

OPPENHEIM'S INTERNATIONAL LAW

NINTH EDITION

Volume 1

PEACE

PARTS 2 TO 4

Edited by

SIR ROBERT JENNINGS QC

and

SIR ARTHUR WATTS KCMG QC

OPPENHEIM'S INTERNATIONAL LAW

Volume 1, Peace (ninth edition)

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Chapter 9: Heads of States, and Foreign Offices

Chapter 10: Diplomatic envoys

Chapter 11: Consuls

Chapter 12: Miscellaneous agencies

Part 4: International transactions

Chapter 13: On international transactions in general

Chapter 14: Treaties

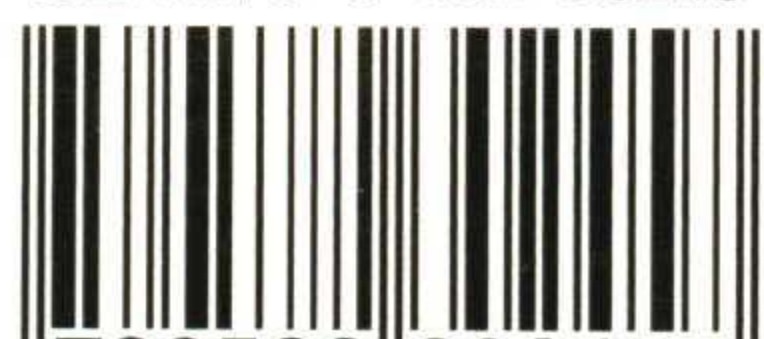
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Volume I

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SIR ROBERT JENNINGS QC

President of the International Court of justice;

Sometime Whewell Professor of International Law in the University of Cambridge;

Hon. Bencher of Lincoln's Inn; Former President, Institute of International Law

and

SIR ARTHUR WATTS KCMG QC

Sometime Legal Adviser to the Foreign and Commonwealth Office; of Gray's Inn,

Barrister-at-Law; Associate Member, Institute of International Law

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Abbreviations

The books referred to in the bibliography and notes are, as a rule, quoted with their full titles and the date of their publication. But certain books and periodicals which are often referred to throughout this work are quoted in an abbreviated form. The list omits abbreviations of national law reports.

- Accioly** Accioly, *Tratado de direito internacional público*, 3 vols (1933–35)
- AD** Annual Digest and Reports of Public International Law Cases: vols 1 and 2, covering the years 1919–24, edited by Sir John Fischer Williams and H Lauterpacht; vols 3 and 4, covering 1925–28, edited by A D McNair and H Lauterpacht; vols 5–15, covering 1929–48, edited by H Lauterpacht. Thereafter see ILR
- AFDI** *Annuaire français de droit international*
- AJ** *American Journal of International Law*
- Ann Suisse** *Annuaire Suisse de droit international*
- Annuaire** *Annuaire de l'Institut de Droit International*
- Anzilotti** Anzilotti, *Corso di diritto internazionale*, vol 1, 3rd ed (1928) (Fr trans by Gidel, 1929); vol 3, pt 1 (1915)
- AS Proceedings** *Proceedings of the American Society of International Law*
- Aust YBIL** *Australian Year Book of International Law*
- Balladore Pallieri** Balladore Pallieri, *Diritto internazionale pubblico* (1937)
- Baty** Baty, *The Canons of International Law* (1930)
- BFSP** *British and Foreign State Papers* (Hertslet), vol 1 (for 1812–14), continued up to vol 170 (for 1968)
- Bibliotheca Visseriana** *Bibliotheca Visseriana Dissertationum Jus Internationale Illustrantium*
- Bittner** Bittner, *Die Lehre von völkerrechtlichen Urkunden* (1924)
- Bluntschli** Bluntschli, *Das moderne Völkerrecht der civilisirten Staaten als Rechtsbuch dargestellt*, 3rd ed (1878)
- Borchard** Borchard, *The Diplomatic Protection of Citizens Abroad* (1915)
- BPIL** E Lauterpacht, *British Practice in International Law*, pts for 1963–67
- Brierly** Brierly, *The Law of Nations*, 6th ed (1963)
- Bustamante** Bustamante, *Derecho internacional público*, 3 vols (1933–35)
- BY** *British Year Book of International Law*
- Calvo** Calvo, *Le Droit international théorique et pratique*, 5th ed, 6 vols (1896)
- Can YBIL** *Canadian Year Book of International Law*
- Cavaglieri** Cavaglieri, *Lezioni di diritto internazionale* (general part, 1925)
- CILJSA** *Comparative and International Law Journal of Southern Africa*
- CL** *Current Law*
- CLJ** *Cambridge Law Journal*
- Clunet** *Journal du droit international*
- CML Rev** *Common Market Law Review*
- Colombos** Colombos, *The International Law of the Sea*, 6th ed (1967)
- Cruchaga** Cruchaga-Tocornal, *Nociones de derecho internacional*, 3rd ed, 2 vols (1923–25)
- Dicey and Morris** Dicey and Morris, *Conflict of Laws*, 11th ed (1987)

