

INHOUDSOVERZICHT / SUMMARY OF CONTENTS

1.	NEDERLANDS RECHT / DUTCH NATIONAL LAW	1
1.1.	WETGEVING / LEGISLATION	3
1.2.	JURISPRUDENTIE / CASE LAW	25
2.	INTERNATIONAAL RECHT / INTERNATIONAL LAW	119
2.1.	ALGEMEEN / GENERAL	121
2.2.	VERDRAGENRECHT / LAW OF TREATIES	156
2.3.	AANSPRAKELIJKHEID / RESPONSIBILITY	169
2.4.	IMMUNITEITEN / IMMUNITIES	181
2.5.	ZEERECHT / LAW OF THE SEA	195
2.6.	MENSENRECHTEN / HUMAN RIGHTS	227
2.7.	INTERNATIONAAL ECONOMISCH RECHT / INTERNATIONAL ECONOMIC LAW	338
2.8.	INTERNATIONAAL MILIEURECHT / INTERNATIONAL ENVIRONMENTAL LAW	363
2.9.	VREDESHANDHAVING EN SANCTIES / PEACEKEEPING AND SANCTIONS	393
2.10.	TERRORISME / TERRORISM	430
2.11.	HUMANITAIR RECHT IN GEWAPEND CONFLICT / LAW OF ARMED CONFLICT	456
2.12.	INTERNATIONAAL STRAFRECHT / INTERNATIONAL CRIMINAL LAW	472
2.13.	JURISPRUDENTIE / CASE LAW	531

INHOUDSOPGAVE / TABLE OF CONTENTS

1.	NEDERLANDS RECHT / DUTCH NATIONAL LAW	1
1.1.	WETGEVING / LEGISLATION	3
1.1.1.	Grondwet voor het Koninkrijk der Nederlanden (Besluit van 22 juni 2000) (Stb. 2000 No 294)	3
1.1.2.	Tekst van de artikelen inzake de buitenlandse betrekkingen volgens de grondwetten van 1953 en 1956	3
1.1.2A.	Grondwet 1953 (Wet van 22 mei 1953) (Stb. 1953 No. 261 en No. 295)	3
1.1.2B.	Grondwet 1956 (Besluit van 11 september 1956) (Stb. 1956 No. 472)	4
1.1.3.	Wet Algemene Bepalingen (Wet van 15 mei 1829 zoals gewijzigd)	5
1.1.4.	Wetboek van Strafrecht (Wet van 3 maart 1881 zoals gewijzigd) (Stb. 1881 No. 35)	5
1.1.5.	Wet tot het treffen van sancties tegen bepaalde staten of gebieden (Wet van 15 februari 1980), art. 1-3	7
1.1.6.	Rijkswet op het Nederlanderschap (Rijkswet van 19 december 1984 zoals gewijzigd) (Stb. 2022 No. 84)	7
1.1.7.	Wet Grenzen Nederlandse Territoriale Zee (Wet van 9 januari 1985) (Stb. 1985 No. 129)	10
1.1.8.	Rijkswet houdende regeling betreffende de goedkeuring en bekendmaking van verdragen en de bekendmaking van besluiten van volkenrechtelijke organisaties (Rijkswet van 7 juli 1994) (Stb. 2022 No. 458)	10
1.1.9.	Vreemdelingenwet (Wet van 23 november 2000) (Stb. 2023 No. 115)	13
1.1.10.	Gerechtsdeurwaarderswet (Wet van 26 januari 2001) (Stb. 2001 No. 71)	16
1.1.11.	Regels met betrekking tot ernstige schendingen van het internationaal humanitair recht (Wet Internationale Misdrijven) (Wet van 19 juni 2003) (Stb. 2019 No. 504)	16
1.1.12.	Wet houdende regels omtrent ruimtevaartactiviteiten en de instelling van een register van ruimtevoorwerpen (Wet Ruimtevaartactiviteiten) (Wet van 24 januari 2007) (Stb. 2007 No. 80)	23
1.2.	JURISPRUDENTIE / CASE LAW	25
1.2.1.	NV Koninklijke Paketvaart Mij. tegen de Repoebliek Maloekoe Selatan (Gerechtshof Amsterdam, 8 februari 1951) (NJ 1951 No. 129)	25
1.2.2.	Soci�t� Anonyme Maritime et Commerciale tegen de Staat der Nederlanden (Hoge Raad, 6 maart 1959) (NJ 1962 No. 2)	26
1.2.3.	De Democratische Republiek Oost-Timor / ‘FRETILIN’ e.a. tegen de Staat der Nederlanden (Arrondissementsrechtbank ’s-Gravenhage, 21 februari 1980)	28
1.2.4.	NV Nederlandse Spoorwegen tegen Vervoersbond FNV e.a. (Hoge Raad, 30 mei 1986) (NJ 1986 No. 688)	28
1.2.5.	Decembermoorden – Bouterse (Hoge Raad, 18 september 2001, 00749/01) Uitvoeringswet folteringverdrag art. 1, 2, 5; Sr art. 1 lid 1, 4, 70	30
1.2.6.	Danikovic e.a. tegen de Staat der Nederlanden (Hoge Raad, 29 november 2002); ECLI:NL:HR:2002:AE5164	36
1.2.7.	Vereniging van Juristen voor de Vrede e.a. tegen de Staat der Nederlanden (Hoge Raad, 6 februari 2004) ; ECLI:NL:HR:2004:AN8071	37
1.2.8.	KESBIR (Hoge Raad, 5 september 2006); ECLI:NL:RBSGR:2008:BD6795	38

