



Introduction

On 24 October 1945, when the UN Charter entered into force, an estimated 750 million people, nearly a third of the world's population, lived in territories under direct or indirect foreign rule. By the end of 1990, thirty years after it adopted the landmark Declaration on the Granting of Independence to Colonial Countries and Peoples and established a special committee to oversee the process of decolonization,¹ this number had cratered to a few million and the UN General Assembly felt enough pride in its track record to celebrate the inception of an 'International Decade for the Eradication of Colonialism'.² Today, roughly 70 per cent of the world's population is descended from colonizers or colonial subjects, in many cases from both.³ The experiences of

¹ Declaration on the Granting of Independence to Colonial Countries and Peoples, GA Res. 1514 (XV) (14 December 1960); also The Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, GA Res. 1654 (XVI) (27 November 1961). For the committee's expansion from seventeen to twenty-four members, as a result of which it has come to be known as the 'Committee of 24' or 'C-24' (despite currently having more than twenty-four members), see The Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, GA Res. 1810 (XVII) (17 December 1962). More committees included the Special Committee on Territories under Portuguese Administration and the Special Committee for South West Africa, both of which were dissolved in 1962, with the 'C-24' assuming their mandates. See Special Committee on Territories under Portuguese Administration, GA Res. 1809 (XVII) (14 December 1962); Special Committee for South West Africa, GA Res. 1806 (XVII) (14 December 1962).

² International Decade for the Eradication of Colonialism, GA Res. 43/47 (22 November 1988). These 'decades' continue to the present day: Second International Decade for the Eradication of Colonialism, GA Res. 55/146 (8 December 2000); Third International Decade for the Eradication of Colonialism, GA Res. 65/119 (10 December 2010); Fourth International Decade for the Eradication of Colonialism, GA Res. 75/123 (10 December 2020).

³ Bouda Etemad, *Possessing the World: Taking the Measurements of Colonisation from the Eighteenth to the Twentieth Century*, trans. Andrene Everson (New York: Berghahn, 2007 [2000]), 1–2.

countless occupied territories, oppressed nations, unrecognized states, secessionist movements, and Indigenous peoples, to say nothing of those struggling against ongoing neocolonialism, make it clear that colonialism has not come to an end – and that it certainly cannot be reduced to the formal processes of decolonization coordinated by states and international organizations. But the fact remains that over eighty states gained their independence within a single generation after the Second World War, with most colonial territories thereby reconstituted as states possessed of *de jure* sovereignty. Fewer than two million now live in the seventeen territories that continue to be designated as ‘non-self-governing’ on the United Nations’ admittedly incomplete and controversial list.⁴

How was it possible for a transformation on this scale to unfold so rapidly? What was international law’s role in it? Decolonization, as a historical process, certainly did not arise *ex nihilo* after the Second World War. Its histories include the Haitian and Greek revolutions and the independence of settler states in the Americas during the late eighteenth and nineteenth centuries. Nor was decolonization ever limited spatially to Asia, Africa, Oceania, and the Caribbean. In central and eastern Europe, new states were created after the Second World War, as they were after the dissolution of the German, Ottoman, Russian, and Austro-Hungarian empires two decades earlier. The very term ‘decolonization’, which seems to have first appeared in print in nineteenth-century discussions of France’s occupation of Algeria and the Mexican–American

⁴ These territories are American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands (Malvinas), French Polynesia, Gibraltar, Guam, Montserrat, New Caledonia, Pitcairn, Saint Helena, Tokelau, Turks and Caicos Islands, US Virgin Islands, and Western Sahara. Report of the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2022, UN Doc. A/77/23 (2022). Territories not officially designated include many administered as dependencies by Australia, Denmark, France, the Netherlands, New Zealand, Norway, the United Kingdom, and the United States. Also unrecognized as non-self-governing are a large number of disputed territories (e.g. Kashmir, Kurdistan, Palestine), territories like those controlled by Spain in northern Africa (Alhucemas Islands, Ceuta, Chafarinas Islands, Melilla, Peñón de Vélez de la Gomera, and Perejil Island), territories claimed by various states in Antarctica, military bases on territories administered by foreign states (e.g. Akrotiri and Dhekelia, Guantánamo Bay), and *sui generis* systems like the regime instituted by the 1920 Svalbard Treaty, the League of Nations-backed settlement of the Åland Islands dispute between Finland and Sweden, and the ‘special administrative regions’ crafted for Hong Kong and Macau as part of China’s ‘one country, two systems’ principle.

