Participation, and Access to Justice in Environmental Matters permits communications from non-governmental organisations and individuals, enabling non-state actors to trigger compliance review without the political transaction costs of state-to-state complaints. The UN Human Rights Council's Universal Periodic Review process subjects all member states, including permanent Security Council members, to a structured peer review process whose findings, while non-binding, generate reputational costs that have demonstrably influenced state behaviour on discrete human rights questions. The compliance architecture of the Paris Agreement combining nationally determined contributions, a transparency framework, and a facilitative committee represents the most sophisticated contemporary experiment in non-adversarial multilateral compliance management at the global scale.

B. Positive Incentive Structures: The Economics of Rewarding Compliance

The compliance literature has been dominated for decades by a sanction-centric paradigm that treats non-compliance primarily as a rational calculation of the costs of violation weighed against the benefits of defection. This paradigm generates a correspondingly sanction-heavy policy toolkit. A significant strand of more recent scholarship, however, has argued that positive incentives rewards for compliance rather than punishments for violation offer both a theoretically distinct and practically superior mechanism for generating cooperative state behaviour in many contexts.

Van Aaken and Simsek's foundational contribution argues that enforcing international law through positive inducements fundamentally alters the frames of international cooperation,

shifting the conceptual register from penalty-oriented enforcement to governance-oriented problem-solving.[19] Their analysis identifies a taxonomy of rewarding instruments including market access preferences, development finance conditionality, preferential trade agreements, technology transfers, capacity building assistance, and diplomatic recognition each of which can be strategically designed into treaty frameworks to align state self-interest with legal compliance. Critically, behavioural insights into reference dependence, loss aversion, and social norm dynamics suggest that positive inducements may be more effective than equivalent punishments in eliciting sustained behavioural change, particularly among states that are broadly compliant but face specific implementation challenges.

The practical application of positive incentive logic is visible, if often undertheorised, in several areas of contemporary treaty practice. The European Union's neighbourhood policy conditions preferential trade and investment access on reform progress across a range of governance and legal standards, creating sustained compliance incentives that operate independently of and often more effectively than formal enforcement mechanisms. The WTO's Generalised System of Preferences offers enhanced market access to developing countries in exchange for compliance with specific labour and governance standards. Climate finance mechanisms, including the Loss and Damage Fund established at COP27 and operationalised at COP28, can be understood as positive inducements designed to align developing country incentives with the compliance demands of the Paris Agreement's ambition ratchet.

C. Strengthening Domestic Legal Internalisation

The transnational legal process framework, developed by Harold Hongju Koh and associated scholars, locates the primary mechanism of international legal compliance not in external enforcement but in the iterative process through which international legal norms are internalised into the domestic legal orders, institutional routines, and professional cultures of states.[20] On this account, norms that have been internalised into domestic constitutional systems, incorporated into national legislation, elaborated through domestic judicial decisions, and embedded in the professional training of government lawyers and judges acquire a compliance pull that external sanction alone cannot generate. The implication for policy is that strategies aimed at deepening the domestic penetration of international legal norms through judicial education, legislative incorporation, constitutional reform, and professional training are likely to be more durably effective than strategies focused exclusively on external

enforcement.

The institutional infrastructure of domestic internalisation is itself a product of deliberate international policy. The Hague Academy of International Law's summer courses train thousands of government lawyers, judges, and academics from across the world annually in the principles and applications of international law, creating a cadre of domestically embedded advocates for international legal norms. The International Law Commission's progressive development of international law generates the draft conventions and model articles that serve as templates for domestic implementing legislation. Bilateral technical assistance programmes through which states and international organisations support the reform of domestic legal systems in developing countries constitute a significant, if inadequately evaluated, channel through which international legal standards are diffused into national legal practice.

D. Capacity Building and Technical Assistance

The distinction between non-compliance attributable to wilful defiance and non-compliance attributable to incapacity is analytically fundamental and practically consequential. A state that lacks the administrative infrastructure to implement a complex multilateral treaty obligation the technical regulatory capacity to enforce environmental standards, the judicial infrastructure to apply international humanitarian law, the financial monitoring systems to comply with anti-money laundering frameworks requires a qualitatively different response from the international community than a state that is strategically withholding compliance for reasons of political interest.