1.2.9.	EURATOM (Hoge Raad, 3 november 2007); ECLI:NL:HR:2007:BA9173	39
1.2.10.	J.M. (Hoge Raad, 21 oktober 2008, ECLI:NL:HR:2008:BD6568) (Genocide / Crimes against humanity), r.o. 1-3, 6-8	42
1.2.11.	Llanos Oil v. Colombia (Hoge Raad, 24 september 2010); ECLI:NL:HR:2010:BM7679	44
1.2.12.	Stichting ‘Mothers of Srebrenica’ en tien individuele eiseressen (de Stichting c.s.) tegen de Nederlandse Staat en de Verenigde Naties (Hoge Raad, 13 april 2012); ECLI:NL:HR:2012:BW1999, r.o. 1-5	45
1.2.13.	Staat der Nederlanden tegen 3 ‘verweerders’ (Sanctieregeling Iran) (Hoge Raad, 14 december 2012); ECLI:NL:GHSGR:2011:BQ4781, par.1-4; Conclusie AG, par. 1-2	50
1.2.14.	Staat der Nederlanden v. Hasan Nuhanovic (Hoge Raad, 6 september 2013), ECLI:NL:2013:BZ9225	58
1.2.15.	Staat der Nederlanden v. Mustafic et al., (Hoge Raad, 6 september 2013), ECLI:NL:HR:2013:BZ9228	64
1.2.16.	De Staat der Nederlanden tegen De Stichting ‘Mothers of Srebrenica’ (Hoge Raad, 19 juli 2019), ECLI:NL:HR:2019:1223	71
1.2.17.	Vereniging Milieudefensie v. Royal Dutch Shell PLC (Rechtbank Den Haag/The Hague District Court, 26 May 2021), C/09/571932 / HA ZA 19-379, English version, (ECLI:NL:RBDHA:2021:5337, Dutch version)	89
1.2.18.	Prosecutor v. Pulatov (The Hague District Court, 17 November 2022), ECLI:NL:RBDHA:2022:14040, English version, par. 1.1, 3, 4.1, 4.4.3	112
2.	INTERNATIONAAL RECHT / INTERNATIONAL LAW	119
2.1.	ALGEMEEN / GENERAL	121
2.1.1.	Hague Convention for the Pacific Settlement of International Disputes, 1907, art. 1, 37-50	121
2.1.2.	Convention on the Rights and Duties of States (Montevideo Convention), 1933	122
2.1.3.	Charter of the United Nations (San Francisco, 26 June 1945) (entry into force: 24 October 1945) (Trb. 1979 Nr. 37)	123
2.1.4.	Statute of the International Court of Justice (Trb. 1971 Nr. 55)	133
2.1.5.	Declaration on the Granting of Independence to Colonial Countries (UN General Assembly Resolution 1514 (XV), 14 December 1960) (UN Doc. A/4684)	139
2.1.6.	Principles which should guide members in determining whether or not an obligation exists to transmit the information called for under article 73e of the Charter (UN General Assembly Resolution 1541 (XV), 15 December 1960)	139
2.1.7.	UN General Assembly Resolution 1803 (XVII) on Permanent Sovereignty over Natural Resources (14 December 1962) (UN Doc. A/5217)	141
2.1.8.	United Nations Declaration on the Rights of Indigenous Peoples (Adopted by General Assembly Resolution 61/295 on 13 September 2007)	142
2.1.9.	Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations (UN General Assembly Resolution 2625 (XXV), 24 October 1970) (UN Doc. A/8028)	146
2.1.10.	World Summit outcome on the Responsibility to Protect Populations from Genocide, War Crimes, Ethnic Cleansing and Crimes Against Humanity (GA RES. A/60/1 New York, 24 October 2005)	150
2.1.11.	Draft Articles on Diplomatic Protection, adopted by the International Law Commission at its fifty-eighth session, in 2006	150
2.1.12.	Report of the Committee on the Admission of New Members Concerning the Application of Palestine for Admission to Membership in the United Nations (S/2011/705, 11 November 2011)	152