War,⁵ was popularized during the interwar period by German émigré economist Moritz Bonn, who translated his neologism *Gegenkolonisation* into English to conceptualize what he saw as a long-term development stretching back to the American War of Independence.⁶ Yet the heyday of decolonization came after the establishment of the United Nations, an organization often distinguished from the League of Nations by its recognition of what one observer called ‘the need for accommodation in a revolutionary stage of transition’.⁷ This was a time when nations and peoples the world over secured formal emancipation from colonial rule. It was also a time when many pushed to fashion a new and decolonized international law. The specific dynamics and mechanisms differed, from time to time and place to place. The removal of direct imperial control was a different matter, for instance, from the termination of a protectorate arrangement. A ‘peaceful transition’ in one territory might well be complemented by rebellions and counterinsurgency operations in a neighbouring territory. Some colonial powers welcomed withdrawal as a means of shrugging off increasingly burdensome legal, financial, and administrative responsibilities, as well as the prospect of enhanced migration three-time prime minister Édouard Herriot had in mind when declaring in 1946 that France did not wish to become a ‘colony of her former colonies’.⁸ Others resorted to brutal violence to

⁵ Charles-Robert Ageron, ‘Décolonisation’, in *Encyclopædia Universalis*, available at www.universalis.fr/encyclopedie/decolonisation/; Todd Shepard, *The Invention of Decolonization: The Algerian War and the Remaking of France* (Ithaca: Cornell University Press, 2006), 5–6.

⁶ Stuart Ward, ‘The European Provenance of Decolonization’, *Past & Present* 230 (2016), 227. Bonn was a member of the German delegation to the Paris Peace Conference, and his bitterness toward the final settlement led him to argue that Germany was well-placed to act as ‘an intermediary for peoples threatened by colonization and, as a leader of states without colonies, ensure the seamless transition from the age of colonization to the age of *Gegenkolonisation*’. Quoted in Ward, ‘The European Provenance of Decolonization’, 238–39. For a key English-language statement, see Moritz Bonn, ‘The Age of Counter-Colonisation’, *International Affairs* 13 (1934), 845. On the eastern European connection, see James Mark and Quinn Slobodian, ‘Eastern Europe in the Global History of Decolonization’, in *Oxford Handbook of the Ends of Empire*, ed. Martin Thomas and Andrew Thompson (Oxford: Oxford University Press, 2018), 351, at 352ff; James Mark et al., *Socialism Goes Global: The Soviet Union and Eastern Europe in the Age of Decolonization* (Oxford: Oxford University Press, 2022), 15, 27.

⁷ Hans Kohn, ‘The United Nations and National Self-Determination’, *Review of Politics* 20 (1958), 526, at 531.

⁸ *Journal officiel de la République française. Débats de l’Assemblée nationale constituante*, 27 August 1946, 3334. On the ensuing debate (in which Léopold Senghor, the poet, scholar, and eventual Senegalese president, declared ‘This is racism!’), see Frederick

suppress independence movements, as well as related protests and uprisings. In the words of Amílcar Cabral, the Marxist and pan-Africanist revolutionary, Portugal could not ‘afford the luxury of practising neocolonialism’, being too weak to retain economic control without forcibly maintaining political control, and this was why its effort to hold back the tide of history was ultimately doomed.⁹

An international legal history of what many have come to term ‘the long 1970s’,¹⁰ *Completing Humanity* documents the rapid rise and equally rapid fall of the most sustained attempt to decolonize international law ever undertaken. It commences in 1960, the year of the decolonization resolution, and concludes in 1982, with the close of the third UN Conference on the Law of the Sea and the onset of the Latin American debt crisis. The postwar decolonization push began in the late 1940s and 1950s, advancing alongside a boom in development planning,¹¹ but its political and economic consequences made their force felt

Cooper, *Citizenship between Empire and Nation: Remaking France and French Africa, 1945–1960* (Princeton: Princeton University Press, 2014), 105–6, 195.

