

INTERNATIONAL LAW ASSOCIATION

JOHANNESBURG CONFERENCE (2016)

NON STATE ACTORS

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FINAL REPORT

I. WORK OF THE COMMITTEE AND THE FINAL REPORT

1. This is the fourth and final Report of the ILA Committee on Non-State Actors (NSAs). The first section of the Report briefly summarizes the history of the Committee and introduces the structure and purposes of this Final Report.

A) Background of the Final Report

2. The establishment of a Committee on Non-State Actors was discussed at the ILA Conference in Toronto in 2006 and inaugurated in 2008 after the Committee held its first meeting during the ILA conference in Rio de Janeiro in August 2008.¹ At its creation, the Committee had 17 members coming predominantly from Europe and East Asia. In the next years, the membership was expanded up to 35 members from four continents. The Chair of the Committee is Professor Math Noortmann from the British Branch. Professor Cedric Ryngaert was the Committee's principal Rapporteur in 2008-2014. He worked closely with Professor Malgosia Fitzmaurice (2008-2010), and Professor Jean d'Aspremont (2012-2014) as co-rapporteurs with drafting assistance from Dr Barbara K. Woodward. Assoc. Professor Veronika Biliková (2015-2016), a Committee member since the beginning, drafted this Final Report. The Committee adopted three reports during the ILA conferences held in the Hague (2010),² Sofia (2012),³ and Washington (2014).⁴

¹ See *Preliminary Issues for the the ILA Conference in Rio de Janeiro, 2008* (hereafter Rio Document 2008).

² ILA Committee on Non-State Actors, *Non-State Actors In International Law: Aims, Approach And Scope of Project And Legal Issues*, The Hague, 2010 (hereafter The Hague Report 2010).

³ ILA Committee on Non-State Actors, *Non-State Actors In International Law: Law-Making and Participation Rights*, Sofia, 2012 (hereafter Sofia report 2012).

⁴ ILA Committee on Non-State Actors, *3rd Report*, Washington, 2014 (hereafter Washington Report 2014).

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ILA Italy



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International Law Reports Elihu Lauterpacht, C. J. Greenwood, 2006-11-30 Reports in English of decisions of international courts and arbitrators and judgments of national courts

A Guide to State Succession in International Investment Law Patrick Dumberry, 2018-07-27 A Guide to State Succession in International Investment Law provides a comprehensive analysis of State succession issues arising in the context of international investment law. The author examines whether a successor State is bound by the investment treaties and State contracts which the predecessor State had signed with other States and foreign investors before the date of succession. Actors who are called upon to apply rules of State succession in investment arbitration cases will find this book a valuable source of practical guidance with strong theoretical foundations.

The EU Maritime Safety Policy and International Law Henrik Ringbom, 2008-09-30 This book offers a comprehensive international law analysis of the European Union's maritime safety legislation. This is a relatively novel field of activity of the EU but its development has been very rapid. Since 1993 over 40 acts of EU law have been adopted dealing with a variety of subjects such as port State control, classification societies, vessel traffic management, ship construction, environmental protection and pollution sanctions. This legislation is analysed from the point of international law, notably the law of the sea and the international maritime conventions. Regional legislation in a field that is traditionally regulated primarily by means of international conventions is bound to create tensions with the related international conventions and with well established principles of international law. This study assesses how the EU has acted as a flag State, port State and coastal State and measures the trends in this development against the international legal framework. More detailed legal analyses are offered for specific aspects of EU legislation that are considered to be particularly interesting from an international law point of view. The relationship between EU law and international law within the internal EU legal system is also analysed from the specific perspective of maritime safety law.

Annual Report Carnegie Endowment for International Peace, 1921

Reflections on International Law Tim McCormack, 2023-05-25 For 40 years Lindy Melman has been a publisher in heart and soul. Some of the authors she encountered along the way have dedicated an essay to her to celebrate this milestone. This book contains essays written by leading human rights and international law scholars from different parts of the world discussing a wide range of topics from indigenous peoples to the persistent relevance of the travaux préparatoires of the Genocide Convention and the conflict between EU law and international investment law.

Universal Jurisdiction in Modern International Law Mitsue Inazumi, 2005 This study is based on the following questions: Which jurisdiction can and should be exercised for the prosecution of individuals responsible for gross and serious violations of human rights? And especially in this regard, what is the role of universal jurisdiction?