2.1.13.	Status of Palestine in the United Nations (General Assembly, Res/67/19, 29 November 2012)	153
2.2.	VERDRAGENRECHT / LAW OF TREATIES	156
2.2.1.	Vienna Convention on the Law of Treaties (Vienna, 23 May 1969; with Annex) (entry into force: 27 January 1980) (Trb. 1972 Nr. 51)	156
2.2.2.	Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations (Vienna, 21 March 1986), art. 1-6 (Trb. 1987, 136)	166
2.3.	AANSPRAKELIJKHEID / RESPONSIBILITY	169
2.3.1.	Responsibility of States for Internationally Wrongful Acts. Text adopted by the International Law Commission in 2001. Text reproduced as it appears in the annex to General Assembly resolution 56/83 of 12 December 2001	169
2.3.2.	Draft Articles on the Responsibility of International Organizations. Text adopted by the International Law Commission in 2011, reproduced in the annex to General Assembly Resolution 66/100 of 9 December 2011	173
2.4.	IMMUNITEITEN / IMMUNITIES	181
2.4.1.	Convention on the Privileges and Immunities of the United Nations (UN General Assembly, 13 February 1946)	181
2.4.2A.	Vienna Convention on Diplomatic Relations and Optional Protocol Concerning the Compulsory Settlement of Disputes (Vienna 18 April 1961) (entry into force: 24 April 1964) (Trb. 1962 Nr. 191)	183
2.4.2B.	Optional Protocol Concerning the Compulsory Settlement of Disputes	188
2.4.3.	United Nations Convention on Jurisdictional Immunities of States and Their Property (UN General Assembly, 16 December 2004)	189
2.5.	ZEERECHT / LAW OF THE SEA	195
2.5.1.	United Nations Convention on the Law of the Sea (UNCLOS) (Montego Bay, 10 December 1982) (Trb.1983 Nr. 83)	195
2.5.2.	Supplementary Agreement relating to UNCLOS, 28 July 1994	225
2.5.3.	Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks, 8 September 1995	226
2.6.	MENSENRECHTEN / HUMAN RIGHTS	227
Mondiale Mensenrechten / Universal Human Rights		
2.6.1.	Universal Declaration of Human Rights (UN General Assembly Resolution 217 A(III), 10 December 1948) (UN Doc. A/810 (III))	227
2.6.2A.	Convention Relating to the Status of Refugees (Geneva, 28 July 1951) (entry into force: 22 April 1954)	229
2.6.2B.	Protocol relating to the Status of Refugees (New York, 31 January 1967) (Trb. 1951 Nr. 131; 1967 Nr. 76)	230
2.6.3.	International Convention on the Elimination of all Forms of Racial Discrimination (New York, 7 March 1966) (entry into force: 4 January 1969) (Trb. 1966 Nr. 237)	230
2.6.4A.	International Covenant on Civil and Political Rights and Optional Protocol (New York, 19 December 1966) (entry into force: 23 March 1976) (Trb. 1969 Nr. 99)	231
2.6.4B.	Optional Protocol to the International Covenant on Civil and Political Rights	238