⁹ Cabral continued even more bluntly: ‘If Portugal were economically advanced, if Portugal could be classified as a developed country, we should surely not be at war with Portugal today.’ Amílcar Cabral, ‘The Options of CONCP’ [1965], in *Unity and Struggle: Speeches and Writings*, trans. Michael Wolfers (New York: Monthly Review Press, 1979), 251, at 252.

¹⁰ See, for example, Bruce J. Schulman, *The Seventies: The Great Shift in American Culture, Society, and Politics* (New York: Free Press, 2001); J. R. McNeill, ‘The Environment, Environmentalism, and International Society in the Long 1970s’, in *The Shock of the Global: The 1970s in Perspective*, ed. Niall Ferguson et al. (Cambridge, MA: Harvard University Press, 2010), 263; Poul Villaume, Rasmus Mariager, and Helle Porsdam (eds), *The ‘Long 1970s’: Human Rights, East–West Détente and Transnational Relations* (Abingdon: Routledge, 2016); Priscilla Roberts and Odd Arne Westad (eds), *China, Hong Kong, and the Long 1970s: Global Perspectives* (Cham: Palgrave Macmillan, 2017).

¹¹ From a large literature, see esp. H. W. Arndt, *Economic Development: The History of an Idea* (Chicago: University of Chicago Press, 1987); Nick Cullather, ‘Development? It’s History’, *Diplomatic History* 24 (2000), 641; Gilbert Rist, *The History of Development: From Western Origins to Global Faith*, 4th ed., trans. Patrick Camiller (London: Zed, 2014); Joseph Morgan Hodge, ‘Writing the History of Development’, *Humanity* 6 (2015), 429 and 7 (2016), 125 (in two parts); Stephen J. Macekura and Erez Manela (eds), *The Development Century: A Global History* (Cambridge: Cambridge University Press, 2018); Sara Lorenzini, *Global Development: A Cold War History* (Princeton: Princeton University Press, 2019). For the modernization theory that provided much of the ideological baggage for postwar US development programs, see Michael E. Latham, *Modernization as Ideology: American Social Science and ‘Nation Building’ in the Kennedy Era* (Chapel Hill: University of North Carolina Press, 2000); Nils Gilman, *Mandarins of the Future: Modernization Theory in Cold War America* (Baltimore: Johns Hopkins University Press, 2003); David C. Engerman et al. (eds), *Staging Growth: Modernization, Development, and the Global Cold War* (Amherst: University of Massachusetts Press, 2003). On socialist development

on the plane of international law most fully during the 1960s and 1970s. Growth in the per capita income of many ‘developing’ countries slowed during the 1950s and 1960s, and the United Nations designated the 1960s, 1970s, and 1980s as ‘development decades’.¹² Formed in 1964, the year after the General Assembly adopted the Declaration on the Elimination of All Forms of Racial Discrimination,¹³ the UN Conference on Trade and Development (UNCTAD) became an important venue for discussions about economic development, particularly in regard to problems of ‘unequal exchange’ – the long-term downward trend in the price of primary commodities, especially those produced in ‘peripheral’ states, relative to the price of manufactured goods. By the mid-1970s, though, the postwar cycle of global economic expansion had sputtered to an end after years of declining rates of profit for many US and other firms, hard on the heels of the effective demise of the Bretton Woods monetary order following US President Richard Nixon’s decision to take the dollar off the gold standard in late 1971 and the first of the decade’s two major ‘oil crises’ in 1973–74.¹⁴ Building on deals they had struck with trade unions and working-class movements during the interwar period, the national and transnational capitalist classes of the postwar North Atlantic had entrenched broadly Keynesian models of countercyclical demand management, partly through a significant