- Dickinson, Cases** *Dickinson, Cases and Other Materials on International Law* (1950)
Documents *Documents on International Affairs*
DS Bull *Department of State Bulletin*
- ECTS** *United Kingdom European Community Treaty Series*, vol 1 (1974), and annual volumes subsequently
- Europ YB** *European Year Book*
- Fauchille** Fauchille, *Traité de droit international public*, 8th ed of Bonfils' *Manuel de droit international public*, vol 1, pt 1 (1922); vol 1, pt 2 (1925); vol 1, pt 3 (1926); vol 2 (1921)
- Fenwick** Fenwick, *International Law*, 3rd ed (1948)
- Fiore** Fiore, *Nouveau droit international public* (Fr trans by Antoine from 2nd Italian ed), 3 vols (1885)
- Fiore, Code** Fiore, *International Law Codified* (Eng trans by Borchard from 5th Italian ed) (1918)
- Fischer Williams, Chapters** Fischer Williams, *Chapters on Current International Law and the League of Nations* (1929)
- Fontes Juris Gentium** *Fontes Juris Gentium*. Series A: successive vols published periodically from 1931 digesting decisions of the PCIJ, ICJ, and the Permanent Court of Arbitration (pt 1), and decisions of German courts relating to public international law (pt 2)
- Ga JIL** *Georgia Journal of International Law*
- Ga JI & CL** *Georgia Journal of International and Comparative Law*
- Ga Law Rev** *Georgia Law Review*
- Garner, Developments** Garner, *Recent Developments in International Law* (1925)
- Gemma** Gemma, *Appunti di diritto internazionale* (1923)
- Genet** Genet, *Traité de diplomatie et de droit diplomatique*, 3 vols (1931–32)
- Geo LJ** *Georgetown Law Journal*
- Germ YBIL** *German Year Book of International Law*
- Gidel** Gidel, *Le Droit international public de la mer, le temps de paix*: vol 1. *Introduction – La Haute mer* (1932); vol 2. *Les eaux intérieures* (1932); vol 3. *La Mer territoriale et la zone contiguë* (1934)
- Grotius** Grotius, *De Jure Belli ac Pacis* (1625)
- Grotius Annuaire** *Grotius Annuaire International*
- Grotius Society** *Transactions of the Grotius Society*
- Guggenheim** Guggenheim, *Lehrbuch des Völkerrechts*, pts 1 and 2 (1947)
- Hackworth** Hackworth, *Digest of International Law*, 7 vols (1940–43)
- Hag R** *Recueil des cours, Académie de Droit International de La Haye*
- Hague YBIL** *Hague Year Book of International Law*
- Hall** Hall, *A Treatise on International Law*, 8th ed (1924) by A Pearce Higgins
- Harv ILJ** *Harvard International Law Journal*
- Harv Research** *Research in International Law*. Under the auspices of the Harvard Law School. Draft conventions prepared for the codification of international law. Directed by M O Hudson: (1929) 1. *Nationality* (Reporter: Flournoy); 2. *Responsibility of States* (Borchard); 3. *Territorial Waters* (G G Wilson); (1932) 1. *Diplomatic Privileges and Immunities* (Reeves); 2. *Legal Position and Functions of Consuls* (Quincy Wright); 3. *Competence of Courts in regard to Foreign States* (Jessup); 4. *Piracy* (Bingham); 5. *A Collection of Piracy Laws of Various Countries* (Morrison); (1935) 1. *Extradition* (Burdick); 2. *Jurisdiction with respect to Crime* (Dickinson); 3. *Treaties* (Garner)
- Heffter** Heffter, *Das europäische Völkerrecht der Gegenwart*, 8th ed by Geffcken (1888)
- Heilborn, System** Heilborn, *Das System des Völkerrechts entwickelt aus den völkerrechtlichen Begriffen* (1896)

