

CAMBRIDGE STUDIES IN INTERNATIONAL AND COMPARATIVE LAW

Books in the series

The Threat of Force in International Law

NIKOLAS STÜRCHLER

Indigenous Rights in the United Nations Context

ALEXANDRA XANTHAKI

International Refugee Law and Socio-Economic Rights

MICHELLE FOSTER

The Protection of Cultural Property in Armed Conflict

ROGER O'KEEFE

Interpretation and Revision of International Boundary Decisions

KAIYAN KAIKOBAD

Multinationals and Corporate Social Responsibility*Limitations and Opportunities in International Law*

JENNIFER A. ZERK

Judiciaries within Europe*A Comparative Review*

JOHN BELL

Law in Times of Crisis*Emergency Powers in Theory and Practice*

OREN GROSS AND FIONNUALA NÍ AOLÁIN

Vessel-Source Marine Pollution*The Law and Politics of International Regulation*

ALAN TAN

Enforcing Obligations *Erga Omnes* in International Law

CHRISTIAN J. TAMS

Non-Governmental Organisations in International Law

ANNA-KARIN LINDBLOM

Democracy, Minorities and International Law

STEVEN WHEATLEY

Prosecuting International Crimes*Selectivity and the International Law Regime*

ROBERT CRYER

Compensation for Personal Injury in English, German and Italian Law*A Comparative Outline*

BASIL MARKESINIS, MICHAEL COESTER, GUIDO ALPA AND AUGUSTUS ULLSTEIN

Dispute Settlement in the UN Convention on the Law of the Sea

NATALIE KLEIN

The International Protection of Internally Displaced Persons

CATHERINE PHUONG

Imperialism, Sovereignty and the Making of International Law

ANTONY ANGHIE

Necessity, Proportionality and the Use of Force by States

JUDITH GARDAM

International Legal Argument in the Permanent Court of International Justice

The Rise of the International Judiciary

OLE SPIERMANN

Great Powers and Outlaw States

Unequal Sovereigns in the International Legal Order

GERRY SIMPSON

Local Remedies in International Law

C. F. AMERASINGHE

Reading Humanitarian Intervention

Human Rights and the Use of Force in International Law

ANNE ORFORD

Conflict of Norms in Public International Law

How WTO Law Relates to Other Rules of Law

JOOST PAUWELYN

Transboundary Damage in International Law

HANQIN XUE

European Criminal Procedures

EDITED BY MIREILLE DELMAS-MARTY AND JOHN SPENCER

The Accountability of Armed Opposition Groups in International Law

LIESBETH ZEGVELD

Sharing Transboundary Resources

International Law and Optimal Resource Use

EYAL BENVENISTI

International Human Rights and Humanitarian Law

RENÉ PROVOST

Remedies Against International Organisations

KAREL WELLENS

Diversity and Self-Determination in International Law

KAREN KNOP

The Law of Internal Armed Conflict

LINDSAY MOIR

International Commercial Arbitration and African States
Practice, Participation and Institutional Development
AMAZU A. ASOUZU

The Enforceability of Promises in European Contract Law
JAMES GORDLEY

International Law in Antiquity
DAVID J. BEDERMAN

Money Laundering
A New International Law Enforcement Model
GUY STESENS

Good Faith in European Contract Law
REINHARD ZIMMERMANN AND SIMON WHITTAKER

On Civil Procedure
J. A. JOLOWICZ

Trusts
A Comparative Study
MAURIZIO LUPOI

The Right to Property in Commonwealth Constitutions
TOM ALLEN

International Organizations Before National Courts
AUGUST REINISCH

The Changing International Law of High Seas Fisheries
FRANCISCO ORREGO VICUÑA

Trade and the Environment
A Comparative Study of EC and US Law
DAMIEN GERADIN

Unjust Enrichment
A Study of Private Law and Public Values
HANOCH DAGAN

Religious Liberty and International Law in Europe
MALCOLM D. EVANS

Ethics and Authority in International Law
ALFRED P. RUBIN

Sovereignty Over Natural Resources
Balancing Rights and Duties
NICO SCHRIJVER

The Polar Regions and the Development of International Law
DONALD R. ROTHWELL

Cambridge University Press & Assessment
978-0-521-87388-8 – The Threat of Force in International Law
Nikolas Stürchler
Frontmatter
[More Information](#)