programs in the Third World, see esp. David C. Engerman, ‘The Second World’s Third World’, *Kritika* 12 (2011), 183; Abigail Judge Kret, ‘“We Unite with Knowledge”: The Peoples’ Friendship University and Soviet Education for the Third World’, *Comparative Studies of South Asia, Africa and the Middle East* 33 (2013), 239; Oscar Sanchez-Sibony, *Red Globalization: The Political Economy of the Soviet Cold War from Stalin to Khrushchev* (Cambridge: Cambridge University Press, 2014), ch. 4; Jeremy Friedman, *Shadow Cold War: The Sino-Soviet Competition for the Third World* (Chapel Hill: University of North Carolina Press, 2015); Tobias Rupperecht, *Soviet Internationalism after Stalin: Interaction and Exchange between the USSR and Latin America during the Cold War* (Cambridge: Cambridge University Press, 2015); Małgorzata Mazurek, ‘Polish Economists in Nehru’s India: Making Science for the Third World in an Era of De-Stalinization and Decolonization’, *Slavic Review* 77 (2018), 588. For comparison see also Sandrine Kott, ‘Cold War Internationalism’, in *Internationalisms: A Twentieth-Century History*, ed. Glenda Sluga and Patricia Clavin (Cambridge: Cambridge University Press, 2016), 340, at 352–56.

¹² United Nations Development Decade: A Programme for International Economic Cooperation (I), GA Res. 1710 (XVI) (19 December 1961); International Development Strategy for the Second United Nations Development Decade, GA Res. 2626 (XXV) (24 October 1970); International Development Strategy for the Third United Nations Development Decade, GA Res. 35/56 (5 December 1980).

¹³ GA Res. 1904 (XVIII) (20 November 1963).

¹⁴ The decade’s second such crisis occurred in 1979, triggered by the Iranian Revolution.

expansion in the state's authority and capacity to provide social services. This had stabilized capitalist social relations in most industrialized countries, raising wages, employment levels, and rates of profit from the late 1940s through the mid-1960s, the core of what is still often regarded as a 'golden age' for global capitalism. By the 1970s, however, competition-induced overproduction in the United States and the introduction into its markets of goods from western Europe and east Asia, particularly Japan and West Germany, increased pressure on US corporations and state institutions to weaken organized labour, drive down wages for domestic workers, jettison high-cost lines of production, relocate manufacturing abroad, and deregulate the financial sector.¹⁵ These developments exposed the contradictions in the postwar class compromise. Brought together through open distaste for Keynesian managerial techniques and a commitment to the price mechanism, neoliberals like Friedrich Hayek and Milton Friedman came to enjoy greater power at this juncture, jockeying for influence with socialists and partisans of reform packages like the New International Economic Order (NIEO) in a contest to reconfigure the world economy. The world of floating exchange rates and increased capital mobility that resulted from such struggles was littered with new commodity and value chains, stifled by persistent suppression of growth in real wages, undergirded by ever more complex legal and logistical structures, and characterized above all by frequent recessions, asset bubbles, and financial crises.

A tumultuous tide of historical and political developments roiled these shifting forces: the Vietnam War; India's annexation of Goa, Daman, and Diu; the Soviet invasion of Afghanistan; colonial wars in Portuguese Angola, Guinea, and Mozambique; the 1967 and 1973 Arab–Israeli Wars; conflicts and massacres in Cambodia, Ethiopia, Indonesia, Lebanon,

¹⁵ See esp. Robert Brenner, *The Economics of Global Turbulence: The Advanced Capitalist Economies from Long Boom to Long Downturn, 1945–2005* (London: Verso, 2005). Ernest Mandel, the Belgian Marxist, was a key advocate of a similar position: *Late Capitalism*, trans. Joris De Bres (London: Verso, 1978 [1972]); *The Second Slump: A Marxist Analysis of Recession in the Seventies*, trans. Jon Rothschild (London: New Left Books, 1980), esp. 22–46; *Europe vs. America: Contradictions of Imperialism* (New York: Monthly Review Press, 2009 [1968]), 91–92. See further Folker Fröbel, 'The Current Development of the World-Economy: Reproduction of Labour and Accumulation of Capital on a World Scale' [1980], in *Transforming the World-Economy? Nine Critical Essays on the New International Economic Order*, ed. Herb Addo (London: Hodder & Stoughton, 1984), 51, at 51–55, 68–69, 77–78.