Capacity building and technical assistance programmes are the principal institutional mechanism through which the international community addresses compliance gaps attributable to incapacity. These programmes range from the highly institutionalised the WTO's capacity building programme for developing countries, the FATF's technical assistance framework for jurisdictions with weak anti-money laundering systems, the IAEA's technical cooperation programme to the bilateral and ad hoc arrangements through which developed states provide legal and institutional support to partners. The effectiveness of such programmes remains imperfectly evaluated in the empirical literature, but there is substantial evidence that targeted, sustained, and country-specific assistance as opposed to generic, supply-driven programming produces measurable improvements in treaty implementation capacity.

E. Civil Society and Non-State Actor Engagement in Compliance Systems

The emergence of a dense network of transnational civil society organisations, human rights documentation bodies, investigative journalism platforms, and academic monitoring institutions has created a de facto compliance monitoring infrastructure that operates in parallel with, and in many respects supplements, the formal mechanisms of international legal supervision. These actors perform functions that states and international organisations are structurally constrained from performing: they document violations without regard to diplomatic relationships, generate evidentiary records that formal adjudication bodies subsequently rely upon, mobilise public opinion in ways that create political costs for non-compliant governments, and serve as institutional memory across the episodic attention cycles of intergovernmental processes.

The challenge for international institutional design is to formalise and leverage these capacities without instrumentalising civil society in ways that compromise its independence or expose it to retaliatory targeting by non-compliant states. The Aarhus Convention model which provides standing for NGOs to initiate compliance review offers one template. The UN human rights treaty body system's engagement with shadow reports from national civil society organisations offers another. The incorporation of civil society reporting into the WTO's trade policy review mechanism, and into the IMF's Article IV consultation process, would represent significant steps toward an integrated compliance monitoring architecture in the economic governance domain.

IV. Strategies for Enhancing State Cooperation in the Enforcement of International Law

The foregoing analysis generates a set of concrete reform strategies whose collective implementation would significantly strengthen the architecture of international legal enforcement. These strategies are organised at three levels: institutional reform of the primary organs of international governance; procedural reforms to compliance and adjudication mechanisms; and normative strategies aimed at deepening the conditions of state compliance.

A. UN Security Council Reform

The Security Council's veto-induced paralysis is the single greatest structural impediment to

effective collective enforcement under international law. The legal authority of the Council to adopt binding enforcement measures under Chapter VII is unquestioned; its political capacity to exercise that authority in conditions of great-power conflict is demonstrably absent. The Russia–Ukraine, Israel–Gaza, and Myanmar situations each illustrate the degree to which the veto has become an instrument for immunising strategic allies from accountability rather than a mechanism for filtering out measures lacking the support of the principal powers.

Reform proposals range from the procedurally modest to the constitutionally transformative. The France–Mexico political initiative, which calls on permanent members to voluntarily refrain from vetoing in cases of mass atrocity crimes, seeks to create a norm of restraint without requiring Charter amendment. The Accountability, Coherence and Transparency (ACT) Group a cross-regional coalition of 27 small and medium states has proposed a code of conduct for veto use that would require explanatory statements for any veto in cases involving allegations of genocide, crimes against humanity, or war crimes. At the structural level, the G4 proposal (India, Germany, Brazil, Japan) and the African Union's Ezulwini Consensus call for expansion of the Council's permanent membership to better reflect contemporary distributions of power and population.

The Pact for the Future adopted at the September 2024 Summit of the Future commits member states to structural Security Council reform, including enhanced representation for Africa, the Asia-Pacific, and Latin America and the Caribbean.[21] While the political feasibility of Charter amendment remains constrained by the requirement for ratification by all permanent members, the Pact's consensus adoption signals a level of political will among the broader membership that creates a more favourable environment for incremental reform measures than has existed at any previous moment in the post-Cold War period.

B. Restoring and Redesigning the WTO Dispute Settlement System

The paralysis of the WTO's Appellate Body engineered through the United States' sustained blockade of appointments since 2017 has created a structural enforcement vacuum in international trade law. Appellate Body decisions, whose binding character was central to the credibility of the multilateral trading system, have been rendered effectively unappealable, reducing dispute settlement to an advisory mechanism for many practical purposes. The Multi-Party Interim Appeal Arbitration Arrangement (MPIA) subscribed to by approximately fifty WTO members as a workaround partly mitigates this deficit for participating parties but leaves

a significant portion of world trade outside the effective reach of binding appellate review.

Restoration of a functioning two-tier dispute settlement system requires a negotiated resolution of the United States' substantive objections to Appellate Body jurisprudence objections that centre principally on the Body's alleged overreach in interpreting WTO agreements and the excessive length of proceedings. A reformed system that incorporates procedural limitations on advisory opinions, strict timelines, and clearer boundaries on the interpretive mandate of appellate panels could form the basis for a broadly acceptable compromise. The MC14 ministerial conference provides a potential institutional occasion for such a negotiation, though the political dynamics of US trade policy under the second Trump administration represent a significant constraint.