- Hertslet's Commercial Treaties** Hertslet, *Collection of Treaties and Conventions between Great Britain and Other Powers, so far as they relate to Commerce and Navigation*, 31 vols (1820–1925) (reprinted in 10 vols, 1970)
- HLR** *Harvard Law Review*
- Holland, Lectures** Holland, *Lectures on International Law*, eds T A and W L Walker (1933)
- Holland, Studies** Holland, *Studies in International Law* (1898)
- Holtzendorff** Holtzendorff, *Handbuch des Völkerrechts*, 4 vols (1885–89)
- Hudson Cases** Hudson, *Cases and Other Materials on International Law*, 3rd ed (1951)
- Hudson, Legislation** Hudson, *International Legislation*, vols 1–9 (1931–50)
- Hyde** Hyde, *International Law, chiefly as interpreted and applied by the United States*, 2nd ed, 3 vols (1947)
- IBS** International Boundary Service
- ICLQ** *International and Comparative Law Quarterly*
- ILM** *International Legal Materials*
- ILQ** *International Law Quarterly*, 4 vols, 1947–51
- ILR** International Law Reports (in continuation of AD), vols 16–23 (ed H Lauterpacht) covering 1949 to 1956; vol 24 (eds H and E Lauterpacht) for 1957; vols 25 and 26 (ed E Lauterpacht) for 1958; vols 27–81 (ed E Lauterpacht); vols 82 onwards (eds E Lauterpacht and Greenwood)
- Indian JIL** *Indian Journal of International Law*
- Int Stud** *International Studies*
- Israel YBHR** *Israel Year Book on Human Rights*
- Ital YBIL** *Italian Year Book of International Law*
- JCL** *Journal of Comparative Legislation and International Law*
- JYBIL** *Jewish Year Book of International Law*
- Keith's Wheaton** Wheaton's *Elements of International Law*, 6th Eng ed by A Berriedale Keith, vol 1 (1929); vol 2, 7th ed (1944)
- Kiss, Répertoire** Kiss, *Répertoire de la Pratique française en matière de droit international public*, 7 vols (1962–72)
- Lapradelle-Politis** Lapradelle-Politis, *Recueil des arbitrages internationaux*, vol 1 (1905); vol 2 (1924)
- H Lauterpacht, Analogies** H Lauterpacht, *Private Law Sources and Analogies of International Law* (1927)
- H Lauterpacht, The Function of Law** H Lauterpacht, *The Function of Law in the International Community* (1933)
- Lawrence** Lawrence, *The Principles of International Law*, 7th ed, revised by P H Winfield (1923)
- Lindley** Lindley, *The Acquisition and Government of Backward Territory in International Law* (1926)
- Liszt** Liszt, *Das Völkerrecht*, 12th ed by Fleischmann (1925)
- LNTS** *League of Nations Treaty Series*. Publication of Treaties and International Engagements registered with the Secretariat of the League of Nations
- Lorimer** Lorimer, *The Institutes of International Law*, 2 vols (1883–84)
- LOS Convention** United Nations Convention on the Law of the Sea 1982
- De Louter** De Louter, *Le Droit international public positif* (Fr trans from Dutch original), 2 vols (1920)
- LQR** *Law Quarterly Review*
- McNair, Opinions** McNair, *International Law Opinions*, 3 vols (1956)
- McNair, Treaties** McNair, *Law of Treaties* (1961)
- Maine** Maine, *International Law*, 2nd ed (1894)
- Martens** Martens, *Völkerrecht* (Germ trans from Russian original), 2 vols (1883–86)
- Martens, Causes célèbres** Martens, *Causes célèbres du droit des gens*, 2nd ed, 5 vols (1858–61)
- Martens, G F** G F Martens, *Précis du droit des gens moderne de l'Europe*, new ed by Vergé, 2 vols (1858)