Fragmentation and the International Relations of Micro-States
Self-determination and Statehood

JORRI DUURSMAN

Principles of the Institutional Law of International Organizations

C. F. AMERASINGHE

THE THREAT OF FORCE IN INTERNATIONAL LAW

Threats of force are a common feature of international politics, advocated by some as an economical guarantee against the outbreak of war and condemned by others as a recipe for war. Article 2(4) of the United Nations Charter forbids states to use threats of force, yet the meaning of the prohibition is unclear. This book provides the first comprehensive appraisal of the no-threat principle: its origin, underlying rationale, theoretical implications, relevant jurisprudence, and how it has withstood the test of time from 1945 to the present. Based on a systematic evaluation of state and United Nations practices, the book identifies what constitutes a threat of force and when its use is justified under the United Nations Charter. In so doing, it relates the no-threat principle to important concepts of the twentieth century, such as deterrence, escalation, crisis management, and what has been aptly described as the ‘diplomacy of violence’.

Nikolas Stürchler is a senior research fellow at the World Trade Institute, and a visiting lecturer in international and constitutional law at the University of Basel.

CAMBRIDGE STUDIES IN INTERNATIONAL AND COMPARATIVE LAW

Established in 1946, this series produces high quality scholarship in the fields of public and private international law and comparative law. Although these are distinct legal sub-disciplines, developments since 1946 confirm their interrelation.

Comparative law is increasingly used as a tool in the making of law at national, regional and international levels. Private international law is now often affected by international conventions, and the issues faced by classical conflicts rules are frequently dealt with by substantive harmonisation of law under international auspices. Mixed international arbitrations, especially those involving state economic activity, raise mixed questions of public and private international law, while in many fields (such as the protection of human rights and democratic standards, investment guarantees and international criminal law) international and national systems interact. National constitutional arrangements relating to 'foreign affairs', and to the implementation of international norms, are a focus of attention.

The Board welcomes works of a theoretical or interdisciplinary character, and those focusing on the new approaches to international or comparative law or conflicts of law. Studies of particular institutions or problems are equally welcome, as are translations of the best work published in other languages.

- | | |
|---------------------------|--|
| <i>General editors</i> | James Crawford SC FBA
<i>Whewell Professor of International Law, Faculty of Law, and
 Director, Lauterpacht Research Centre for International Law,
 University of Cambridge</i>
John S. Bell FBA
<i>Professor of Law, Faculty of Law, University of Cambridge</i> |
| <i>Editorial board</i> | Professor Hilary Charlesworth <i>Australian National University</i>
Professor Lori Damrosch <i>Columbia University Law School</i>
Professor John Dugard <i>Universiteit Leiden</i>
Professor Mary-Ann Glendon <i>Harvard Law School</i>
Professor Christopher Greenwood <i>London School of Economics</i>
Professor David Johnston <i>University of Edinburgh</i>
Professor Hein Kötz <i>Max-Planck-Institut, Hamburg</i>
Professor Donald McRae <i>University of Ottawa</i>
Professor Onuma Yasuaki <i>University of Tokyo</i>
Professor Reinhard Zimmermann <i>Universität Regensburg</i> |
| <i>Advisory committee</i> | Professor D. W. Bowett QC
Judge Rosalyn Higgins QC
Professor J. A. Jolowicz QC
Professor Sir Elihu Lauterpacht CBE QC
Professor Kurt Lipstein
Judge Stephen Schwebel |

A list of books in the series can be found at the end of this volume.

The Threat of Force in International Law

Nikolas Stürchler





CAMBRIDGE
UNIVERSITY PRESS

Shaftesbury Road, Cambridge CB2 8EA, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi – 110025, India

103 Penang Road, #05–06/07, Visioncrest Commercial, Singapore 238467

Cambridge University Press is part of Cambridge University Press & Assessment, a department of the University of Cambridge.

We share the University's mission to contribute to society through the pursuit of education, learning and research at the highest international levels of excellence.

www.cambridge.org

Information on this title: www.cambridge.org/9780521873888

© Nikolas Stürchler 2007

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press & Assessment.