C. Designing Graduated Compliance Architectures

Treaty frameworks should be designed from inception with graduated compliance ladders architectures that combine early-warning mechanisms, constructive dialogue platforms, technical assistance windows, and only as a last resort, punitive sanctions rather than relying on the binary choice between self-help and formal adjudication that characterises many existing enforcement frameworks. The Paris Agreement's nationally determined contributions (NDC) model, supplemented by the Global Stocktake mechanism, represents the most sophisticated contemporary experiment in graduated multilateral compliance management.[22] Its limitation the absence of binding compliance consequences for NDC underachievement illustrates the political price that must be paid for universal participation, and raises important questions about the long-run effectiveness of architectures that prioritise breadth of participation over depth of obligation.

A synthesis of positive incentive theory and non-compliance mechanism design points toward a compliance architecture that operates through three sequential modes: facilitation (technical assistance and capacity building for states experiencing implementation difficulties); engagement (structured dialogue, peer review, and graduated reporting obligations for states demonstrating patterns of underperformance); and, reserved for cases of wilful and sustained non-compliance, formal coercive response through sanctions or adjudication. This architecture aligns with the findings of the comparative institutions literature that compliance pull is maximised when enforcement mechanisms are perceived as legitimate, proportionate, and genuinely aimed at securing compliance rather than imposing punishment.

D. Deepening International Judicial and Law Enforcement Cooperation

The effective enforcement of international legal norms in criminal, commercial, and regulatory domains depends critically on the density and functionality of bilateral and multilateral judicial cooperation networks. Mutual legal assistance treaties (MLATs), extradition agreements, joint investigation teams, and evidence-sharing frameworks constitute the operational infrastructure through which international legal obligations acquire practical content in the domestic legal systems of states.[23] The expansion and modernisation of this infrastructure including through the development of electronic evidence-sharing protocols, the harmonisation of procedural standards, and the bilateral capacity building of judicial and prosecutorial institutions in developing countries represents a high-return investment in the effectiveness of international legal enforcement that operates largely below the threshold of high-politics and is accordingly more amenable to incremental progress.

E. Building a Critical Mass of Consistent State Practice

The compliance pull of customary international law whose formation requires widespread, consistent, and legally obligated state practice is directly dependent on the behavioural choices of a critical mass of states in relevant situations. The strategies of compliance-defection by major powers therefore carry systemic consequences that extend well beyond the bilateral dispute at issue: they contribute to the erosion of the customary norm base on which the entire edifice of international legal order rests. Conversely, deliberate coalition-building among middle powers Canada, Australia, New Zealand, the Nordic states, Japan, South Korea, India, Brazil to maintain public and consistent compliance with contested norms, and to document and respond collectively to violations, creates a normative anchor that slows the erosion process and preserves the structural conditions for norm restoration.

This logic suggests a policy of norm stewardship as a distinct objective of foreign policy among states that have a systemic interest in the preservation of a rules-based international order. Practically, it involves the maintenance of publicly accessible compliance records, the coordinated filing of amicus briefs and third-party interventions in relevant international adjudications, the adoption of domestic legislation that implements and reinforces contested international norms, and the use of bilateral diplomatic channels to register sustained objection to norm-erosive state practice.

F. Formalising Non-State Actor Roles in Compliance Monitoring

The formalisation of civil society, academic, and private sector participation in international compliance monitoring bodies would materially enhance the effectiveness of the overall compliance architecture. The Aarhus Convention compliance committee and the UPR process under the Human Rights Council offer models for the incorporation of non-state actor reporting and standing into formal multilateral compliance mechanisms. Extension of analogous frameworks to the WTO trade policy review process, the FATF mutual evaluation mechanism, and the arms control verification regimes would leverage the substantial monitoring capacity that exists in the transnational civil society sector and create institutionalised channels for the conversion of civil society documentation into actionable compliance findings.

G. Leveraging Regional Organisations as Enforcement Multipliers

Regional organisations possess distinctive enforcement assets that global institutions lack: geographic proximity to the situations they address, greater cultural and political familiarity with the domestic contexts of member states, and in certain regional settings higher levels of credibility and trust among the populations affected by enforcement action. The African Union's peace and security architecture, the EU's rule of law conditionality mechanisms, the OAS's Inter-American Commission and Court of Human Rights, and ASEAN's evolving institutional responses to the Myanmar crisis all illustrate the potential of regional organisations to function as enforcement multipliers amplifying the reach and legitimacy of international legal norms within their geographic mandates.

