

Sources of international law assignment

Law



In a democratic government, the laws are established by a body of legislature. This means the legislative arm of government is responsible for the making of laws for the state (country) while in a military regime laws are established by a decree. However, the sources of IL are different from that of the state since the laws are derived from the agreements signed by the states involved and not an act of the legislative function. Therefore, what are the sources of IL?) TREATIES These are basically the agreements signed by states which form the bases of International Law. It is then noted that treaties signed and ratified by states should be observed (pact sunt servanda). However, such treaties can be violated if the matter is of very important. When the treaties are ratified by the law making body Of a State then it is highly placed or regarded. 2) Custom Here we look at the behavior of states when such becomes accepted and practice for a long time.

Such custom is regarded as sources of IL as seen in the practice of the Statute of the International Court of Justice, International Conventions such as the Vienna Convention on the Law of Treaties which was adopted and opened for signature on the 23rd of May, 1969. It entered into force in 1980, 27th January, with a total of 114 states as of April, 2014. Another example of the custom is that of the Diplomatic Immunity which ensures the protection, passage and restriction to lawsuit on a diplomat in a host country as detailed in the Vienna Convention on Diplomatic Relations Of 1961.) General Principles of Law It is applicable to the general laws of states which are also recognized internationally such as assault, invasion and use of force by other states against another. Example is that of the Iraq's invasion of Kuwait which is against the IL and even noted in the UN Charter. 4) Legal Scholarship This

is regarded as the written arguments of Judges and that of the lawyers on certain issues as resolved. References Goldstein, J.