

The authentication of countries' unilateral acts as a source in international law

Hosein Miri

Doctoral student and director of Payam Noor University Library

h.miri1389@yahoo.co.uk

Abstract: Countries in international plane take unilateral acts in various form and content and pursue the specific goals. While this article by describing the events, phenomena and social, economical and political developments and... is trying to clarify that these actions can be considered as a new and independent source than the resources in Article 38 of International Court of Justice Statute. These actions undoubtedly can be the origin of obtaining rules and legal effects. The unilateral legal actions which have been issued to create a commitment, have a legal enforcement and carry out international obligations for their perpetrators, but it doesn't make any responsibility for other countries unless the mentioned states have already expressed prior or next their consent and or do take the commitments based on agreement and legal convention, and the unilateral offerer has acted within the specified international law or namely international consensus. Today, the votes of international tribunal and the doctrine impose on the positive significance of unilateral actions.

[Hosein Miri. **The authentication of countries' unilateral acts as a source in international law.** *Academ Arena* 2017;9(3):63-70]. ISSN 1553-992X (print); ISSN 2158-771X (online). <http://www.sciencepub.net/academia>. 5. doi:[10.7537/marsaaj090317.05](https://doi.org/10.7537/marsaaj090317.05).

Keywords: Unilateral acts; source of international law; legal rules; international court of justice; doctrine; international law commission

1. Commentary

The international community is rapidly developing and transforming. Today the necessity of creating the rules which should be respondent to community needs are more tangible due to the fast-growing of science and technology, communication and the advent of social, economical and political developments. Law which is the product of relationship development and the resultant of social needs and is reflecting the social necessities within its context should coordinate and comply with international community progress. By the way a key issue in international law is the consideration of new behavioral standard and realities within the available legal frameworks. The necessity of dynamic feature in international law became obvious after the formation of newly independent countries. So these countries are endeavoring to criticize the classical international law and the traditional sources relying on the value and credibility gained from their own autonomy and may cause the review and revision of customary international law. Nevertheless, it seems that the available sources of international law in Article 38 of International Court of Justice Statute would not be comprehensive, regarding the development characteristic of international community and the above mentioned changes. Developing and third world countries are trying to find new sources. In this reason, the unilateral acts have assisted them in modification of international law resources. Countries

have imposed the unilateral acts in a variety of form and content and persuaded specific goals which have had deep impacts from the outlook of international law resources.

Although, freedom of countries is banned by the international law, but however these countries still have held a comprehensive popularity contest within their own territory which are acting according to national policies in the framework of rights and obligations and doing the acts and making decision unilaterally in their own sovereign which may affect their relationship with other states. Though these unilateral decisions within an international community with its ruling entities, is a natural phenomena, but today the states have accelerated and expanded this process, a trend that even have overridden the social realities. Sometimes the states by taking unilateral acts have produced new regulations in order to fill the legal gaps and may have caused a revolutionary legal regulation and or completed the international law and or have been the factor in formation of international rule and have clarified the issues which have not been identified within the scope of international law. A close look at the relationship between the states in the world has proven enormous economical activities and unilateral legal acts. Therefore unilateral acts can play an important role in a world in which the international institutes and entities cannot properly fulfill their duty and sometimes there is injustice (Reismaan 2000:3).

2. Historical background

Unilateral actions survive as long as international treaties but currently from the viewpoint of history the oldest and most famous one which has attracted the international attention is verbally declaration made on July 22, 1919 by Norwegian foreign minister, Ihlen, on the topic of Denmark's sovereignty over Greenland. Before that time there have been many unilateral statements in large number such as war statements and neutrality policy. Afterward the process of making international statements was preceded by International Court of Justice's compulsory jurisdiction. Gradually the number of these activities dramatically rose due to the passage of time and the expansion of legal relationships in international arena and the excessive need for these practices, so that it was prepared for the agenda of UN's International Law Commission (Pierre Marie Dupuy 2002:147). It's primarily necessary to determine their importance and position to clarify the concept and the definition of unilateral acts, and then we present our subjective (theoretical) definition referring to some divisions and instances.