2.6.4C.	Second Optional Protocol Aiming at the Abolition of the Death Penalty (New York, 15 December 1989) (entry into force: 11 July 1991) (Trb. 1990 Nr. 125)	239
2.6.5A.	International Covenant on Economic, Social and Cultural Rights (New York, 19 December 1966) (entry into force: 3 January 1976) (Trb. 1969 Nr. 100)	241
2.6.5B.	Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Adopted by General Assembly Resolution 63/117 of 5 March 2009)	244
2.6.6A.	Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (New York, 10 December 1984) (1465 UNTS 85)	248
2.6.6B.	Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (18 December 2002) (Entry into force on 22 June 2006) (United Nations General Assembly Resolution A/RES/57/199)	252
2.6.7A.	Convention on the Elimination of All Forms of Discrimination Against Women (adopted by General Assembly Resolution 34/180 of 1979) (Entry into force: 3 September 1981)	257
2.6.7B.	Optional Protocol to the Convention on the Elimination of Discrimination Against Women (Adopted by General Assembly Resolution A/54/4 on 6 October 1999 and opened for signature on 10 December 1999, Human Rights Day entry into force: 22 December 2000)	261
2.6.8.	Declaration on the Right to Development (Adopted by General Assembly Resolution 41/128 of 4 December 1986)	264
2.6.9A.	Convention on the Rights of the Child. Adopted and opened for signature, ratification and accession by General Assembly Resolution 44/25 of 20 November 1989 (entry into force 2 September 1990, in accordance with article 49)	265
2.6.9B.	Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography (GA Res. A/54/263, 25 May 2000)	273
2.6.10A.	UN General Assembly Resolution 60/251 on the Human Rights Council (15 March 2006)	279
2.6.10B.	Human Rights Council Res. 5/1 on Institution-Building of the United Nations Human Rights Council (18 June 2007)	280
2.6.11A.	UN Convention on the Rights of Persons with Disabilities, 6 December 2006 (GA Doc.A/61/611)	290
2.6.11B.	Optional Protocol to the Convention on the Rights of Persons with Disabilities, 6 December 2006 (GA Doc. A/61/611)	300
2.6.12.	International Convention for the Protection of All Persons from Enforced Disappearance, 20 December 2006 (UN A/RES/61/177)	302
Mensenrechten in Europa / Human Rights in Europe		
2.6.13A.	European Convention for the Protection of Human Rights and Fundamental Freedoms as amended by Protocols No. 11 and No. 14 (Rome, 4.XI.1950)	309
2.6.13B.	Protocol No. 1 to the Convention for the Protection of Human Rights and Fundamental Freedoms, as Amended by Protocol No. 11 (Paris, 20 March 1952) (ETS No. 9)	315
2.6.13C.	Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, Securing Certain Rights and Freedoms Other than Those Already Included in the Convention and in the First Protocol thereto, as Amended by Protocol No. 11 (Strasbourg, 16 September 1963) (ETS No. 46)	316
2.6.13D.	Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms Concerning the Abolition of the Death Penalty, as Amended by Protocol No. 11 (Strasbourg, 28 April 1983) (ETS No. 114)	317
2.6.13E.	Protocol No. 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms, as Amended by Protocol No. 11 (Strasbourg, 22 November 1984) (ETS No. 117)	317

2.6.13F.	Protocol No. 12. to the Convention for the Protection of Human Rights and Fundamental Freedoms (Rome, 4 November 2000) (ETS No. 177)	319
2.6.13G.	Protocol No. 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms, Concerning the Abolition of the Death Penalty in all Circumstances (Vilnius, 3 May 2002) (ETS No. 187)	320
2.6.13H.	Protocol No.15 to the Convention for the Protection of Human Rights and Fundamental Freedoms (Strasbourg, 24 June 2013) (ETS 213)	320
2.6.14.	European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (Strasbourg, 26 November 1987) (ETS No. 126)	321
2.6.15A.	European Social Charter (Revised) (Strasbourg, 3 May 1996) (ETS No. 163)	324
2.6.15B.	Additional Protocol to the European Social Charter Providing for a System of Collective Complaints (Strasbourg, 9 November 1995) (ETS No. 158)	334
2.6.16.	Protocol No. 16 to the Convention on the Protection of Human Rights and Fundamental Freedoms	336
2.7.	INTERNATIONAAL ECONOMISCH RECHT / INTERNATIONAL ECONOMIC LAW	338
2.7.1A.	General Agreement on Tariffs and Trade (Geneva, 30 October 1947) (Trb. 1966 Nr. 1)	338
2.7.1B.	General Agreement on Tariffs and Trade 1994	342
2.7.2.	Agreement Establishing the World Trade Organization (Marrakesh, 15 April 1994)	343
2.7.3.	ICSID Convention, 1965, preamble, art. 1-3, 25-27	348
2.7.4.	ILA New Delhi Declaration of Principles of International Law Relating to Sustainable Development (UN Doc. A/57/329), 2002	349
2.7.5.	Netherlands Model Investment Agreement, 2019	351
2.7.6.	Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework (“Ruggie Principles”), Human Rights Council, 21 March 2011 (UN Doc A/HRC/17/31)	360
2.8.	INTERNATIONAAL MILIEURECHT / INTERNATIONAL ENVIRONMENTAL LAW	363
2.8.1.	The Rio Declaration on Environment and Development (Rio de Janeiro, 3-14 June 1992)	363
2.8.2.	Convention on Biological Diversity, (Rio de Janeiro, 5 June 1992)	364
2.8.3.	United Nations Framework Convention on Climate Change (New York, 9 May 1992), Arts. 1-5	373
2.8.4.	ILC Articles on the Prevention of Transboundary Harm from Hazardous Activities, adopted by the International Law Commission at its fifty-third session, in 2001	376
2.8.5.	United Nations Paris (Climate) Agreement, 12 December 2015	379
2.8.6.	United Nations General Assembly Resolution, 25 September 2015; Sustainable Development Goals	386
2.9.	VREDESHANDHAVING EN SANCTIES / PEACEKEEPING AND SANCTIONS	393
2.9.1.	UN General Assembly Resolution 377 A(V) “Uniting for peace” (3 November 1950)	393
2.9.2.	UN General Assembly Resolution 3314 (XXIX) “Definition of Aggression” (14 December 1974)	394
2.9.3A.	UN Security Council Resolution 660 (1990) “Iraq/Kuwait” (2 August 1990)	396
2.9.3B.	UN Security Council Resolution 661 (1990) “Iraq/Sanctions” (6 August 1990)	396
2.9.3C.	UN Security Council Resolution 678 (1990) “Iraq/Kuwait/all necessary means” (29 November 1990)	397