Nigeria, and Pakistan; and a large number of national liberation movements that did not always prove amenable to tidy legal distinctions between ‘international’ and ‘non-international’ armed conflicts.¹⁶ These were the years of second-wave feminism and the space race, the Soweto uprising and the Iranian Revolution, the 1975 Helsinki Accords and the Strategic Arms Limitation Talks, the measles vaccine and the 1972–75 worldwide food crisis. The normalization of neoliberal models of legal and economic ‘reform’, first in Europe and the United States and then elsewhere,¹⁷ went hand in hand with the operational ‘breakthrough’ of transatlantic human rights organizations, devoted in the first instance to combatting torture and defending prisoners of conscience.¹⁸ Military dictatorships rose and fell, in southern Europe, Latin America, and

¹⁶ Affirmed in the 1949 Geneva Conventions, this distinction received further attention in their 1977 additional protocols. See Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I), adopted 8 June 1977, 1125 UNTS 3; Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), adopted 8 June 1977, 1125 UNTS 609.

¹⁷ The literature is enormous. Especially notable contributions include Philip Mirowski and Dieter Plehwe (eds), *The Road from Mont Pèlerin: The Making of the Neoliberal Thought Collective* (Cambridge, MA: Harvard University Press, 2009); Yves Dezalay and Bryant G. Garth, *The Internationalization of Palace Wars: Lawyers, Economists, and the Contest to Transform Latin American States* (Chicago: University of Chicago Press, 2002); David Harvey, *A Brief History of Neoliberalism* (New York: Oxford University Press, 2005); Daniel Stedman Jones, *Masters of the Universe: Hayek, Friedman, and the Birth of Neoliberal Politics* (Princeton: Princeton University Press, 2012); Wendy Brown, *Undoing the Demos: Neoliberalism’s Stealth Revolution* (New York: Zone, 2015); Melinda Cooper, *Family Values: Between Neoliberalism and the New Social Conservatism* (New York: Zone, 2017); Werner Bonefeld, *The Strong State and the Free Economy* (London: Rowman & Littlefield, 2017); Quinn Slobodian, *Globalists: The End of Empire and the Birth of Neoliberalism* (Cambridge, MA: Harvard University Press, 2018). The legal dimensions receive attention in ‘Law and Neoliberalism’ (symposium), *Law and Contemporary Problems* 77 (2014); Honor Brabazon (ed), *Neoliberal Legality: Understanding the Role of Law in the Neoliberal Project* (Abingdon: Routledge, 2017); Ben Golder and Daniel McLoughlin (eds), *The Politics of Legality in a Neoliberal Age* (Abingdon: Routledge, 2017).

¹⁸ For the ‘breakthrough’ thesis see Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, MA: Harvard University Press, 2010); Jan Eckel and Samuel Moyn (eds), *The Breakthrough: Human Rights in the 1970s* (Philadelphia: University of Pennsylvania Press, 2013). But see also Steven L. B. Jensen, *The Making of International Human Rights: The 1960s, Decolonization, and the Reconstruction of Global Values* (Cambridge: Cambridge University Press, 2016); Meredith Terretta, ‘Where Are the Lawyers, the Activists, the Claimants, and the Experts?’, *Human Rights Quarterly* 39 (2017), 226. See further Jessica Whyte, *The Morals of the Market: Human Rights and the Rise of Neoliberalism* (London: Verso, 2019).

elsewhere, even as anxieties about ‘silent springs’ and ‘limits to growth’ circled out of the fringes of environmentalist activism and economic policy-making to seep into popular consciousness.¹⁹

It was in this rapidly changing context that the last major waves of decolonization unfolded. Driven to achieve and reinforce their sovereignty and independence, states struggling with legacies of uneven colonial-era development and often bundled together in a nominally uniform ‘Third World’ (the term is generally traced to an 1952 article by French social scientist Alfred Sauvy²⁰) began to organize themselves on the international legal plane. They did so in significant part through the Non-Aligned Movement (NAM) and Group of 77 (G77), formed in 1961 and 1964, respectively. They also worked through UN bodies like UNCTAD, also established in 1964, and the General Assembly, particularly its fourth committee (responsible for considering ‘special political’ and decolonization-related issues) and sixth committee (responsible for considering legal matters and producing draft conventions). Some of the ‘new states’ identified first and foremost as ‘capitalist’ or ‘socialist’, with different interpretations of those terms in the offering. The majority, though, elected to position themselves as ‘nonaligned’, a term that Jawaharlal Nehru had used in the late 1940s and that began to enjoy widespread popularity during the 1960s, often being used interchangeably with older and explicitly geographical expressions like ‘Afro-Asian’.²¹ As the debates of the 1960s gained steam, the ‘ideological troika’ of capitalism, socialism, and nonalignment (or ‘neutralism’) gained increased visibility, circulating alongside postwar distinctions between ‘developed’ and ‘developing’ states.²²