- Martens, R, Martens, N R, Martens, N S, Martens, N R G, Martens, N R G, 2nd series, Martens, N R G, 3rd series** These are the abbreviated quotations of the different parts of Martens, *Recueil de Traités*, which are in common use
- Mérignhac** Mérignhac, *Traité de droit public international*, vol 1 (1905); vol 2 (1907); vol 3 (1912)
- MLR** *Modern Law Review*
- Möller** Möller, *International Law in Peace and War* (Eng trans from Danish), vol 1 (1931); vol 2 (1935)
- Moore** Moore, *A Digest of International Law*, 8 vols (1906)
- Moore, International Arbitrations** Moore, *History and Digest of the International Arbitrations to which the United States has been a Party*, 6 vols (1898)
- Nat Res Lawyer** *Natural Resources Lawyer*
- Neth IL Rev** *Netherlands International Law Review*
- Neth YBIL** *Netherlands Year Book of International Law*
- Nordisk TA** *Nordisk Tidskrift for International Ret. Acta Scandinavica juris gentium*
- Nys** Nys, *Le Droit international*, 2nd ed, 3 vols (1912)
- NYULQR** *New York University Law Quarterly Review*
- NYULR** *New York University Law Review*
- Ocean Dev & IL** *Ocean Development and International Law*
- Off J** *Official Journal of the League of Nations*
- OJ** *Official Journal of the European Community*
- ÖJZ** *Österreichische Juristen Zeitung*
- ÖZöR** *Österreichische Zeitschrift für öffentliches Recht*
- Parry, BDIL** Parry, *British Digest of International Law*, vol 2b (1967); vols 5–8 (1965)
- Parry, Nationality and Citizenship** Parry, *Nationality and Citizenship Laws of the Commonwealth and Republic of Ireland* (1957), and vol 2 (1960)
- PCIJ** Publications of the Permanent Court of International Justice:
 Series A Judgments
 B Advisory opinions
 A/B Cumulative collection of judgments and advisory opinions given since 1931
 C Acts and documents relating to judgments and advisory opinions
 D Collection of texts governing the jurisdiction of the court
 E Annual reports
- Perels** Perels, *Das internationale öffentliche Seerecht de Gegenwart*, 2nd ed (1903)
- Phillimore** Phillimore, *Commentaries upon International Law*, 3rd ed, 4 vols (1879–88)
- Praag** Praag, *Jurisdiction et droit international public* (1915)
- Praag, Supplément** Supplement to the above (1935)
- Pradier-Fodéré** Pradier-Fodéré, *Traité de droit international public*, 8 vols (1885–1906)
- Pufendorf** Pufendorf, *De Jure Naturae et Gentium* (1672)
- Ralston** Ralston, *The Law and Procedure of International Tribunals*, rev ed (1926); supplement (1936)
- Ray, Commentaire** Ray, *Commentaire du Pacte* (1930)
- Recueil TAM** *Recueil des décisions des tribunaux arbitraux mixtes*
- Reddie, Researches** Reddie, *Researches, Historical and Critical, in Maritime International Law*, 2 vols (1844)
- Répertoire** Lapradelle et Niboyet, *Répertoire de droit international*. Founded by Darras in 1929
- Restatement (Third)** American Law Institute, *Restatement of the Law: the Foreign Relations of the United States*, 3rd ed, 2 vols (1987)
- Rev Belge** *Revue Belge de droit international*
- RG** *Revue générale de droit international public*
- RI** *Revue de droit international et de législation comparée*