2.9.3D.	UN Security Council Resolution 687 (1991) “Iraq/Kuwait” (3 April 1991)	397
2.9.3E.	UN Security Council Resolution 688 (1991) “Iraq/Kurdish population” (5 April 1991)	400
2.9.4.	UN Security Council Resolution 794 (1992) “Somalia” (3 December 1992)	401
2.9.5.	UN Security Council Resolution 836 (1993) “Bosnia: Safe Areas” (4 June 1993)	401
2.9.6.	UN Security Council Resolution 929 (1994) “Rwanda” (22 June 1994)	403
2.9.7.	UN Security Council Resolution 940 (1994) “Haiti” (31 July 1994)	404
2.9.8A.	UN Security Council Resolution 1199 (1998) “Kosovo” (23 September 1998)	405
2.9.8B.	UN Security Council Resolution 1203 (1998) “Kosovo” (24 October 1998)	407
2.9.8C.	UN Security Council Resolution 1244 (1999) “Kosovo” (10 June 1999)	408
2.9.9.	UN Security Council Resolution 1325 (2001) “Women and Security” (31 October 2001)	411
2.9.10.	UN Security Council Resolution 1441 (2002) (“Iraq”) (08 November 2002)	412
2.9.11.	UN Security Council Resolution 1540 (2004) (“Weapons of Mass destruction”) (28 April 2004)	416
2.9.12.	UN Security Council Resolution 1851 (2008) (“Somalia”) (16 December 2008)	417
2.9.13.	UN Security Council Resolution 1970 (2011) “Peace and Security in Africa” (26 February 2011)	419
2.9.14.	UN Security Council Resolution 1973 (2011) “The Situation in Libya” (17 March 2011)	422
2.9.15.	General Assembly Resolution 68/262 (2014) “Territorial integrity of Ukraine” (27 March 2014)	426
2.9.16.	UN Security Council Resolution 2254 (2015) “Syria” (18 December 2015)	427
2.9.17.	General Assembly Resolution A/RES/ES-11/1 “Agression against Ukraine” (2 March 2022)	428
2.10.	TERRORISME / TERRORISM	430
2.10.1.	UN Security Council Resolution 1267 (1999), 15 October 1999	430
2.10.2.	UN Security Council Resolution 1368 (2001), 12 September 2001 1999	431
2.10.3.	UN Security Council Resolution 1373 (2001) 28 September 2001 1999	431
2.10.4.	International Convention for the Suppression of Terrorist Bombings, 2008	433
2.10.5.	UN Security Council Resolution 2178 (2014) “Foreign Terrorist Fighters”	437
2.10.6.	“Terrorism Definition”, Special Tribunal for Lebanon, President Cassese, Summary of Speech, Hearing of 16 February 2011	440
2.10.7.	Special Tribunal for the Lebanon, Case No.: STL-11-01/I, Paragraph 85, 16 February 2011	442
2.10.8.	UN Security Council Resolution 2249 (2015) “Threats to international peace and security caused by terrorist acts” (20 November 2015)	442
2.10.9.	Council of Europe Convention on the Prevention of Terrorism, 16 May 2005 (ETS No. 196)	443
2.10.10.	Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism, 22 October 2015 (ETS No. 217)	449
2.10.11.	Directive (EU) 2017/541 of the European Parliament and of the Council, 15 March 2017	451