The significance of unilateral acts

The states for various reasons do many unilateral actions. One reason might be that unilateral acts unlike the treaties do not require a lot of formalities and the government's targets can be achieved in a short time. Certainly in the present world, unilateral acts are done by all international law perpetrators and it is essential and important to prepare and enact the law ruling them for determining their limitations regarding their extensive role on the international plane. The significance of these acts leads the International Court of Justice to consider these actions from the viewpoint of legal obligation and determine their role play in states' relationships in 1974 about France Nuclear Tests Case. On the other hand the United Nation General Assembly in resolution 51/160 dated 16, December, 1996 invited the International Law Commission to assess more about "unilateral acts of states" and indicate its scope and content in the light of the comments and observations (Official Reports of General Assembly A/51/10:328-329). For this and other similar reasons the International Law Commission was reinforced to bear in mind the general outline for the study of the issue regarding the codification and progressive development of applicable legal rules over these acts. Commission on its 48 session in 1996 justified its decision over the review of unilateral acts, and emphasized about it, due to the extensive number of these acts and also their features to draw the attention of international courts in many cases. On the other hand, many authors have admitted unilateral act's significance as one of the international law resources (zemanek 1997:382).

The concept of legal actions and its division:

A legal act is the action which has been promulgated by the will of governing body leading to make the legal effects. In other words, the legal act is an autonomous expression of will in order to determine the specific legal subjects. Legal acts can be categorized as unilateral, bilateral and multilateral according to the number of willingness declared. If only one-sided action is supported it is assumed to be unilateral action, and in case of asserting the interests of two or more participating countries it will be bilateral or multilateral actions. In unilateral act just for creating a desirable effect, the will of one proponent is sufficient while in bilateral and multilateral acts, their legal effect depends on two or more proponent agreement. Unilateral acts consist of two specific and general concepts. It specifically includes the unilateral acts of states. While in general concept it encompasses the international organizations (resolutions) as well (of course it should be noted that the issue of this article is reviewing countries' unilateral acts just in specific concept).

Categorizing the unilateral acts of countries based on origin (dependant and independent concept).

There is a category of international acts rooted in treaty and or convention. The other category consists of the unilateral acts which cannot be found in convention or treaties.

In other words countries' unilateral acts has two concept: Specific and General.

1. Specific concept: unilateral concepts (independent).

In this term unilateral acts is stated without the least connection in treaty and international convention and their validity is not dependent to other legal actions, they are coherently independent and valid (Ncuyen1987:330).

2. General concept:

In this term unilateral acts means the actions including conventional or customary origin. For instance, we can refer to treaty of accession, termination, reserve and also unilateral declaration which has been issued based on Article 36 of International Court of Justice Statute (Ibid:330).

The declaration which is being issued based on Article 36 of International Court of Justice Statute has contractual obligation, because it has been issued according to an international multilateral treaty (statute). Accordingly issuing the declaration creates a mutual obligation among issuer subjects.

Any state which has declared is subject to Court's compulsory jurisdiction against the other states which have also declared.

The instances of unilateral acts

A brief overview of unilateral act instances which have been in the core attention of courts, international courts and the doctrine can assist us in evaluating the significance of unilateral acts.

1. Recognition

Recognition is the willingness and intent of a state in accepting a country as a new member state in international community, or accepting the new state as the representative of the existing state (Akehurst 1987:58). Recognition like the other unilateral acts is the resultant of the representative of foreign affairs organization and affords diverse effects (Skubiszewski 1991:227).