The roots of this large and pivotal network of nonaligned states, committed to maintaining distance from a ‘First World’ of market

¹⁹ Rachel Carson, *Silent Spring* (Boston: Houghton Mifflin, 1962); Donella H. Meadows et al., *The Limits to Growth: A Report for the Club of Rome's Project on the Predicament of Mankind* (New York: Universe Books, 1972).

²⁰ Alfred Sauvy, ‘Trois mondes, une planète’, *L'Observateur* 118 (14 August 1952), 5.

²¹ Lorenz M. Lüthi, ‘Non-Alignment, 1946–1965: Its Establishment and Struggle Against Afro-Asianism’, *Humanity* 7 (2016), 201, at 202–3. Cf. C. G. Fenwick, ‘The Legal Aspects of “Neutralism”’, *AJIL* 51 (1957), 71; R. P. Anand, *Development of Modern International Law and India* (Baden-Baden: Nomos, 2005), 111.

²² For the ‘ideological troika’ appellation see M. M. Flory, ‘Inégalité économique et évolution du droit international’, in *Société française pour le droit international, Colloque d'Aix-en-Provence: Pays en voie de développement et transformation du droit international* (Paris: Pedone, 1974), 11, at 29.

capitalism and a ‘Second World’ of ‘democratically deficient’ socialism,²³ have typically been traced to debates about independence, self-determination, and resource sovereignty in the late 1940s and 1950s. In particular, they have been linked to the 1945 Pan-African Congress in Manchester and similar meetings in Africa,²⁴ the 1955 Bandung Conference,²⁵ and growing reliance upon non-European conceptions of international law, such as the *Panchsheel* or ‘five principles’ (nonaggression, noninterference, ‘peaceful coexistence’, equality and mutual benefit, and respect for sovereignty and territorial integrity) to which Nehru, China’s Zhou Enlai, and many others expressed fidelity.²⁶ In reality,

²³ Alternative ‘three worlds’ models were always available, a classic example being Mao’s effort to position China in a ‘Third World’ flanked on the one side by the United States and USSR and on the other by a ‘Second World’ comprised mainly of Canada, Japan, and European states. For Deng Xiaoping’s exposition of the idea see *Speech by Chairman of the Delegation of the People’s Republic of China, Teng Hsiao-ping, at the Special Session of the U.N. General Assembly, April 10, 1974* (Beijing: Foreign Languages Press, 1974).

²⁴ Hakim Adi and Marika Sherwood (eds), *The 1945 Manchester Pan-African Congress Revisited* (London: New Beacon, 1995); Hakim Adi, *Pan-Africanism: A History* (London: Bloomsbury, 2018), 122–27. Meetings were held in Accra, Addis Ababa, Brazzaville, Casablanca, Monrovia, and elsewhere during the 1950s and 1960s; for retrospective consideration see Mohammed Bedjaoui, ‘Brief Historical Overview of Steps to African Unity’, in *The African Union: Legal and Institutional Framework – A Manual on the Pan-African Organization*, ed. Abdulkawi A. Yusuf and Fatsah Ouguergouz (Leiden: Brill, 2012), 9, at 13–14.

²⁵ From a growing body of new scholarship on Bandung, see Seng Tan and Amitav Acharya (eds), *Bandung Revisited: The Legacy of the 1955 Asian-African Conference for International Order* (Singapore: NUS Press, 2008); Christopher J. Lee (ed), *Making a World after Empire: The Bandung Moment and Its Political Afterlives* (Athens: Ohio University Press, 2010); Robert Vitalis, ‘The Midnight Ride of Kwame Nkrumah and Other Fables of Bandung (Ban-doong)’, *Humanity* 4 (2013), 261; Cindy Ewing, ‘The Colombo Powers: Crafting Diplomacy in the Third World and Launching Afro-Asia at Bandung’, *Cold War History* 19 (2019), 1; Carolien Stolte, ‘“The People’s Bandung”: Local Anti-Imperialists on an Afro-Asian Stage’, *Journal of World History* 30 (2019), 125. Bandung’s international legal dimensions are explored in Luis Eslava, Michael Fakhri, and Vasuki Nesiah (eds), *Bandung, Global History, and International Law: Critical Past and Pending Futures* (Cambridge: Cambridge University Press, 2017).