2.11.	HUMANITAIR RECHT IN GEWAPEND CONFLICT / LAW OF ARMED CONFLICT	456
2.11.1.	Convention (IV) Respecting the Laws and Customs of War on Land and its Annex: Regulations Concerning the Laws and Customs of War on Land. The Hague, 18 October 1907	456
2.11.2.	Geneva (“Red Cross”) Conventions (Geneva, 12 August 1949) (entry into force: 21 October 1950) (Stb. 1949 Nrs. 246-249)	456
2.11.2A.	Geneva Conventions I-IV: Common Articles	456
2.11.3.	Protocol (I) Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Berne, 12 December 1977) (entry into force: 7 December 1978) (Trb. 1978 Nr. 41)	463
2.11.4.	Protocol (II) Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts: Selected Articles	469
2.12.	INTERNATIONAAL STRAFRECHT / INTERNATIONAL CRIMINAL LAW	472
2.12.1.	Convention on the prevention and punishment of the crime of genocide, Paris, 9 December 1948	472
2.12.2.	Principles of International Law recognized in the Charter of the Nuremberg Tribunal and in the Judgement of the Tribunal (Text adopted by the International Law Commission in 1950 (<i>Yearbook of the International Law Commission, 1950</i> , vol. II, para. 97)	473
2.12.3.	UN Security Council Resolution 827 (1993) 25 May 1993	474
2.12.4.	Statute of the International Tribunal (ICTY) (Adopted 25 May 1993 by Resolution 827), (As Amended 13 May 1998 by Resolution 1166) (As Amended 30 November 2000 by Resolution 1329)	474
2.12.5.	Rome Statute of the International Criminal Court (Rome, 17 July 1998)	479
2.12.6.	Elements of Crimes, ICC-ASP/1/3 (Adoption & Entry into Force: 9 September 2002)	500
2.12.7.	Amendments to the Rome Statute of the International Criminal Court on the Crime of Aggression, and the Elements of Crimes, 11 June 2010	514
2.12.8.	UN Security Council Resolution 1593 (2005), “Darfur”, 31 March 2005	516
2.12.9.	UN Security Council Resolution 1966 (2010), “Establishment International Residual Mechanism for Criminal Tribunals (MICT)”, 22 December 2010	517
2.12.10.	Treaty on the Non-Proliferation of Nuclear Weapons (NPT), 1 July 1968	524
2.12.11.	Treaty on the Prohibition of Nuclear Weapons, 7 July 2017 (A/CONF.229/2017/8)	526
2.13.	JURISPRUDENTIE / CASE LAW	531
	Permanent Court of International Justice	
2.13.1.	Nationality Decrees Issued in Tunis and Morocco (‘French Zone’) Permanent Court of International Justice, Advisory Opinion, 7 February 1923; excerpt: ‘Limits of national jurisdiction’ (P.C.I.J. Series B No. 4 p. 24)	531
2.13.2.	The Case of the S.S. ‘LOTUS’ - Permanent Court of International Justice, 7 September 1927; (P.C.I.J. Ser. A. No. 10)	531
	Permanent Court of Arbitration	
2.13.3.	Island of Palmas Case (Netherlands v. USA) Permanent Court of Arbitration, 4 April 1928 (R.I.A.A. Vol. II p. 829)	536

International Court of Justice

- 2.13.3A. Declaration recognizing as compulsory the jurisdiction of the International Court of Justice (example: The Netherlands, 21 February 2017) 540
- 2.13.3B. Special Agreement for the submission to the International Court of Justice of a difference (example: the Kingdom of the Netherlands and the Federal Republic of Germany concerning the delimitation, as between the Kingdom of the Netherlands and the Federal Republic of Germany, of the continental shelf in the North Sea (2 February 1967, No. 8779) 540