2- Protest and silence

Protest is a practice which a state wishes to express its objection to a situation, claim or generally different situations and it precedes the legal obligations. Sometimes the states will protest to a future event in advance. The main object of preemptory protest is to affect the respondent behavior (Venturini 1964:434-5). The objection needs to be unrecognition (Schwarzenberger 1957:550). In order to have the effects it should be straight forward and also the protestor should be aware of the related events (Karl 1984:322). Silence is the most passive form of unilateral acts (Schwarzenberger 1957:549). For example, if any member of the International Court of Justice files a lawsuit against the other which has not admitted and issued the mentioned declaration in Article 36 of International Court of Justice's Jurisdiction Statute, the Court has no choice except to reject the claim due to the incompetence. However, if the disputant has no objection against illegality and keep the silence, the Court has this right to do the judicial settlement. For, this silence has expanded court's jurisdiction and is approved to be admitted (Icj Reports 1956:8,11&14). In Preah Vihear Temple Case (Cambodia lawsuit against Thailand) the International Court of Justice adapted and implemented according to the rule or proverb of "The silence gives consent" (Ibid 1962:230). So as considered that protest and silence can be a source of commitment.

3-Promise and commitment:

A promise or commitment is a practice which a government is obliged to follow a series of certain features unilaterally. This promise is the resource of unilateral commitments. The commitment may be imposed to a certain state or states or to the entire states with the intention of acquiring legal obligations. Its binding force is due to its unilateral act's characteristic (Skubiszewski 1991:229).

4-Forfeiture (waiver)

Waiver is a practice which due to its function the state relinquishes its own rights and as far as this is accredited it would be irreversible. Forfeiture or waive liability from a land or other cases has a great extent (Ibid). Relinquishment from the rights may be explicitly stated; also it can be by a direct conduct between two states or within the area of international competent organizations. The issue of forfeiture may be as a rule or obligatory law. A particular type of identification will be accomplished if it proceeds by admittance of next party claims and rights (Icj Reports 1949:156-60).

5- Declaration or statement:

Declaration is a mean that a country or other international law proponents express their own wish, intent or ideas about the international relations by it (Karl 1984:67). In other words, the declaration is a tool that a country announces its policy toward a certain issue. A look at the states' policy, there are numerous unilateral declarations including, Ihlen declaration, the Norwegian foreign minister about Danish sovereignty on eastern Greenland, which the Court has stipulated its refusal to protest Danish sovereignty, (Pcij1933:71-73) declaration on April 24, 1957 Egypt on Suez Canal, France's Nuclear Testing case (1974) (Icj 1974:267-68) it is being proved that court has recognized their binding nature. Sometimes it is debatable whether if a statement lead to a commitment or treaty obligation or not. This point has been raised about Ihlen and Egypt declarations (Skubiszewski 1991:229). Usually, the declarations are made in written form, but no matter if it would be verbally which has the legality of written document (i.e. Ihlen declaration). Declaration may be issued by several states in an international conference through a joint statement which in this case it is called collectivity.

6- Collective acts:

If some countries are the agents of single interest and make a joint decision, their agreement is not being considered as treaty, but it is assumed to be collectivity act, because they all step toward the expedient of a common object. Here, the plurality decision and unity is to be considered. Collectivity actions towards those who are the members of declaration will be a contract act, but subject to the terms of international law as a unilateral act. In other words, it is an agreement where these acts are related to the bilateral relationship between the parties and where it is opposed to the third states it would be unilateral act. For instance, we can refer to the Allied declaration of war issued in 1945 (about Germany) and the declarations of state members of European

Economic Community about the Middle East situation on 12, June, 1980 (Virally 1983:194). Today, collective acts have got more significance due to the growth of international entities.

7- Notice or announcement:

It is a practice in which a state formally acknowledges the other state, states or international organization about a fact, condition, practice or any document, e.g. territorial sea notice. The object of notice is to formally notify the respondent about its concepts. The respondent after receiving the notice cannot invoke to its own negligence about what has been conveyed. For instance, Austria Constitutional law has declared its neutrality with all the states which had diplomatic affairs on 26, October, 1955. Some of them expressly recognized Austria's situation as a permanent neutral country. In some cases, treaties or public law reinforce the notification duty, as imposed about the war rights according to Third Hague Convention of 1907, about belligerent countries to neutral states in case of war and naval blockade, unless their awareness had been proved about the prevalence and incidence of war. In other cases, for being an effective action, the announcement is inevitable, for example in the laws of treaties there are various procedures about the government consent to oblige in case of a treaty to be made toward a party or parties or trustee till the legal effects (ratification, admittance, reservation, suspension and etc.) (Skubiszewski 1991:225). To be stipulated. However, unilateral acts of states have a wide and endless variety range. National legislation of states, diplomatic statements, political correspondences, diplomatic instructions, cut the diplomatic ties, diplomatic expulsion, lectures (not only formal speeches, but also the speeches by representative members of international conferences) declaration of independence, occupation, incorporation and annexation, nationalization and naturalization are included in unilateral acts category. Anyway, here we are not seeking for representing a comprehensive directory of different unilateral acts, but these references may reveal how these acts affect the international stage.

Definition of unilateral act; Current definition (objective):

1. Prof-Jacques definition: a unilateral is an action in which an international law perpetrator complies to persuade a certain practice or trend (Fielder 1984:15).

2. Prof. Michelle Virally: a unilateral is an action which is issued just by one factor (Virally1983:194).

3. Ncuyen Quoc Dinh: a unilateral is an action which is functional to an international law perpetrator (Ncuyen1987:329).

4. Special Rapporteur of International Law Commission's definition: a unilateral is a firm and autonomous expression of one or more states' will against one or more other parties, the entire international community and or an international organization to produce legal obligations. As we delve into it, there is no precise and uniformly definition about unilateral acts and none of the definitions can be considered comprehensive. The endeavors in achieving a common definition due to the various and factional categories of unilateral acts have led to failure (Fielder 1984:517).

Subjective definition (theoretical):

In our concern "unilateral is a legal, one way action in producing legal affairs which take effects based on a state's will and intent, without any commitment to other countries except in cases which general International law have enacted and other countries have consented about it. Now regarding the concept and definition of unilateral acts, this question is arisen that whether countries' unilateral acts is one of the trends for making the legal rules? Is it possible that unilateral act as a new and independent source would be added to the provision number of Article 38 of International Court of Justice Statute? The answer to this question requires more precise consideration in various international realities and review of doctrine and international judicial procedures, particularly the International Court of Justice and its predecessor the Permanent Court of International Justice. It is obvious that according to Article 38 of Court's Statute one way of obtaining legal rules is the judicial procedures of Court. A reference which is the main judicial section of United Nation and its decisions as a legal statement is taken into consideration of global arena. The Court in several cases, particularly in the case of Nuclear Testing (1974) made the unilateral acts and stipulated and reinforced over its declarants.

Unilateral acts as a source of International Law

Each legal system has the resources in which it is originated and has been established and constructed according to them and is admitted by all scientists and law philosophers. International Law is also as one of the law branches which is not being excluded and have resources. Its source should be the one which construct legal rules. But the question arose here is what are the International law resources? In Article 38 of the International Court of Justice Statutes implies to international treaties, the custom and general

principles of law as the main source respectively, in which the Court is capable to resolve the international disputes and then the international judicial decision and international doctrine as the subordinate trends in obtaining the legal rules. At the beginning, it is assumed that the international law sources are specifically limited to the mentioned resources in Article 38 of Statute. But today many scholars have shown protest to this list and arguing that these sources are out of date and or are not capable to coordinate with the social realities and its necessities, because since 1920, when the Permanent Court of International Justice Statute was established, till now it has more dramatic developments which has truly changed the international relations in any aspects. If in past days, the political relationship dimension had a decisive role, today the economical dimension has become more important than political aspect which international policy has been a subordinate of these dimensions. On the other hand the international law resources undoubtedly are the created norms of permanent rules of international law and the direct factors in producing new rules and regulations and in this regard, it is getting the importance for newly established states which are seeking to change their relationships through the enacting of legal rules and regulations and it is certain that the traditional sources of international law are an old and useless tool in achieving these goals. Therefore the sources implied in Article 38 is not acceptable to all states especially third world countries and currently it has become a political case and the member states of international community have confronted with a new crisis. The restriction of legal rules to the sources of Article 38 is a political case and its objective has been to maintain the current situation and preventing the international law development. Third world countries are trying to find new resources. Therefore the unilateral act as a valuable resource in settling the international disputes have contributed them in evolving the international law but interestingly for the first time the International Court of Justice itself has objected this Article. This Article has defined custom and treaties as the most common sources in International Law. While treaties which have been issued as the result of the true will of states and in the case of their own national interest, often have a contradicted content with each other and make the special rules against the general principles and norms of International Law. Unless the legal treaties which are multilateral and in way of International Community's interest. Though treaties are the main source of international law, but incapable of settling the current disputes in the international modern community (Edward 1950:120). Custom which has been defined as the second source somehow its demonstration except in some cases is