First published 2007

First paperback edition published 2009

A catalogue record for this publication is available from the British Library

ISBN 978-0-521-87388-8 Hardback

ISBN 978-0-521-13361-6 Paperback

Cambridge University Press & Assessment has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

For as the nature of Foule weather, lyeth not in a showre or two of rain; but in an inclination thereto of many dayes together: So the nature of War, consisteth not in actual fighting; but in the known disposition thereto, during all the time there is no assurance to the contrary.

Thomas Hobbes, *Leviathan* part I, chapter 13, para. 62 (1651)

Neither side wanted war over Cuba, we agreed, but it was possible that either side could take a step that – for reasons of ‘security’ or ‘pride’ or ‘face’ – would require a response by the other side, which, in turn, for the same reasons of security, pride, or face, would bring about a counterresponse and eventually an escalation into armed conflict. That was what he wanted to avoid.

Robert F. Kennedy, *Thirteen Days* 49 (1968) (referring to his brother
John F. Kennedy)

I think the whole thing is good neighbors. If you don't have good neighbors, you can forget the whole thing.

Chuck Searle, Shasta County cattleman; from Robert C. Ellickson,
Order Without Law 1 (1991)

Contents

	<i>Foreword</i>	<i>page xi</i>
	<i>Preface</i>	<i>xiii</i>
	<i>List of abbreviations</i>	<i>xvii</i>
1	Birth and infancy of a Charter rule: the open framework	1
	Article 2(4)'s blind spot	1
	Traced attempts to regulate threats before 1919	7
	The League and interwar system	11
	The Charter's original conception of restraint	19
	The Nuremberg and Tokyo trials	25
	Post-Charter efforts dealing with the threat of force: defining aggression	28
	The drafter's broad intent	34
2	The menu of choice: a guide to interpretation	37
	From intent to content	37
	Proposition that threat and force are coupled	38
	Proposition that threat and force are uncoupled	43
	Proposition that article 2(4) joins in with article 2(3)	52
	Proposition that article 2(4) requires imminence	55
	Proposition that article 2(4) requires coercion	57
	Conclusions	61
3	Precedents of the International Court of Justice	65
	Scarcity of case law	65
	UK–Albania (Corfu Channel, 1949)	68
	USA–Nicaragua (paramilitary activities, 1986)	74

viii	CONTENTS	
	Nuclear Weapons Advisory Opinion (1996)	79
	Conclusions	90
4	Deciphering post-Charter practice: means and limits	92
	Expanding the search	92
	Legally relevant state practice	94
	The relationship between state practice and treaty	104
	The collection of state practice	109
	The sources of analysis	116
	The appraisal of state practice	119
	Chapter summary	125
5	Open threats to extract concessions	127
	A line drawn into the sand	127
	UK-Israel (Sinai incursion, 1948)	129
	USA-DPRK, PRC-USA (38th parallel, 1950)	131
	PRC-India (Sino-Indian border, 1965)	135
	Morocco-Spain, Algeria (Moroccan march, 1975)	137
	Uganda-Kenya (Idi Amin, 1976)	142
	Cyprus-Turkey (missile crisis, 1997-1998)	146
	NATO-Yugoslavia (Rambouillet, 1999)	150
	USA, UK-Iraq (regime change, 2002-2003)	157
	Conclusions	168
6	Demonstrations of force	172
	Deeds more than words	172
	USSR-Turkey (Turkish Straits, 1946)	174
	India-Portugal (Goa, 1961)	178
	USSR-Czechoslovakia (Prague Spring, 1968)	184
	Colombia-Nicaragua (San Andrés Islands, 1979-1980)	189
	USA-Libya (Gulf of Sidra, 1981)	192
	USA-Nicaragua (MiG-21s, 1984)	196
	USA-Libya (Rabta controversy, 1989)	201
	Iraq-Kuwait (sanctions defiance, 1994)	206
	Conclusions	213
7	Countervailing threats or: threats in self-defence	218
	Two narratives	218
	USA-PRC (Seventh Fleet, 1950)	220