A. Betwiste zaken / Contentious cases

- 2.13.4. The North Sea Continental Shelf Cases (Federal Republic of Germany v. Denmark; Federal Republic of Germany v. Netherlands) International Court of Justice, 20 February 1969; par.3-12, 70-101 (I.C.J. Rep. 1969, p. 4) 541
- 2.13.5. Nuclear Tests Case (Australia v. France), International Court of Justice, 20 December 1974, par. 1, 20, 34-59 (I.C.J. Rep. 1974, p. 253) 549
- 2.13.6. Case Concerning United States Diplomatic and Consular Staff in Tehran (United States of America v. Iran) International Court of Justice, 24 May 1980 (I.C.J. Rep. 1980, p. 3) 552
- 2.13.7. Case Concerning Military and Paramilitary Activities In and Against Nicaragua (Nicaragua v. United States of America) (Merits) International Court of Justice, 27 June 1986; excerpt: par. 18-25 (facts), 102-116, 172-212, 227-238, 246 ‘customary law’, ‘self defence’, ‘use of force’ (I.C.J. Rep. 1986, p. 14) 565
- 2.13.8. Case Concerning Delimitation and Territorial Questions Between Qatar and Bahrain (Qatar v. Bahrain), Jurisdiction and Admissibility, International Court of Justice, 1 July 1994; par. 21-30 (I.C.J. Rep. 1994, p. 112) 579
- 2.13.9. Case Concerning East Timor (Portugal v Australia), International Court of Justice, 30 June 1995, par. 11-19 & 26-38 (I.C.J. Rep. 1995, p. 90) 580
- 2.13.10. Case Concerning the Gabcikovo-Nagymaros Project (Hungary/Slovakia) International Court of Justice, 25 September 1997; par. 15-25, 46, 89-110 (I.C.J. Rep.1997, p. 7) 584
- 2.13.11A. Case Concerning the Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo v. Belgium), International Court of Justice, 14 February 2002. (Integral Judgment) (I.C.J. Rep. 2002, p. 3) 591
- 2.13.11B. Joint Separate Opinion of Judges Higgins, Kooijmans and Buergenthal, Case Concerning the Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo v. Belgium) 604
- 2.13.12. Case Concerning Oil Platforms (Islamic Republic of Iran v. United States of America) International Court of Justice, 6 November 2003, par. 23-26 and 45-78 (I.C.J. Rep. 2003, p. 161) 615
- 2.13.13. Case Concerning Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda) International Court of Justice, 19 December 2005, par. 143-165, 166-180 (I.C.J. Rep. 2005, p. 168) 622
- 2.13.14. Case Concerning Armed Activities on the Territory of the Congo (New Application: 2002), (Democratic Republic of the Congo v. Rwanda), Jurisdiction of the Court and Admissibility of the Application, International Court of Justice, 3 February 2006, par. 1, 10-128 (I.C.J. Rep.2006, p.6) 627
- 2.13.15. Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina vs. Serbia and Montenegro) International Court of Justice, 26 February 2007, par. 377-471 (I.C.J. Rep. 2007, p. 43) 644
- 2.13.16. Case Concerning Pulp Mills on the River Uruguay (Argentina v. Uruguay) International Court of Justice, 20 April 2010; par. 75-77, 203-205, 267-281 (I.C.J. Rep. 2010, p. 14) 660
- 2.13.17. Jurisdictional Immunities of the State (Germany v. Italy: Greece Intervening), International Court of Justice, 3 February 2012; par. 1, 20-36, 51-120, 137-138 (I.C.J. Rep. 2012, p. 99) 663
- 2.13.18. Questions Relating to the Obligation to Prosecute or Extradite (Belgium v Senegal), International Court of Justice, 20 July 2012, par. 15-41, 64-117 (I.C.J. Rep. 2012, p. 422) 679