difficult; the custom usually is contained through the performance of state department and political missions which are mainly political references (Ibid). Until past few decades, when the United Nations Charter and the International Court of Justice Statute were established, the mentioned sources in Article 38 especially with additional general principles could partly restore the lack of customary rule and agreement and the problem of legal vacuum in international law was less tangible. At present time considering the developments and its impact on developing and backward countries such as the problems derived from the technology progress in different fields, sea, space, environment and so on, as well as the related affairs to autonomy, international law have conceived the necessity of comprehensive rules in general level of countries more than ever. So the above conditions and the natural need of current progressive relationship to the legal rules automatically led to the advent of new and flexible trends in which can be adaptable to the transforming problems. As the result, the international law has reconciled with the current global changes which inevitably is not negligible with the new notions. However, the statistical references listed in Article 38 is not precise, because international organization's treaties and the head of it the United Nation Organization as well as the unilateral acts of states which can be a valuable sources are disregarded. Unilateral acts can be assessed by two points, first from the viewpoint of legal action which formulate the international custom and treaties that in this article we are not going to discuss about it and the other from the outlook of legal rules which is determined as the result of an independence will and can be a source of international law and attain validity regardless of custom and treaties.

Unilateral acts' independent method of rule making

It seems that unilateral acts not only have affected and developed other sources of international law but also can be as a tool or method in promulgating and amending the rules of international law, because a special situation will be occurred due to the unilateral acts which during the time and the negligible effect of international community bodies it takes a legal base. Like drawing the direct coastal line by Norway and the connection of advanced coastal areas and the lack of protest by Britain, eventually ratified and acceded a legal rule source. So these international law sources in spite of municipal law sources guarantee the general rules and conditions which (observance of general rules) have been unconditionally created. Hence it has to be noted that the source of international law is not consisted of customary and regulated rules, yet the unilateral acts

can be the source of law. Some lawyers argue that a new source for its legal effectiveness can be obtained only through the available resources, but if we accept this theory we have provided the entire cease of international law progress (Sluan 1987:103). Today we are approaching to a stage that unilateral acts are considered as a source of international law, and not as a method of implementing the common law and an applicable ring in the establishment process of other source of international law. The theory of judicial practice and process also recognizes the occurrence of this situation. There are 2 methods (judicial procedure and doctrine) in identifying and obtaining the mentioned legal rules in Article of 38 of International Court of Justice Statute. Thus the analysis of the doctrine and the Court's role and an appropriate and logical decision making is not only significant but also it may lead to the rule consolidation of international law and legal vacuum compensation through the channel of tribunal procedures. One of the most interpreted issues in the international law may refer to its legal vacuum; Court of Justice has explicitly admitted the legal vacuum in international law. North Sea Continental Shelf case in 1969, Judge Amon, besides his personal idea declared: the Court gradually has set aside the international law theory of integrity and tries to resolve its legal vacuums (Icj 1969:135). This can be vividly observed in Court's judicial procedures particularly in Nuclear Testing and Burkina Faso and Mali cases. Now we can come along with the advocates of intentional law and International Court of Justice. However, the authority of the mentioned advocate in resolving the legal vacuum in specific case does not simply reinforce the legalization that the authorities are in lack of required qualification. Court in many its ratification, including its vote about France Nuclear Testing has addressed to this issue and considered the unilateral acts as a source of international law and subsequently appointed the issuer of this act to its commitment (Icj2006:46). Prior to the issue of France Nuclear Testing, unilateral acts have been effective in formulation and development of Public International Law through the unilateral measures and legal treaties, but unilateral acts as an independent and commitment source engaged the attraction after the Nuclear Testing Case. Sometimes communist writers have claimed that treaties are the main source of international rules and regulations and unilateral measures cannot impose legal reinforcement and consequently being considered as a source of international law (Verzijl1973:107). This is merely a fallacy. Undoubtedly unilateral acts which are imposed to obligation may have this effect and its derived binding force and legal rules in many settlements have been issued by the international

