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State Practice Regarding State Succession

Mark Eugen Villiger



State Practice Regarding State Succession:

State Practice Regarding State Succession and Issues of Recognition Jan Klabbers, Martti Koskenniemi, Olivier Ribbelink, Andreas Zimmermann, 2023-08-07 The Pilot Project of the Council of Europe on State Practice regarding State Succession and Issues of Recognition carried out under the aegis of the Ad Hoc Committee of Legal Advisers on Public International Law CAHDI encompasses the practice of sixteen member States of the Council of Europe and provides significant information about these States position vis vis the new European architecture following the developments of 1989 On the basis of the information gathered the CAHDI decided on the preparation of a report by the Max Planck Institute for Comparative Public Law and International Law the T M C Asser Institute and the Erik Castr n Institute of International Law and Human Rights With this report the Council of Europe wishes to contribute in a practical manner to the celebration of the United Nations Decade of International Law 1989 1999 and to facilitate the understanding of how States can help to build a stable and peaceful international community by paving the way for the progressive development of international law in this area Le Projet pilote du Conseil de l Europe concernant la pratique des Etats relative la succession d Etats et les questions de reconnaissance mis en oeuvre sous l gide du Comit ad hoc des conseillers juridiques sur le droit international public CAHDI renferme la pratique de seize Etats membres du Conseil de l Europe et apporte des informations importantes sur la position de ces Etats vis vis de la nouvelle architecture europ enne qui a suivi les d veloppements de 1989 Sur la base de l information rassembl e le CAHDI a d cid la pr paration d un rapport par l Institut Max Planck de Droit public compar et de Droit international l Institut T M C Asser et l Institut Erik Castr n de droit international et des droits de l homme Avec ce rapport le Conseil de l Europe souhaite contribuer d une mani re pratique la c l bration de la D cennie des Nations Unies sur le droit international 1989 1999 et faciliter la compr hension des moyens dont disposent les Etats pour aider construire une communaut internationale de stabilit et de paix en pr parant le chemin pour un d veloppement progressif du droit international dans ce domaine

The Law of State Succession D. P. O' Connell, 2015-12-03 First published in 1956 this book presents an account regarding the legal principles governing the consequences of changes of sovereignty focusing particularly on British practice during the preceding 150 years The legal principles governing British practice are compared with those of other states in order to record the main points of doctrinal agreement or divergence

State Succession Relating to Unequal Treaties Lung-Fong Chen, 1974 *Transition from Illegal Regimes under International Law* Yaël Ronen, 2011-05-19 Ya l Ronen analyses the international legal ramifications of illegal territorial regimes namely the illegal annexation of territory or illegal declarations of independence by reference to the stage of transition from an illegal territorial regime to a lawful one Six case studies Namibia Zimbabwe the Baltic States the South African Bantustans East Timor and northern Cyprus are used to explore the tension between the invalidity of the illegal regime s acts and their effectiveness with respect to the international relations of such territories their domestic legal systems the status of settlers

and land transfers Relying heavily on primary and previously unconsidered sources she focuses on the international legal constraints on the post transition regime s policy particularly in the context of international human rights law

State Continuity and Nationality: The Baltic States and Russia Ineta Ziemele,2025-09-01 Political changes in Central and Eastern Europe in the 1990s led to important territorial changes and confronted decision makers and international lawyers with complex questions relevant to State continuity and succession The case of the Baltic States was particularly difficult since they re emerged after half a century of Soviet occupation In addition to questions on the status of new States important issues arose with regard to the fate of nationals of the former federations generating frantic international efforts in developing and consolidating available rules and principles on nationality in situations of territorial change In this context the Baltic case stood apart It raised questions of non recognition of consequences of their illegal occupation in international law but that was not the way the issues were dealt with The book documents and examines the story of the Soviet occupation of the Baltic States in 1940 and their claim to State continuity fifty years later It brings in the issue of the obligations of Russia in this context The book asks the question what nationality solutions had to be adopted in the region and shows the scrutiny they received from international institutions This second edition of the book revisits decisions that were taken in the 1990s and asks whether they have withstood the test of time The case of the Baltic States is an example of the strength of international law rules when applied with courage and of the risks when too many compromises with rules and principles are accepted Although the book is specific in its coverage it is of general importance because it draws conclusions concerning developments in law and practice which are relevant for a better understanding and regulation of statehood and nationality in international law

