

Glossary

- Act of State** Foreign government conduct not susceptible to legal proceedings
- Anticipatory self-defence** Self-defence in anticipation of another attack
- Armed attack** High-intensity military force against a State
- Armed conflict** Protracted inter-State armed violence or between States and non-States
- Baselines** Points from which to measure the seaward breadth of maritime zones
- Collective security** Authorization of armed force by the UN Security Council
- Constitutive recognition** Recognition as necessary criterion for statehood
- Cultural relativism** The idea that rights are validated by cultural criteria
- Custom** The convergence of State practice and the conviction that it corresponds to an obligation (*opinio juris*)
- Declaratory recognition** Recognition simply serves to declare the fact of statehood
- Derogation** Suspension of non-fundamental rights on account of public emergency
- Doctrine of transformation** The two-step process of domesticating a treaty
- Dualism** International and domestic law are distinct legal orders
- Effects doctrine** Exercise of territorial jurisdiction because effects of conduct were felt there
- Exclusive economic zone (EEZ)** Maritime zone up to 200 nautical miles seaward from baseline
- Expansive school** Armed attack definition exists also in pre-UN Charter law
- Expropriation** Nationalization of property of foreign nationals
- Extradition** The surrender of a suspect by one country to another to stand trial
- Flag State** The State wherein a ship is registered. This possesses jurisdiction for crimes committed by the ship
- Humanitarian intervention** Military force by international community on humanitarian grounds
- Immunity** Procedural bar to the ordinary jurisdiction of foreign courts
- Immunity from enforcement** Judgments cannot be executed against property of States
- Immunity *ratione materiae*** Afforded on the basis of public nature of conduct (functional)
- Immunity *ratione personae*** Afforded on the basis of person's status (personal)
- Implied powers** Powers conferred indirectly from an entity's constitutive instrument
- Incorporation doctrine** International law becomes domestic law upon ratification
- Indivisibility** The idea that human rights are inseparable
- Internal waters** All water masses landward from baselines (ie rivers, lakes, deltas)
- International organizations** Entities set up by States and endowed with distinct legal personality
- Internationally wrongful act** A violation of an international obligation by a State
- Jure gestionis*** Private conduct of governments
- Jure imperii*** Public government conduct
- Jurisdiction** The power of States to enforce their laws over persons and property
- Jurisdiction, territorial** Exercise of authority in own territory
- Jurisdiction, universal** Exercise of authority irrespective of location in respect of certain crimes
- Jus cogens*** Peremptory (highest in hierarchy) rules of international law
- Justiciability** That a particular entitlement is susceptible to enforcement proceedings
- Legality** That which is lawful under international law
- Legitimacy** That which receives universal approval even if outside the ambit of law

Glossary

- Locus standi** The right (or standing) to bring a suit or claim
- Margin of appreciation** Authority of States to define social and cultural parameters of certain rights
- Minimum core obligations** Minimum level of socio-economic rights obligations
- Monism** International and domestic law are part of the same legal order
- Non-interference** Interference in the domestic affairs of other States
- Non-State entities** Entities that are not States, such as terrorists, guerrillas, and multinational corporations
- Occupation** Effective control over territory
- Persona non grata** Non-welcome person
- Personality** Possessing rights and duties and a capacity to enforce them under international law
- Ponsonby rule** Treaties are ratified by the Queen following consideration by Parliament
- Pre-emptive self-defence** Self-defence without being attacked first
- Progressive realization** The idea that some rights are not immediately applicable
- Proportionality** Response to conduct in proportion to that conduct
- Recognition** Official acknowledgement of an entity's statehood
- Reprisal** Unlawful response to prior unlawful conduct
- Reservation** Unilateral statement that modifies or excludes treaty provisions for signatory
- Restrictive school** Armed attack definition is that found in UN Charter
- Secession** The break-up of a country into two or more new nations
- Self-defence** Right of States to respond militarily to an armed attack
- Self-defence, anticipatory** Use of force in anticipation of imminent armed attack
- Self-defence, pre-emptive** Use of force to avert possible armed attack
- Self-determination** Right of peoples to determine their collective status
- Soft law** Non-binding but highly authoritative rules
- Sovereignty** The authority of States to determine their affairs without intervention
- Sovereign states** Independent States
- Standard-setting** The idea of establishing non-binding but authoritative rules
- State immunity** Right not to be sued before foreign courts
- Statehood** Achieving the criteria for becoming a State
- Territorial jurisdiction** The authority of the territorial State
- Territorial sea** Maritime zone up to 12 nautical miles seaward from baseline
- Transformation doctrine** International law becomes domestic law by a subsequent statute
- Treaties, self-executing** Those elaborate enough to be applied without implementing laws
- Ultra vires** Exceeding one's vested powers
- Unilateral act** Conduct undertaken by one State acting alone which produces legal effects
- Universal jurisdiction** The authority of all states over certain crimes
- Universalism** The idea that rights apply equally to everyone irrespective of culture
- Use of force** Military force by one State against another
- Uti possidetis juris** The drawing of borders based on colonial boundaries