tribunals (Ibid). Prof Virally says: unilateral acts occupy a minute role in traditional theory of international law resources. These measures have been ignored in Article 38 of Court's Statute, because firstly, as far as the impossible removal of bilateral treaties from the sources of international law which enact in an objective and personal condition, therefore it seems to be illogical to deal with unilateral acts in a different way. Secondly, there are unilateral acts more than before which has general and public value. (Declarations of Egypt 1957, about the case of maritime in Suez Canal), thirdly the disobedience is impossible due to the governments' policy in unilateral measures especially in case of collective declarations (Virally1983:195). Prof." Skubiszewski" believes that although the topic of unilateral acts belongs to a larger section called as international law sources, but these acts would not constitute any source of rights (Skubiszewski1991:220). But this author reminds that (including Prof. Boss) there are other authors who record unilateral acts among the sources of international law. The yearbook of International Court of Justice in 1976 which was published and titled as International Court of Justice, has enumerated the unilateral acts as the source of International law (Starke1984:31). Also Man-Plank in his book titled Word Court Digest has assumed the unilateral acts as the source of international law (Pland1986-1990:24). Civil Law and western European countries sometimes have described the unilateral acts of countries as the source of International Law. But since these acts have been so disparate and heterogeneous so it is difficult to generalize them as being the resource (Verzijl1973:105-6) for example in many circumstances, protests, waiver, consent by implied silence, are merely steps in formulation of customary rule or law. So when a notification has the legal authority in which there would have been a customary international law, but the rejection of other conditions of unilateral acts would be legal or at least have the legal obligations. Sometimes a state may commit an obligation through the commitment or waiver. Such acts are treaty alike from the viewpoint of results and probably have the same treaties' hierarchical value (BYIL1987:280-81). Eric Siu writes: "the interval of two expressed will of treaty should not be interpreted that this entity is composed of two independent unilateral acts" (Suy1962:30). It seems the alleged means the reliance on unilateral acts as the sole commitment and requirement source. Therefore this result is obtained by the exploration and revision of doctrine that unilateral acts is significant source of commitment in International law, and we would have chosen a wrong way, if we allocate the sources of international law just in the resources of Article 38 of International Court of Justice Statute. The Special

Rapporteur of International Law Commission also believes that the mentioned sources in Article 38 are not limitative, because states' unilateral actions and International Bodies have been disregarded (UN Doc A/cn.4/486:66-67). So it would be a purposeless sense if we say that unilateral acts are originally validated and have an independent characteristic than other legal actions.