- RIAA** *United Nations Reports of International Arbitral Awards*
RIF *Revue internationale française du droit des gens*
RI (Geneva) *Revue de droit international, de sciences diplomatiques, politiques et sociales*
RI (Paris) *Revue de droit international*
Rivier Rivier, *Principes du droit des gens*, 2 vols (1896)
Rivista *Rivista di diritto internazionale*
Rousseau Rousseau, *Principes généraux du droit international public*, vol 1 (1944). The same author's *Droit International Public*, 2nd ed, 5 vols (1970–83), is referred to in full where necessary
- Satow** Satow, *A Guide to Diplomatic Practice*, 5th ed by Gore-Booth (1979)
SAYBIL *South African Year Book of International Law*
Scand SL *Scandinavian Studies in Law*
Scelle Scelle, *Précis de droit des gens*, vol 1 (1932); vol 2 (1934)
Schücking und Wehberg Schücking und Wehberg, *Die Satzung des Völkerbundes*, 2nd ed (1924)
Schwarzenberger Schwarzenberger, *International Law as Applied by International Courts and Tribunals*, vol 1, 3rd ed (1957); vol 2 (1968); vol 3 (1976); vol 4 (1986)
Scott, Cases Scott, *Cases on International Law* (1922)
Sibert Sibert, *Traité de droit international public*, 2 vols (1951)
Sirey *Recueil général des lois et des arrêts* (founded by Sirey)
Smith Smith, *Great Britain and the Law of Nations, a Selection of Documents*, vol 1 (1932); vol 2 (1935)
Spiropoulos Spiropoulos, *Traité théorique et pratique de droit international public* (1933)
Stan JIS *Stanford Journal of International Studies*
Stowell Stowell, *International Law. A Restatement of Principles in Conformity with Actual Practice* (1931)
Strupp, Éléments Strupp, *Éléments du droit international public, universel, européen et américain*, 2nd ed, 3 vols (1930)
Strupp, Wört. *Wörterbuch des Völkerrechts und der Diplomatie* (ed Strupp, begun by Hatschek), 3 vols (1924–29)
Strupp-Schlochauer, Wört. *Wörterbuch des Völkerrechts*, 3 vols (1960–62)
Suarez Suarez, *Tratado de Derecho internacional público*, 2 vols (1916)
Syr JIL & Com *Syracuse Journal of International Law and Commerce*
- Temperley** Temperley, *History of the Peace Conference of Paris*, 6 vols (1920–24)
Testa Testa, *Le droit public international maritime* (Fr trans by Boutiron from Portuguese) (1886)
TIAS US Treaties and other International Acts
Toynbee, Survey Toynbee, *Survey of International Affairs*
Travers Travers, *Le droit pénal international*, 5 vols (1920–22)
TS *United Kingdom Treaty Series*, vol 1 (1892), and one or more volumes every year
Twiss Twiss, *The Law of Nations, etc*, 2 vols, 2nd ed, vol 1. *Peace* (1884); vol 2. *War* (1875)
- UK Contemporary Practice** E Lauterpacht, *Contemporary Practice of the United Kingdom in the Field of International Law*, pts for 1956–62
UKMIL United Kingdom Materials on International Law (in BY)
UN Juridical YB *United Nations Juridical Year Book*
UN Repertoire *Repertoire of the Practice of the Security Council 1946–1951* (1954), with Supplements for 1952–55, (1957) 1956–58 (1959), 1959–63 (1965), 1964–65 (1968), 1966–68 (1971), 1969–71 (1976), 1972–74 (1979) and 1975–80 (1987)
UNTS *United Nations Treaty Series*
UNYB *United Nations Year Book*
US Digest *Digest of United States Practice in International Law*, published in annual vols, 1973 onwards
UST US Treaties and other International Agreements
USTS US Treaty Series

Vattel Vattel, *Le Droit des gens*, 4 books in 2 vols, new ed (1773)
Verdross Verdross, *Die Verfassung der Völkerrechtsgemeinschaft* (1926)

Walker Walker, *A Manual of Public International Law* (1895)

Walker, History Walker, *A History of the Law of Nations*, vol 1 (1899)

Walker, Science Walker, *The Science of International Law* (1893)

Weis, Nationality and Statelessness Weis, *Nationality and Statelessness in International Law* (2nd ed, 1979)

Westlake Westlake, *International Law*, 2nd ed, 2 vols (1910–13)

Westlake, Chapters Westlake, *Chapters on the Principles of International Law* (1894)

Westlake, Papers *The Collected Papers of John Westlake on Public International Law* (ed L. Oppenheim) (1914)

Wharton Wharton, *A Digest of the International Law of the United States*, 3 vols (1886)

Wheaton Wheaton, *Elements of International Law*, 8th US ed by Dana (1866)

Whiteman, Digest Whiteman, *Digest of International Law*, 15 vols (1963–73)

Yale JIL *Yale Journal of International Law*

YBECHR *Year Book of the European Convention on Human Rights*

YBILC *Year Book of the International Law Commission*

ZI *Zeitschrift für internationales Recht*

ZLW *Zeitschrift für Luft und Weltraumrecht*

ZöR *Zeitschrift für öffentliches Recht*

ZöV *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht*

ZV *Zeitschrift für Völkerrecht*

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