

International Law – Basic Legal Terms

Though there will not be a separate vocabulary section on the final exam, you do need to know the basic terminology of international law to understand the questions and write good answers. Here are the words you really need to know.

Nature and Development of International Law

international law	consent (as basis of obligation)
public international law	consensus (as basis of obligation)
private international law	legal positivism
conflict of laws	legal naturalism
command theory of law (Austin)	
social norm theory of law (Hart)	

Sources of International Law

source of law	general principles of law
source of evidence for law	resolutions of international organizations
primary source	decisions of international tribunals
subsidiary (secondary) source	<i>opinio juris</i>
general international law	state practice
regional international law	acquiescence
customary law	equity
local custom	equitable principles
treaty	<i>jus cogens</i>
multilateral treaty	fundamental norm
bilateral treaty	unilateral act/declaration

Law of Treaties

law of treaties	corruption
treaty law	coercion
<i>pacta sunt servanda</i>	termination
treaty	suspension
authorized representatives	<i>rebus sic standibus</i>
full powers	supervening impossibility of performance
signature	fundamental change of circumstances
ratification	broader purposes approach
accession	principle of effectiveness
reservation	
impermissible reservation	
entry into force	
invalidity	
error	
fraud	

Peaceful Settlement of Disputes

peaceful settlement
negotiation
inquiry
good offices
conciliation
mediation
arbitration
adjudication
voluntary submission

compulsory submission
compromis (d'arbitrage)
excess of power
fundamental error
contentious jurisdiction
(of the ICJ)
advisory jurisdiction
(of the ICJ)

Subjects of International Law

subject of law
legal person
natural person
corporate entity
full subject of law
partial subject of law
object of law
state
government
belligerent
rebel
insurgent
rioter
non-self-governing territory

colony
protectorate
condominium
national liberation movement
transnational enterprise
multinational corporation
a people
self-determination
independence
international organization
nongovernmental organization
individuals
groups

State Responsibility

direct responsibility
indirect responsibility
imputability
state agent
ultra vires acts
private person/entity
state endorsement of action
compensation
responsibility for acts violating
international law
responsibility for acts not violating
international law

act
omission
internationally wrongful act
fault
mob violence
insurrection
civil war
injured state
reparation
restitution in kind
compensation

Treatment of Aliens

national
alien
dual national
enemy national
neutral national
allied national
temporary allegiance
exhaustion of local remedies
due diligence
denial of justice
diplomatic protection
personal (physical) injury
national
genuine link
alien
temporary allegiance
permanent allegiance
permanent residence
naturalization

jus sanguinis
jus soli
property damage
injury to economic interests
nondiscrimination
international minimum standard
national treatment
foreign property
foreign investor
direct investment
indirect (portfolio) investment
expropriation
nationalization
indirect taking
creeping nationalization
public purposes
lump-sum agreement

Recognition

constitutive theory of recognition
declaratory theory of recognition
de facto government
de jure government
premature recognition
prolonged recognition
effective control

express recognition
implied recognition
collective recognition
standing to sue
immunity from suit
sovereign immunity

Jurisdiction

jurisdiction to prescribe
jurisdiction to adjudicate
jurisdiction to enforce
domestic jurisdiction
territoriality principle
 subjective
 objective
effects doctrine
long arm statute
nationality/personality principle
 active
 passive

protective principle
universal principle
 (universality)
international crimes
extradition
lex mercatoria/law merchant

Jurisdiction on Land / Territorial Sovereignty

national territory	territorial dispute
<i>res nullius</i>	intertemporal law
<i>res communis</i>	<i>uti possidetis</i>
common heritage of mankind	thalweg
common heritage of humanity	accretion
sovereignty	avulsion
title to territory	servitude
effective occupation	boundary (border)
voluntary cession	boundary dispute
conquest (involuntary cession)	delimitation
prescription	demarcation
discovery	
contiguity	

Law of the Sea / Maritime Jurisdiction

UN Convention on the Law of the Sea	port state
inland waters	archipelagic state
port	archipelagic waters
open port	landlocked state
closed port	innocent passage
territorial sea	transit passage
mean low water mark	free passage
straight baseline	merchant ship
bay	warship
historic bay	government ship
contiguous zone	right of visit
exclusive economic zone (EEZ)	slave trade
high seas	piracy
strait	hot pursuit
international strait	resource activity
international waterway	resource exploitation
continental shelf	sovereign rights
continental. margin	fishing
shelf	straddling stock
slope	highly migratory stock
rise	offshore platform
deep seabed	installation
the Area	artificial island
navigation	island
flag state	rock
coastal state	opposite states

adjacent states

Air and Outer Space

airspace
national airspace
air defense zone
overflight
aircraft
civil aviation
military aircraft
government aircraft
flag state (state of registry)
airport
flight
aerial hijacking
ICAO

Convention on International
Civil Aviation
Chicago Convention
bilateral air transport agreements
outer space
natural celestial bodies
space object
space vehicle
Outer Space Treaty
geostationary orbit
polar orbit
low earth orbit

Self-Help and Resort to Armed Force

jus ad bellum
retorsion
reprisal
armed reprisal
acts of force short of war
show of force
localized occupation
localized bombardment
intervention
riot
internal (civil) war
 insurgency
 rebellion
international war
declaration of war
belligerency
neutrality
ally/alliance
threat of force
use of force
threat to international peace
breach of international peace
act of aggression
self-defense
collective measures

sanctions
blockade
necessity/necessary
proportionality/proportional
UN Charter
 Chapter VI
 Chapter VII
armed attack
imminent attack
preemption
prevention
peacekeeping

Law of War / Law of Warfare

jus in bello

Hague Conventions
Geneva Conventions
Geneva Protocols
international humanitarian law
combatant
civilian
wounded and sick
POW
medical corps
Red Cross/Red Crescent
International Committee of the Red
Cross
military necessity

military target
civilian target
protected building/facility
ruse of war
espionage
military operations
battle
(belligerent) occupation
cease-fire
surrender
indiscriminate weapon
courts martial

International Trade and related Economic Rules

cross-border transactions
international transactions
market economy
command (planned) economy
mercantilism
free (open) trade
absolute advantage
comparative advantage
theory of optimal tariffs
industrial policy
economic liberalism
neo-liberalism
laissez faire
economic nationalism
protectionism
international payments
capital controls
exchange rate
fixed exchange rate
floating exchange rate
WTO
GATT (1947, 1994)
WTO ministerial conferences
WTO dispute settlement panels

goods
services
agricultural products
raw materials
finished goods
foods
national treatment
imported goods
domestic goods
nondiscrimination
most favored nation (MFN)
generalized MFN
transparency
retaliation
exception clauses (in GATT)
side agreements (to GATT)
tariff
non-tariff barrier
sanitary and phytosanitary standard
safety standard

International Environmental Law

environment
ecosystem
Stockholm Declaration
Rio Declaration
pollution
over-use
depletion
tragedy of the commons
polluter pays
common but differentiated
responsibilities

precautionary principle
intergenerational equity
open access
licensing
individual ownership
communal ownership
renewable resource
nonrenewable resource

International Law and National Law

national/domestic/municipal law
monism
dualism
self-executing treaty
justiciable dispute
nonjusticiable dispute
act of state doctrine