Conclusion

International law has been flexible and dynamic against the technical, economical and political developments and the process of legal rules' foundation and establishment have lost its classic facet. In classic international law, the traditional sources of international law have been into consideration for obtaining the legal rules, but today by the progress and development of International Law, the role of Third World Countries, have initiated the formulation of new legal rules which in this regard the legal rules have been emerged from unilateral acts. Though the presence of these acts has not been mentioned in Article 38 of International Court of Justice Statute, but it is obvious and indisputable that these actions can produce the rules and regulation effects. In comparison to the past, the role of states' policy in consolidation of legal rules due to the unilateral acts has been moderated. Today the presented votes from International tribunals and doctrine put the positive significance over unilateral acts. The adjudication of International Court of Justice about France Nuclear Testing case in 1974 which is considered as a turning point in Court's judicial settlements for obtaining the legal rules due to the unilateral acts of states, these actions can be regarded as a template which includes the theme and content of legal rules. Undoubtedly, the Court for accomplishment and development of international law and regulations has achieved great steps towards the crystallization of fundamental and principal values. In total, the acknowledgment of this issue whether the unilateral acts are as the trends for rules establishment and or we can admit them as a new and independent source we should state that there have been various theories in response to this question. Some have distinguished the unilateral acts as the origin of rules and regulations and the other considered it as an integral and independent source of international legal rules. In other words, the unilateral acts have been into consideration as a secondary source in establishment of international conventions and treaties or in the form of autonomous legal regulations which are originally validated and the practice of International Court of Justice will confirm this theory. But overall, it can be concluded that the unilateral

legal acts which have been issued to establish a commitment, produces the legal effect for their issuers and stipulate the international commitments, but it doesn't make any commitment for the other states unless the mentioned states have expressed prior or next their consent or take the responsibility by any agreement or rules and the unilateral actor has acted within the frame of international law or as international consensus.

Corresponding Author:

Dr. Hosein Miri

Doctoral student and director of Payam Noor University Library, Iran

E-mail: h.miri1389@yahoo.co.uk

References

1. Achurest, (M.), A modern Introduction to International law, London Unwin Hayman, 1988.
2. Brierly, (j.l), "The law of nations" oxford, clarendon press, 1963.
3. Official reports of General assembly. fifty-first session, supplement no.10(A/51/10), para,120 and pp.328-329).
4. K.Zemanek, General course on public international law, collected cours, Hague academy of in law, 1997, vol.266, para.382.
5. Plank, (M.), "word court digest". springer – verlag, 1986-1990, v.1.
6. Schwarzenberger, (G.)," international law "london, v2, 1957.
7. Starke, (J.G)," introduction to international law" London-butter-worth, 1984.
8. Verzijl (T.H.W), "international law in historical perspective" nejhof-leiden, 1973.
9. Reisman micheal, Unilateral acts and transformation of the world constitutive process: The special problem of humanitarian intervention, EJIL. vol.1, no.1,2000, p.3.
10. B.Y.I.L.1987.
11. Carl (A.F), "Declaration" in Bernhardt", Encyclopedia in public international law, instament 7. 1984.
12. Edvard, (H.) "The jurisdiction of international court of justice" R.C.A.D.I,v,79,1950.
13. Fiedler, (W.), "unilateral acts in international law" in Bernhardt Encyclopedia in public international law, instalment 7.1984.
14. Karl. (w.), "protest" in Bernhardt, Encyclopedia in public international law, Instalment 9, 1984.
15. Skubiszewski, (K.),"Unilateral acts of states" in Bedjaoui, international law; Achievements and

- prospects" unesco and Martinus Nijhoff publishers, 1991.
16. Sluan, (B.), "General Assembly resolutions" B.Y.I.L, 1987.
 17. Peij, ser. A/B, 1933. (Legal status of Eastern Greenland case).
 18. ICJ, Reports, 1949.
 19. ICJ, Reports, 1956.
 20. ICJ, Reports, 1962.
 21. ICJ, Reports, 1969.
 22. ICJ, Reports, 1974. (Nuclear test case (merits)).
 23. ICJ, Reports, 2006. (The armed activities on the territory of Congo v Rwanda).
 24. Nucu Yen quoc dinh, "Droid International public" Paris, 1987.
 25. Pierre-marie Dupuy, cour Generale de droit in public, 2002, vol.297, p.147.
 26. Suy, (E.), "Les acts Juridiques unilateraux en droit International public" paris, L.G.D.J, 1962.
 27. Venturini, "La portee et les effets juridique des attitudes acts unilateraux des etats" R.C.A.D.I, II, tome 112, 1964.
 28. Virally, (M.), "panorma du droit International contemporain" R.C.D.I,V,1983.

3/25/2017