	Pakistan–India (Kashmir, 1951)	225
	Iraq–Iran (Shatt-al-Arab, 1969–1975)	227
	Greece–Turkey (continental shelf, 1976)	232
	Syria–Jordan (Arab League summit, 1980)	235
	PRC–Vietnam (Spratly Islands, 1988)	238
	PRC–Taiwan (Lee Teng-hui, 1995–1996)	240
	ROK–DPRK (submarine incident, 1996)	245
	Conclusions	249
8	Findings and conclusions	252
	General stock-taking	252
	Criteria for violation	258
	Criteria for justification	265
	Changes in the law	270
	The regulation in a nutshell	273
9	Epilogue: the law in operation	275
	Reappraising article 2(4)'s blind spot	275
	Robert Ellickson's Shasta County	278
	Fostering cooperation	280
	Lessons for the regime of force	289
	Annex	291
	Threats of force 1945–2003	291
	Protracted conflicts 1918–2003	311
	<i>Bibliography</i>	313
	<i>Index</i>	332

Foreword

For a long time the subject of threats of force between states as a distinct field of study was surprisingly neglected both by international lawyers and, even, by international relations scholars. From the legal side Romana Sadurska's 1988 article, 'Threats of Force', is one of the few items devoted to the issue, and its argument that there is a significant legal difference between a use and a threat of force under article 2(4) of the United Nations Charter was not widely accepted. In the *Nuclear Weapons Opinion* (1996) the International Court of Justice glossed over any possible distinctions between use and threat – despite their importance for the theory and practice of deterrence.

In one sense this is not surprising. Article 2(4) itself appears to equate the two: all United Nations members 'shall refrain in their international relations from the use or threat of force against the territorial integrity or political independence of a State'. On first impression a threat, sufficiently clear, imminent and credible, of a use of force which if carried out would be unlawful is itself unlawful. So international lawyers have tended to rest on the linkage between the two, without much further analysis – and to discount the point that responses to threats of force in state practice tend to be both rarer than and different in character to responses to the actual use of force.

More recently there have been detailed studies of international crises and comprehensive compilations of cases where threats of various kinds have been made, so that international lawyers can no longer complain of a lack of accessible material. Yet it is only with Nikolas Stürchler's book that this material has been carefully used. For the first time we have a historically informed and comprehensive account of the issue, bringing to bear international relations insights and historical research while retaining an international lawyer's perspective on the material.

It would have been easy in the welter of detail and the rough and divisive arena of military threats to lose touch, and faith, in any form of normativity. Yet Stürchler does not do so. After meticulous examination he concludes that '[t]he common wisdom that threats are met with indifference is false', and further that 'at least in threat-related cases, the assumption that silence equates approval is empirically false'; 'the surprising characteristic of state practice is that nations pay tribute to the no-threat principle without directly invoking it'. He provides other explanations of silence, which are realistic and do not involve the abdication of constraint. In particular 'governments seem to recognise that the UN best serves its objectives if it wears the hat of mediator whose impartiality is appropriate in situations where room for negotiation remains and recourse to force has not yet been decided upon. Interference by third parties would only render the task of the UN (or another honest broker) more difficult'. Outright military conflict is the worse evil, short of Munich-style appeasement: 'Governments recognise the special function of threats as markedly distinct from the use of force, to achieve results without resort to military conflict.' He suggests that 'state practice reveals a pattern whereby the unilateral threat of force finds limited accommodation under the umbrella of collective action designed to manage a crisis'.

He also underlines the continuity between international experience before and since September 2001: our world may not be brave, but neither is it especially new. Thus, in his view: 'Iraq in 2002–3 does not fall out of line with previous state practice, and this may be taken to indicate that the perception of UN members has not gone through a radical transformation.' And he ends with a clear call for international legal standards to be articulated and acted on, notwithstanding the widespread and even healthy tendency to focus on diplomatic efforts in crisis situations which, at all costs, prevent matters getting worse. As he says, 'a universal standard, applicable to all, that permits mutually exclusive claims of pre-emption can be neither a healthy nor an equitable prescription for order'.

This study fills a gap in the literature and does so with assurance, combining fine attention to detail and context with a broad vision. It will be widely read and appreciated.

James Crawford
Lauterpacht Centre for International Law
University of Cambridge
8 November 2006

Preface

I first came across the subject of this study through Roger Donaldson's documentary motion picture *Thirteen Days* about the Cuban missile crisis of 1962. Reading later about the crisis, I was intrigued by the fact that President Kennedy had read Barbara Tuchman's Pulitzer Prize winning *Guns of August*, a book that described the paradoxical circumstances through which, in 1914, Europe stumbled into a 'war which nobody wanted'. There are good reasons to believe that Kennedy took the lessons of the book seriously. He understood that the confrontation with the Soviet Union over the deployment of nuclear missiles on Cuba could lead to nuclear war even though both he and Khrushchev knew that such a war would be suicidal, and that neither of them could fully control what Thomas Schelling described as the 'dynamics of mutual alarm'. This understanding weighed heavily on Kennedy and probably on Khrushchev, too.