The Oxford Guide to Treaties Duncan B. Hollis,2020 This guide is an authoritative reference point for anyone interested in the creation or interpretation of treaties and other forms of international agreement It covers the rules and practices surrounding their making interpretation and operation and uses hundreds of real examples to illustrate different approaches treaty makers can take

Commentary on the 1969 Vienna Convention on the Law of Treaties Mark Eugen Villiger,2009 The 1969 Vienna Convention on the Law of Treaties regulating treaties between States lies at the heart of international law This commentary interprets the Conventiona TM s 85 articles clearly and precisely It covers such major topics as reservations to treaties their interpretation and the grounds for terminating a treaty for instance breach Emphasis is placed on the practice of States and tribunals and on academic writings It contains further sections on customary international law and the Conventiona TM s history while providing up to date information on ratifications and reservations This commentary is a must for practitioners and academics wishing to establish the meaning and scope of the provisions of the Vienna Convention on the Law of Treaties

The Theory of State Succession Arthur Berriedale Keith,1907

International Law Malcolm N. Shaw,2003-09-25 This fifth edition of Malcolm Shaw s bestselling textbook on international law provides a clear authoritative and comprehensive introduction to the subject fully revised and updated to

Spring 2003 Basically preserving the structure which made the previous edition so successful a new chapter on Inter state Courts and Tribunals considers the role of the International Court of Justice and the International Tribunal on the Law of the Sea and there is a new chapter on international humanitarian law Also examined are arbitration tribunals and the role of international institutions such as the WTO in resolving conflicts The prosecution of individuals for violations of international law is examined Additional coverage of events in Kosovo and Iraq analyses the questions of humanitarian intervention and the role of the UN Written in a clear and accessible style setting the subject firmly in the context of world politics and the economic and cultural influences affecting it this book remains a highly readable and invaluable resource for students and practitioners alike The scope of the text makes this essential reading for students of international law international relations and the political sciences The book is also valuable to professionals and governmental and international civil servants

Digest of United States Practice in International Law, 2003 *Harold in Italien* Jörg Polakiewicz, Council of Europe, 1999-01-01 Analyzes procedures for treaty making treaty application in the Council of Europe *The Complete Law and Practice in the Probate Courts of Ohio* William Mahlon Rockel, 1922 *The Law of State Succession* Arman Sarvarian, 2025-03-18 Arman Sarvarian s *The Law of State Succession* provides a comprehensive practical and empirical overview of the topic establishing State succession as a distinct field with a cohesive set of rules From the secession of the United States of America in 1784 to that of South Sudan in 2011 the book digests and analyses State practice spanning more than two centuries It is based on research into a wide and diverse range of case studies including archival and previously unpublished data It reconstructs the intellectual foundation of the field to offer a vision for its progressive development that is rooted in an interpretation of State practice that transcends the politics of the codification projects in the decolonization and desovietization eras The book examines international law on State succession with respect to territorial rights and obligations State property including archives and debt treaties international claims and responsibility and nationality and private property including concessions and investments Its central focus is identifying the general rules of international law to guide the States concerned in the negotiation of succession agreements interpret ambiguous or incomplete provisions and regulate a succession in default of specific agreement A highly relevant work *The Law of State Succession* offers governments judges and legal practitioners and scholars an authoritative account of the current law It enables negotiators to identify the legal options in succession issues and assists adjudicators in interpreting provisions of succession agreements and regulating questions omitted from such agreements The book examines international law on State succession with respect to territorial rights and obligations State property including archives and debt treaties international claims and responsibility as well as nationality and private property including concessions and investments Its central focus is identifying the general rules of international law in order to guide States in the negotiation of succession agreements the interpretation of ambiguous or incomplete provisions and the regulation of succession in default of specific agreement A

highly relevant work The Law of State Succession offers governments judges legal practitioners and scholars an authoritative account of the current law It enables negotiators to identify different legal paths within succession and assists adjudicators in interpreting provisions of succession agreements and regulating questions omitted from such agreements

Collected courses of the Hague Academy of International Law Hague Academy of International Law,2005

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Journal of Comparative Legislation and International Law ,1928 Includes annual Review of legislation covering the years 1859 1949

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