²⁶ A 1954 treaty between China and India expressed support for the *Panchsheel*; see Agreement (with Exchange of Notes) on Trade and Intercourse between Tibet Region of China and India, signed 29 April 1954, 299 UNTS 57. Most of the ten principles listed in the Bandung Conference’s final communiqué were derived from the *Panchsheel*; see Text of Final Communiqué of Asian-African Conference, reproduced in *Selected Documents of the Bandung Conference: Texts of Selected Speeches and Final Communiqué of the Asian-African Conference, Bandung, Indonesia, April 18–24, 1955*, ed. William L. Holland (New York: Institute of Pacific Relations, 1955), 29, at 35. For background see Nirupama Rao, *The Fractured Himalaya: India, Tibet, China 1949–1962* (New Delhi: Penguin Viking, 2021). The Chinese origins of the concept (and its relation to the concept

though, they stretched back to interwar communist and anti-imperialist organizations like the League Against Imperialism, a transnational network of communist and anticolonial militants.²⁷ After holding its first formal meeting in Belgrade in September 1961, five years after Yugoslavia's Josip Tito hosted Nehru and Egypt's Gamal Abdel Nasser for preliminary discussions, the NAM began to translate many of the claims made during these and other meetings into new arguments about international law. Its efforts interlaced with the work of a variety of new organizations. The Cairo-based Afro-Asian Peoples' Solidarity Organization (AAPSO), the New Delhi-based Asian-African Legal Consultative Committee (AALCC), the Soviet-backed International Association of Democratic Lawyers (IADL), the Havana-headquartered Organization of Solidarity with the Peoples of Asia, Africa, and Latin America, and the World Federation of Trade Unions – a range of political and intellectual networks grew after the Second World War, facilitating cooperation between activists and prisoners in the colonies and cause lawyers and other progressives in the metropolises.²⁸ Developing in competitive tension with US-sponsored groups like the International Commission of Jurists and International League for Human Rights, their meetings interlaced with the gatherings of a growing number of UN bodies and regional groups like the Organization of African Unity (OAU, founded in 1963), the Association of Southeast Asian Nations (founded in 1967), and the Caribbean Community (founded in 1973). International legal arguments old and new were

of international *jus cogens*) are emphasized in Wang Tieya, 'International Law in China: Historical and Contemporary Perspectives', *RCADI* 221 (1990-II), 195, at 263–87.

²⁷ Fredrik Petersson, *Willi Münzenberg, the League against Imperialism, and the Comintern, 1925–1933*, 2 vols. (Lewiston: Queenston Press, 2013); Kasper Braskén, *The International Workers' Relief, Communism, and Transnational Solidarity: Willi Münzenberg in Weimar Germany* (Houndmills: Palgrave Macmillan, 2015); Michele L. Louro, *Comrades against Imperialism: Nehru, India, and Interwar Internationalism* (Cambridge: Cambridge University Press, 2018). See also Vijay Prashad, *The Darker Nations: A People's History of the Third World* (New York: New Press, 2007), 16–30; Michael Goebel, *Anti-Imperial Metropolis: Interwar Paris and the Seeds of Third World Nationalism* (New York: Cambridge University Press, 2015), esp. 199–215.

²⁸ See in particular Meredith Terretta, 'Anti-Colonial Lawyering, Postwar Human Rights, and Decolonization across Imperial Boundaries in Africa', *Canadian Journal of History* 52 (2017), 448; Meredith Terretta, 'Decolonizing International Law? Rights Claims, Political Prisoners, and Political Refugees during French Cameroon's Transition from Trust Territory to State', *Comparative Studies of South Asia, Africa and the Middle East* 42 (2022), 3.