Not only was it inspiring to learn that an academically oriented book like the *Guns of August* could make a difference in world policy, it also struck me that a central element in the course of the Cuban missile crisis, the threat of force, was paid virtually no attention in the international law literature. Article 2(4) of the UN Charter expressly forbids states to take recourse to the threat of force. Yet what is to be understood by that prohibition, and how it has performed against the backdrop of sixty years of state and UN practice, has been left entirely unexplored. Perhaps this was out of the belief that the prohibition had long been subordinated to overriding political and military concerns: if the prohibition of the use of force was already fighting an uphill battle due to frequent violations, it would appear sensible to many international lawyers quietly to bury the issue of threats, which, if investigated,

would only lend support to the undesirable conclusion that international law was only a pebble in the shoe of great powers.

Be that as it may, it seemed that the threat of force merited a deeper legal enquiry, even if this meant running the risk that the intuition of the law's insignificance would turn out to be correct. What has resulted from the effort to establish the facts objectively is the following study, an earlier version of which I submitted as a doctoral thesis at the University of Basel in summer 2005. Its main goal is to provide a legal appraisal of the regulation of military threats according to article 2(4) of the UN Charter, exposing the historical origin, underlying rationale, theoretical implications, relevant case law and state and UN practice involved. The study's secondary goal is to contribute a flash of insight on the operation of law in international crises. Throughout the text, the Cuban missile crisis is used as an illustration for the regulatory issues that arise in this context.

Is the threat of force topic, as originally conceived in 1945, still relevant today? It is commonplace after the events of September 2001 to debate the merits of the UN Charter principles in the light of new and emerging security threats that require, it is sometimes argued, a reconfiguration of the legal regime governing the threat and use of force. While it is true that law has evolved over time, the manner in which conflicts are conducted has not changed so radically that experience accumulated before September 2001 is no longer relevant. Rather, another goal pursued in this study was to highlight precisely what changes have taken place, and how this has affected the regulation of threats under the UN Charter. A limited set of trends and ideas have informed much thinking about the threat of force during the second half of the twentieth century, and it is their identification that allows for some extrapolations for the future.

In exploring these trends and ideas, the approach taken is an interdisciplinary one. Much research has been done on military threats in other disciplines. Scholars of international relations in particular have long preoccupied themselves with the phenomenon of war. Failure to understand how threats relate to war, and what their political and strategic dimensions are, is a recipe for ending up in a *dialogue de sourds* between scholars of international law and of international relations. I tried to place a foot in each camp so as to avoid that result.

I am aware of the argument that, however commendable a published thesis may be, it will not be read if it is too elaborate. Chapter 8 therefore packs together a general stock-taking with the main conclusions.

Otherwise, the plan of the book is to bring discussion of the no-threat principle, so to speak, up to speed with the one on the non-use of force. The first chapter starts with a historical account, leading up to what the drafters of the UN Charter had in mind when outlawing the threat of force. It provides the overall framework that is essential for understanding not only the original ideas and assumptions underlying article 2(4) of the UN Charter but also subsequent developments. In chapter 2 the focus is on potential interpretations. There are many possible interpretations which, even within the framework set out by the UN founders, are essentially incompatible with each other. Chapter 3 examines the contribution of the International Court of Justice to the no-threat principle; when the Court has applied it and what meaning it has been given. Chapters 4 to 7 are then devoted to the description of state practice. This part is the backbone of the book as it provides the empirical evidence to answer the most important questions regarding the content of the UN Charter. It also offers an understanding of the circumstances under which states issue threats in practice and, consequently, in which context law is supposed to give guidance. Finally, chapter 9 should be interesting to those inclined to wonder about what lies beyond the strict question of legality. It is an attempt, not intended to be comprehensive, to understand the substructure of the no-threat principle, and thereby bring to light some of the ways in which it may be said to facilitate dispute settlement and crisis defusing. This is a return to the theme of crisis management.