Hungary's Permanent Representative, addressing the Security Council in October 2024, articulated a widely shared view among smaller states that the enduring relevance of multilateral institutions including peace operations and sanctions regimes should be preserved even as their structural reform is pursued, and that greater accountability for the decisions and agreements reached within those institutions is essential to restoring their legitimacy.[24] Regional organisations are well positioned to provide precisely that accountability within their areas of geographic competence, compensating for the paralysis of the global system in specific domains.

H. Addressing the Geopolitical Roots of Non-Compliance

Enforcement mechanisms are, ultimately, only as effective as the underlying political

consensus that authorises and sustains their application. The most technically sophisticated compliance architecture will fail if the states whose cooperation is essential because they are the primary violators, or because they control the institutional levers of enforcement have concluded that their strategic interests are better served by defection. It follows that the most durable strategy for enhancing the enforcement of international law is simultaneously a diplomatic strategy: the patient construction and maintenance of a political consensus among the major powers that the rules-based international order serves their long-run interests more reliably than the alternatives.

This consensus cannot be manufactured through institutional design alone. It requires diplomatic engagement that takes seriously the grievances of rising powers regarding the representativeness and equity of international legal institutions, including the historical inequities documented by Third World Approaches to International Law (TWAIL) scholarship; that creates genuine pathways for the reform of institutions whose legitimacy deficits are objectively documented; and that offers reciprocal assurances of restraint to states whose compliance demands reciprocal sacrifice. The alternative the fragmentation of the international legal order into competing legal blocs, each enforcing its own norms on its own terms would represent a categorical degradation of the conditions for global peace and prosperity.

V. Conclusion

This article has examined, across three related dimensions, the challenge of sustaining international legal order in conditions of intensifying geopolitical tension. It has mapped the diplomatic strategies through which states manage those tensions finding that the most durable strategies combine the structural commitments of multilateral treaty frameworks with the flexibility and confidence-building potential of bilateral engagement, preventive diplomacy, and positive diplomatic incentives. It has evaluated the opportunities available for enhancing state compliance with international legal norms arguing that the compliance challenge requires a shift from coercion-centric enforcement toward architectures that integrate positive incentives, domestic internalisation, non-compliance mechanisms, and civil society engagement. And it has proposed a concrete reform agenda encompassing Security Council reform, WTO dispute settlement restoration, graduated compliance design, international judicial cooperation, norm stewardship coalitions, non-state actor formalisation, regional enforcement multiplication, and the diplomatic management of geopolitical roots of non-

compliance.

The overarching argument is simultaneously analytic and normative. Analytically, the article has argued that the present enforcement crisis of international law is not a crisis of the law's inherent authority but a crisis of the political and institutional conditions necessary for its sustained application conditions that are recoverable through deliberate diplomatic and institutional investment. Normatively, it has argued that the recovery of those conditions is not merely a matter of legal housekeeping but a strategic imperative for states that recognise the rules-based international order as a structural precondition for their security, prosperity, and long-term interests.

The states that will most successfully navigate the present period of geopolitical turbulence will be those that combine diplomatic agility the capacity to manage bilateral and multilateral relationships simultaneously, to leverage positive incentives alongside coercive pressure, and to engage constructively with the reform demands of the Global South with strategic commitment to the institutional architecture of international legal order. The abandonment of that architecture in favour of transactional bilateralism or hegemonic unilateralism would represent not a liberation from the constraints of international law but an act of strategic self-harm by states whose long-run interests are inseparable from the preservation of a world in which power is constrained by rules.

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11. EU CFSP Report 2025, supra note 10, ¶ 11 (calling for proactive diplomacy with non-EU countries to minimise circumvention of EU sanctions against Russia).

12. Gary Clyde Hufbauer, Jeffrey J. Schott, Kimberly Ann Elliott & Barbara Oegg, Economic Sanctions Reconsidered 160–61 (3d ed. 2007) (concluding from a dataset of over 200 sanctions episodes that sanctions achieve their stated objectives in fewer than one-third of cases); see also Daniel W. Drezner, The Sanctions Paradox: Economic Statecraft and International Relations 59–65 (1999) (theorising the conditions including target vulnerability and multilateral breadth under which sanctions are most likely to succeed).

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21. Security Council Report, supra note 17 (reporting the Pact for the Future's commitment to structural reform of the Security Council with greater representation of underrepresented regions including Africa, the Asia-Pacific, and Latin America and the Caribbean).

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