Record Nr. UNINA9910454585603321 Autore Milano Enrico **Titolo** Unlawful territorial situations in international law [[electronic resource]] : reconciling effectiveness, legality, and legitimacy / / Enrico Milano; with a foreword by Christine Chinkin Leiden; ; Boston, : Martinus Nijhoff Publishers, c2006 Pubbl/distr/stampa **ISBN** 1-282-39663-3 9786612396632 90-474-1774-7 Descrizione fisica 1 online resource (348 p.) Developments in international law;; v. 55 Collana 341.42 Disciplina Soggetti Sovereignty, Violation of Territory, National Jurisdiction (International law) **Boundaries** Electronic books. Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Originally presented as the author's thesis (Ph.D)--London School of Note generali Economics, 2004. Nota di bibliografia Includes bibliographical references (p. [275]-295) and index. Nota di contenuto Preliminary Material -- Chapter 1. Introduction -- Chapter 2. The Concept of Effectiveness Ininternational Law -- Chapter 3. Statehood and Territorial Sovereignty: the Tradition of Concreteness and Realism -- Chapter 4. Defining the Boundaries of Legality: Unlawfulness of Territorial Situations -- Chapter 5. Consequences of Unlawfulness --Chapter 6. Testing Legality and Legitimacy in Un Territorial Competence -- Chapter 7. Conclusions: Reconciling Effectiveness, Legality and Legitimacy -- Bibliography -- Index. This work deals with the question of unlawful territorial situations, id Sommario/riassunto est territorial regimes that are established and maintained in defiance

This work deals with the question of unlawful territorial situations, id est territorial regimes that are established and maintained in defiance of international law. It represents a very timely contribution to the debate concerning the nature, the aims and purpose of foreign interventions in the affairs of sovereign countries. International lawyers have focussed on the important questions of the legal regime applicable to the conduct of the occupant and the authoritative

decision-making processes by international institutions, but often neglected the broader and decisive question of the legality of the 'foreign' or 'international' presence as such. The author shows the relevance and, sometimes irrelevance, of international law to the determination of legality or illegality of the occupation, and how legal norms incorporate and interact with the concepts of effectiveness and legitimacy. The book represents a welcome contribution to an issue of the outmost importance in international affairs at present times. It brings together elaborate theoretical discussion and thorough empirical research. Students of international law, practitioners, and anyone interested in deepening the understanding of the role and relevance of international law to territorial occupation will greatly benefit from this study.