Perhaps it is also important to point out what cannot be found in the book. It does not delve into the theme of threats within the law of armed conflict, international criminal law or Chapter VII of the UN Charter (under the rubric of ‘threats to peace’). The focus is on the legality of the military threats which states issue unilaterally. Specifically, it addresses the questions of what constitutes a threat of force according to article 2(4) of the UN Charter and on what grounds a recourse to a threat of force is justified. To keep the study within reasonable bounds, the emphasis is on the justification of self-defence. What I hope is that the book invites a reconsideration and revival of a topic that has been thoroughly neglected.

In the course of researching threats of force, I have accumulated various debts. I owe it to a host of sponsoring institutions that these debts are not financial. The Swiss National Science Foundation, the Janggen-Pöhn foundation, the Max Geldner foundation, the Freiwillige Akademische Gesellschaft and the Kalmann & Maria Lauer-Stein foundation all

provided me with generous support for my two years of research at the Universities of Cambridge and Stanford. I thank them sincerely. My study would have turned out very differently if not for the opportunity to tap the wealth of inspiration and resources available at these places. Moreover, I am indebted to numerous people for inspiration and encouragement. They include Professor Anne Peters (Basel), Dr Christine Gray and Professor James Crawford (Cambridge), Professor James Fearon (Stanford), Professor Stephan Breitenmoser (Basel), Professor Robert Kolb (Bern), Professor Paul Richli (Lucerne), Lt Cr Scott Tait (US Navy) and Professor John Mayo (Georgetown). Thanks are also due to Susan Kaplan, Caroline Petherick, Richard Woodham and Rachel Liechti for making my English look better than it is, to Finola O'Sullivan from Cambridge University Press and to innumerable librarians who patiently helped me to find seemingly intractable documents. Many thanks also to Yasuko, Matius, Marjam, Jochen, Stephan, Henry, Geert, Owain, Neta, Delphine, François, Brooks and Shantanu for their companionship. And finally, I am indebted most of all to my parents, Tjoek and Dieter, whose unquestioning support has been the greatest gift. It is to them that I dedicate this book.

Basel, 25 November 2006
Nikolas Stürchler
njs@cantab.net

This book reflects the personal views of the author. It does not in any manner implicate the views of the Swiss Federal Department of Foreign Affairs.

Abbreviations

Act. Droit Int.	Actualité de Droit International
Afr. Aff.	African Affairs
Afr. Cont. Rec.	Africa Contemporary Record
Am. JIL	American Journal of International Law
Am. PSQ	American Political Science Quarterly
Am. PSR	American Political Science Review
Am. UILR	American University International Law Review
Ann. Am. Acad. P&SS	Annals of the American Academy of Political and Social Science
ASEAN	Association of Southeast Asian Nations
Asian Surv.	Asian Survey
ASIL Insights	American Society of International Law Insights
BGBI	Bundesgesetzblatt
Brit. Cmd	British Command Papers
Brit. JPS	British Journal of Political Science
Brit. YBIL	British Yearbook of International Law
Cal. WILJ	California Western International Law Journal
Cath. ULR	Catholic University Law Review
CENTO	Central Treaty Organization
Chris. S. Mon.	Christian Science Monitor
Conf. Mgmt. & PS	Conflict Management and Peace Science
COW	Correlates of War Project
Dept. St. Bull.	Department of State Bulletin
DMZ	Demilitarised zone
DPRK	Democratic People's Republic of Korea (North Korea)