2.13.19. Whaling in the Antarctic (Australia v Japan: New Zealand Intervening), International Court of Justice, 31 March 2014, par. 51-97	688
2.13.19A. Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar), International Court of Justice, Summary 2020/1, 23 January 2020	693
2.13.19B. Dispute over the Status and Use of the Waters of the Silala (Chile v. Bolivia), International Court of Justice, 1 December 2022, par. 28-38, 60-129	696
B. Adviezen / Advisory Opinions	
2.13.20. Conditions of Admission of a State to Membership in the United Nations (Article 4 of the Charter), International Court of Justice, Advisory Opinion, 28 May 1948, p. 5, 8-12 (I.C.J. Rep. 1948, p. 57)	704
2.13.21. Reparation for Injuries Suffered in the Service of the United Nations, International Court of Justice, Advisory Opinion, 11 April 1949 (I.C.J. Rep. 1949 p. 174)	707
2.13.22. Competence of the General Assembly for the Admission of a State to the United Nations, International Court of Justice, Advisory Opinion, 3 March 1950, p. 5-10 (I.C.J. Rep. 1950, p. 4)	712
2.13.23. Legal Consequences for States of the Continued Presence of South Africa in Namibia (South-West Africa) notwithstanding Security Council Resolution 276 (1970) International Court of Justice, Advisory Opinion, 21 June 1971; par. 19-22, 91-95, 105-116 (I.C.J. Rep. 1971, p.16)	714
2.13.24. Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, Advisory Opinion, 8 July 1996 (I.C.J. Rep. 1996, p. 226)	717
2.13.25. Legality of the Use by a State of Nuclear Weapons in Armed Conflict (WHO/Nuclear Weapons Case) International Court of Justice, Advisory Opinion, 8 July 1996 (I.C.J. Rep. 1996, p. 66)	730
2.13.26. Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, International Court of Justice, Advisory Opinion, 6 July 2004, par. 24-65, 70-78, 86-113, 115-122, 132-163	734
2.13.27. Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo, International Court of Justice, Advisory Opinion, 22 July 2010; par. 1-13, 17-77, 78-122 (I.C.J. Rep. 2010, p. 403)	754
2.13.27A. Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965, International Court of Justice, Advisory Opinion, 25 February 2019; par. 68-91, 132-183	772
International Criminal Court	
2.13.28. Prosecutor v. Omar Hassan Ahmad Al-Bashir, ICC Appeals Chamber, Judgment in the Jordan Referral re Al-Bashir Appeal, 6 May 2019, paras. 1-17, 33-79, 95-162	789
2.13.29. The Situation in the People's Republic of Bangladesh v. Republic of the Union of Myanmar, ICC, 14 November 2019, paras. 40-134	804
International Criminal Tribunal for the Former Yugoslavia	
2.13.30. Prosecutor v. Tadic, Decision of the Appeals Chamber (ICTY, 2 October 1995, par. 1/48); par. 70	812
2.13.31. Prosecutor v. Tihomir Blaskic (ICTY, 29 October 1997, par. 20-28, 38-48)	821
United Nations Human Rights Committee	
2.13.32. Billy et al v. Australia, Human Rights Committee, 22 September 2022, paras. 1.1-6.13, 8.1-12	826
An Arbitral Tribunal Constituted under Annex VII to the 1982 United Nations Convention on the Law of the Sea	
2.13.33. The Arctic Sunrise Arbitration (The Kingdom of the Netherlands v. The Russian Federation), Award on the Merits, 14 August 2015, paras. 1-20, 187-275, 333, 401	835
2.13.34. South China Sea Arbitration, The Republic of the Philippines v. The People's Republic of China, Award, 12 July 2016, paras. 815-862, 939-993	845

European Court of Human Rights

- 2.13.35. Agim Behrami and Bekir Behrami vs. France and Ruzdhi Saramati vs. France, Germany and Norway, European Court of Human Rights, Strasbourg, 2 May 2007, para. II and E 856
- 2.13.36. Case of Al-Skeini and Others v. the United Kingdom (Application no. 55721/07), European Court of Human Rights, 7 July 2011, par. 109-151, 161-177 861
- 2.13.37. Stichting Mothers of Srebrenica and Others v. Netherlands, (Application no. 65542/12), European Court of Human Rights, 11 June 2013, par. 114-178. (“The Law / Immunity United Nations”) 870
- 2.13.38. Hassan v. UK (Application no. 29750/09), European Court of Human Rights, 16 September 2014, par. 66-111; and the Partly Dissenting Opinion of Judge Spano joined by Judges Nicolaou, Bianku and Kalaydjieva 877
- 2.13.39. European Court of Human Rights, Jaloud v. The Netherlands (Application no. 47708/08, 20 November 2014) 891

Council of Europe

- 2.13.40. Resolution CM/ResChS(2015)5, Conference of European Churches (CEC) v. the Netherlands, Complaint No. 90/2013. Adopted by the Committee of Ministers on 15 April 2015 at the 1225th meeting of the Ministers’ Deputies. (“Bed, Bad, Brood”) 907

European Court of Justice

- 2.13.41. European Commission and the United Kingdom of Great Britain and Northern Ireland – Judgment in Appeal – Joined Cases C-584/10 P, C-593/10 P and C-595/10 P (re Yassin Abdullah Kadi v. European Commission, supported by the Council of the European Union, French Republic, United Kingdom of Great Britain and Northern Ireland. Case T-85/09, Judgment of the General Court (Seventh Chamber), 30 September 2010), Court of Justice of the European Union, Grand Chamber, 18 July 2013 (integral) 909
- 2.13.42. Opinion on the accession of the EU to the ECHR, Opinion 2/13 of the Court (Full Court), 18 December 2014 (integral) 926

International Economic Law / Trade and Investment Law Cases

- 2.13.43. United States – Certain Measures on Steel and Aluminium, World Trade Organization, Report of the Panel, 9 December 2022, par. 1.1, 7.23-7.59, 7.102-103, 7.129-8.3 950
- 2.13.44. Metalclad Corporation v. The United Mexican States, International Centre for Settlement of Investment Disputes, 30 August 2000, par. 1-6, 28-112 958