Yearbook of the ILA Italian Branch ILA Italy, 2025-04-08 The Yearbook of the ILA Italian Branch aims to disseminate the work of the ILA Italian Branch and its associates in particular the latter's contribution within ILA Committees and Study Groups and to discuss topical issues in

contemporary international law To this end the Yearbook features original peer reviewed contributions on a wide range of topics reports on the work of ILA Committees and Study Groups analyses of judicial and arbitral practice and book reviews

The Participation of States in International Organisations Alison Duxbury, 2011-02-10 The admission of a state to membership is an important decision for an international organisation In making this determination organisations are increasingly promoting the observance of human rights and democratic governance as relevant principles They have also applied the same criteria in resolving the question of whether existing members should be excluded from an organisation s processes Through a systematic examination of the records proceedings and practice of international organisations in this book Alison Duxbury examines the role and legitimacy of human rights and democracy as membership criteria A diverse range of examples is discussed including the membership policies and practice of the League of Nations and the United Nations the admission of the Central and Eastern European states to the European Union developments in regional organisations in Africa Asia and the Americas and the exclusion of members from the UN specialised agencies

International Protection of Investments August Reinisch, Christoph Schreuer, 2020-07-16 This book outlines the protection standards typically contained in international investment agreements as they are actually applied and interpreted by investment tribunals It thus provides a basis for analysis criticism and stocktaking of the existing system of investment arbitration It covers all main protection standards such as expropriation fair and equitable treatment full protection and security the non discrimination standards of national treatment and MFN the prohibition of unreasonable and discriminatory measures umbrella clauses and transfer guarantees These standards are covered in separate chapters providing an overview of textual variations explaining the origin of the standards and analysing the main conceptual issues as developed by investment tribunals Relevant cases with quotations that illustrate how tribunals have relied upon the standards are presented in depth An extensive bibliography guides the reader to more specific aspects of each investment standard permitting the book s use as a commentary of the main investment protection standards

Equity and Equitable Principles in the World Trade Organization Anastasios Gourgourinis, 2015-07-24 This book analyses whether and how equity and equitable principles can be employed as juridical tools in the legal reasoning of judges and lawyers in World Trade Organization WTO disputes where there is interaction between norms derived from the multilateral trade regime and other international legal regimes Bringing the literature on equity and equitable principles in international law up to date this book tackles several legal problems which have emerged in WTO dispute settlement practice as well as engaging with the concept of the fragmentation of international law The book provides an original argument about the role and significance of equity and equitable principles in the debate over fragmentation by providing a coherent methodology for addressing conflicts and overlaps between WTO and non WTO norms in the context of Dispute Settlement Body proceedings

International Law as a Belief System Jean d'Aspremont, 2018 Offers a new perspective on international law and international legal argumentation

to what event is international law a belief system **Customary International Law** Brian D. Lepard, 2010-01-11 This book sets out to articulate a comprehensive theory of customary international law that can effectively resolve the conceptual and practical enigmas surrounding it It takes a multidisciplinary approach and draws insights from international law legal theory political science and game theory It is anchored in a sophisticated ethical framework and explores the interrelationships between customary international law and ethics *Justice for Crimes Against Humanity* Mark Lattimer, Philippe Sands, 2003-11-27 The aim of this book is to assess recent developments in international law seeking to bring an end to impunity by bringing to justice those accused of war crimes and crimes against humanity The book was originally conceived while the editors were engaged in different capacities in proceedings relating to the detention of Senator Pinochet in London The vigorous public debate that attended that case and related developments in international criminal justice such as the creation of the International Criminal Court and the trial of former President Milosevic demonstrate the close connections between the law and wider political or moral questions In the field of international criminal justice there appeared therefore a clear need to distinguish legal from essentially political issues promoting the application of the law in an impartial and apolitical manner while at the same time enabling each to legitimately inform the development of the other The essays in this volume written by internationally recognised legal experts scholars practitioners judges explore a wide range of subjects including immunities justice in international and mixed courts justice in national courts and in a particularly practical section perspectives offered by experienced practitioners in the field This is a welcome collection of papers on criminal justice both at the international and the national level a book which fills many gaps and adds considerable value by discussing wider policy and moral issues it is to be recommended to all who are interested in the development of international criminal justice Elizabeth Wilmschurst International Affairs **The Crime of Aggression under the Rome Statute of the International Criminal Court** Carrie McDougall, 2021-08-12 This edition provides a comprehensively updated guide to the crime of aggression under the Statute of the International Criminal Court **Using Systemic Integration to Interpret War Crimes at the International Criminal Court** Matias Thomsen, 2025-06-19 Fragmentation and methodological inconsistency are already evident in the jurisprudence of the International Criminal Court ICC Part of the solution is to use the principle of systemic integration to interpret crimes consistently with customary international law This book provides novel data on the ICC s compliance with the Vienna Convention on the Law of Treaties focusing on how the failure to interpret war crimes consistently with custom leads to unnecessary fragmentation and misses important opportunities to clarify and develop the law It offers a detailed case study on the war crime of denying a fair trial tracing its interpretive foundations from the Vienna Convention to the Rome Statute to the administration of justice by rebel groups in Timbuktu *Annual Report* New York State Library, 1907 Reports for 1863 90 include accession lists for the year Beginning with 1893 the appendixes consist of the various bulletins issued by the Library Additions Bibliography History Legislation Library