xviii ABBREVIATIONS

EEZ	Exclusive Economic Zone
Enc. Pub. IL	Encyclopaedia of Public International Law
EU	European Union
Eur. JIL	European Journal of International Law
F. Aff.	Foreign Affairs
F. Press Cyp.	Foreign Press on Cyprus
FBIS	Foreign Broadcast Information Service
FRUS	Foreign Relations of the United States
GAOR	General Assembly Official Records
Geo. LJ	Georgetown Law Journal
Hague YBIL	Hague Yearbook of International Law
Harv. ILJ	Harvard International Law Journal
HIK	Heidelberg Institute on International Conflict Research
IAEA	International Atomic Energy Agency
ICB	International Crisis Behaviour Project
ICC	International Criminal Court
ICJ	International Court of Justice
ICJ Plead.	ICJ Pleadings, Oral Arguments, Documents
ICJ Rep.	International Court of Justice Reports
ILC	International Law Commission
ILM	International Legal Materials
Ind. JIL	Indian Journal of International Law
Int. & Comp. LQ	International and Comparative Law Quarterly
Int. Aff.	International Affairs
Int. Org.	International Organization
Int. Sec.	International Security
Int. Stud. Q.	International Studies Quarterly
J. Conf. Resol.	Journal of Conflict Resolution
J. Cont. Hist.	Journal of Contemporary History
J. Mod. Afr. Stud.	Journal of Modern African Studies
J. Pal. Stud.	Journal of Palestine Studies
J. Peace Res.	Journal of Peace Research
J. Theo. P.	Journal of Theoretical Politics
JL & Econ.	Journal of Law and Economics
KEDO	Korean Peninsula Energy Development Organization
KFOR	Kosovo Force
KLA	Kosovo Liberation Army

L. & Cont. Prob.	Law and Contemporary Problems
Latin Am. Wkly Rep.	Latin America Weekly Report
Leid. JIL	Leiden Journal of International Law
LNOJ	League of Nations Official Journal
LNTS	League of Nations Treaty Series
MAD	Mutual Assured Destruction
Mich. LR	Michigan Law Review
Mil. LR	Military Law Review
Mn.	Marginal note
MOAB	Massive Ordnance Air Blast
NAM	Non-Alignment Movement
NATO	North Atlantic Treaty Organization
Nav. War. CIL Stud.	US Naval War College International Law Studies
Neth. YBIL	Netherlands Yearbook of International Law
New Eng. J Pub. Pol.	New England Journal of Public Policy
New. Eng. LR	New England Law Review
NPT	Nuclear Non-Proliferation Treaty
Nw. ULR	Northwestern University Law Review
NYT	New York Times Historical Archive
OAS	Organization of American States
OAU	Organization of African Unity
Ocean Dev. & IL	Ocean Development and International Law
ODS	United Nations Official Document System
OIC	Organization of Islamic Conference
Oil & Gas J.	Oil and Gas Journal
OPEC	Organization of Petroleum Exporting Countries
OR	Official Records
OSCE	Organization for Security and Co-operation in Europe
PCIJ	Permanent Court of International Justice
PLA	People's Liberation Army
PLO	Palestine Liberation Organization
Pol. Analysis	Political Analysis
PRC	People's Republic of China
Proc. Acad. PS	Proceedings of the Academy of Political Science
PSQ	Political Science Quarterly
Pub L.	Public Law

XX ABBREVIATIONS

Rec. des Cours	Recueil des Cours
Resum.	Resumption
ROK	Republic of Korea (South Korea)
San Diego ILJ	San Diego International Law Journal
SC	Security Council
Schw. Jb. IR	Schweizerisches Jahrbuch für Internationales Recht
SCOR	Security Council Official Records
Stan. JIL	Stanford Journal of International Law
Stan. LR	Stanford Law Review
Stat.	Statute
Supp.	Supplement
Taiwan CNA	Taiwan Central News Agency
The Nat. Interest	The National Interest
UCK	Ushtria Clirimtare E Kosoves (Kosovo Liberation Army)
UK	United Kingdom
UNC	United Nations Charter
UNCIO	United Nations Conference on International Organization
UNCLOS	United Nations Convention on the Law of the Sea
UNEF	United Nations Emergency Force
UNMOVIC	United Nations Monitoring, Verification and Inspection Commission
UNTS	United Nations Treaty Series
UNYB	United Nations Yearbook
UPI	United Press International
USA	United States of America
USN & World Rep.	US News and World Report
USSR	Union of Soviet Socialist Republics
Va JIL	Virginia Journal of International Law
VCLT	Vienna Convention on the Law of Treaties
Verf. & R. Übersee	Verfassung und Recht in Übersee
Wash. Post	Washington Post
WHO	World Health Organization
Wkly Comp. Pres. Doc.	Weekly Compilation of Presidential Documents
World P.	World Politics

WVa LR	West Virginia Law Review
Yale JIL	Yale Journal of International Law
Yale LJ	Yale Law Journal
YBILC	Yearbook of the International Law Commission
ZaöRV	Zeitschrift für ausländisches öffentliches Recht und Verfassungsrecht