

COLLEGEMATERIAAL

Elementair
Internationaal Recht
2021

SELECTED COURSE MATERIALS

Elementary
International Law
2021

T.M.C. ASSER INSTITUUT

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VOORWOORD

Al sinds 1980 produceert het T.M.C. Asser Instituut, in samenwerking met de Faculteiten Rechtsgeleerdheid van de Nederlandse universiteiten, de collegebundel *Elementair Internationaal Recht*. De aanleiding tot deze stap was het feit dat destijds in vrijwel alle juridische faculteiten van de Nederlandse universiteiten een inleiding tot het internationaal recht verplicht werd gesteld. Bij de samenstelling van de bundel werd en wordt ten volle gebruikgemaakt van de bij deze instellingen aanwezige deskundigheid, mede teneinde de bundel geschikt te houden voor het onderwijs aan die faculteiten.

De bundel bevat vooral basismateriaal dat betrekking heeft op het internationaal publiekrecht, inclusief het internationaal institutioneel recht, en een zeer ruime selectie uit internationale en nationale jurisprudentie. Voorts zijn bepalingen van Nederlands recht opgenomen (zoals geldend per voorjaar 2021) die van groot belang zijn voor de doorwerking en toepassing van internationaal recht in de Nederlandse rechtsorde. Daarnaast zijn in de loop der tijd en op verzoek van de faculteiten meer gespecialiseerde teksten opgenomen die het inleidend niveau overstijgen, maar waardoor de bundel tevens bruikbaar is geworden voor en gebruikt wordt bij onderwijs in meerdere cursussen en op meerdere niveaus. In de loop der jaren hebben opeenvolgende, herziene edities van de bundel hiermee een vaste plaats verworven binnen het juridisch onderwijs in Nederland.

De editie 2021 van de bundel *Elementair Internationaal Recht* is wederom grondig vernieuwd en uitgebreid. Zoals bij iedere nieuwe editie zijn een aantal teksten uit de vorige editie geschrapt dan wel vervangen om redenen van actualiteit. Daartegenover zijn ook nu weer nieuwe teksten toegevoegd. Tevens zijn op enkele plaatsen teksten herschikt of opnieuw ingedeeld. Het spreekt vanzelf dat de herkenbaarheid en betaalbaarheid van ‘de gele bundel’ scherp in het oog is gehouden.

De inhoud van de nieuwe bundel is ook dit keer wederom in nauwe samenwerking met een aantal faculteiten Rechtsgeleerdheid vastgesteld. De uiteindelijke redactie had, als altijd, plaats bij het T.M.C. Asser Instituut.

Wij hopen dat studenten en docenten in het internationaal recht in Nederland ook van deze nieuwe editie *Elementair Internationaal Recht 2021* ten volle zullen profiteren. Wij houden ons als altijd aanbevolen voor commentaar en suggesties.

Den Haag, juni 2021

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FOREWORD

Since 1980, the T.M.C. Asser Institute, in collaboration with the law faculties of the universities in The Netherlands, has produced *Elementary International Law*, the collection for use in higher and university education. The reason for doing so was the fact that at that time an introduction to international law was made mandatory in almost all of the law faculties of the universities in The Netherlands. In compiling this collection, full use was and still is made of the knowledge available within these institutions, to ensure the collection remains suited to the educational needs of those law faculties.

The collection primarily contains basic material regarding public international law, including international institutional law, as well as a wide selection drawn from international and national jurisprudence. Furthermore, provisions of Dutch law are included (texts updated in Spring 2021), which are of great importance for the effect and application of international law upon and within the legal order of The Netherlands. Aside from that, over the course of time and at the request of the law faculties, more specialised texts going beyond the introductory level have been included, thereby also making the collection useful for and used within education in various courses and at various levels. Over the years, subsequent revised editions of the collection have gained a firm position within legal education in The Netherlands.

The 2021 edition of the collection *Elementary International Law* has once again been thoroughly revised and extended. As with every new edition, a number of texts included in the previous iteration have been removed or replaced for reasons of topicality. On the other hand, new texts have been added and in some parts of the collection texts have been reordered or reclassified. Needless to say, we have done our utmost to maintain the recognisability and affordability of ‘the yellow collection’.

The content of the new collection has once again been determined in close collaboration with a number of law faculties, but the final editing, as always, took place under the auspices of the T.M.C. Asser Institute.

We hope that students and teachers of international law in The Netherlands will profit to the fullest from this new edition of *Elementary International Law 2021*. As ever we remain open to comments and suggestions.

The Hague, June 2021

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