school Public libraries *Legal Accountability and Britain's Wars 2000-2015* Peter Rowe, 2016-04-20 This book discusses the manner in which Britain's wars which took place between 2000 and 2015 have interacted with the relevant principles of international law and English law for the purpose primarily of considering legal accountability. During a debate in the House of Lords in 2005 a former Chief of the Defence Staff commented that the Armed Forces are under legal siege. The book will discuss the major legal issues which have arisen ranging from the various votes in Parliament to go to war, the constitutional relationship between ministers and senior commanders, the right under international law to use force, the influence of human rights law, the role of the courts in England including the coroners' courts, to the legal regime applying to the conduct of UK military operations. It will assess critically whether the armed forces will now have to accept that operations conducted outside the UK are subject to greater legal scrutiny than previously and whether if this is the case it is likely to hinder their future military activities. This book will be of great interest to scholars of international law, the law of armed conflict, military studies and international relations as well as to those with a professional or other interest in the subject matter. **The**

Exclusive Economic Zone Charles Quince, 2019-06-15 Traditionally the law of the sea was divided into the territorial sea and the high seas which accounted for the application of different rules under different circumstances. Concerning the territorial sea, the coastal state enjoys full sovereignty to the right of innocent passage while under the high seas rules all countries enjoy multifaceted uses of the sea qualified only by the limitations imposed by international law. The development of the exclusive economic zone ended this traditional dualism and ushered in guidelines that are embodied within the text of the LOS Convention. The Exclusive Economic Zone presents to academia and the general reading public a comprehensive study of the EEZ concept as it relates to the LOS Convention and state practice. The Exclusive Economic Zone shows that even though coastal states have the right to develop a 200 miles EEZ and that this right is an integral part of contemporary international relations, it is also true that the EEZ concept is shrouded in legal ambiguities. Using qualitative and inductive methods, the scholarship draws on treaties, official proclamations, government archives and scholarly works that are germane to the development of the EEZ. Students, scholars and members of the general public with an interest in international law will find that The Exclusive Economic Zone deepens their understanding of the evolution of the EEZ concept. Handbook of

Sustainable Politics and Economics of Natural Resources Tsani, Stella, Overland, Indra, 2021-12-10 This timely Handbook draws together insightful analyses of natural resource management challenges and solutions in the face of sustainable development targets and a changing global climate. **Disobeying the Security Council** Antonios

Tzanakopoulos, 2013-02-14 This book examines how the United Nations Security Council in exercising its power to impose binding non-forcible measures (sanctions) under Article 41 of the UN Charter may violate international law. The Council may overstep limits on its power imposed by the UN Charter itself and by general international law including human rights guarantees. Such acts may engage the international responsibility of the United Nations, the organization of which the

Security Council is an organ Disobeying the Security Council discusses how and by whom the responsibility of the UN for unlawful Security Council sanctions can be determined in other words how the UN can be held to account for Security Council excesses The central thesis of this work is that states can respond to unlawful sanctions imposed by the Security Council in a decentralized manner by disobeying the Security Council s command In international law this disobedience can be justified as constituting a countermeasure to the Security Council s unlawful act Recent practice of states both in the form of executive acts and court decisions demonstrates an increasing tendency to disobey sanctions that are perceived as unlawful After discussing other possible qualifications of disobedience under international law the book concludes that this practice can and should be qualified as a countermeasure

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