

INTERNATIONAL LAW



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- International Law, unlike most other areas of law, has no defined area or governing body, but instead refers to the many and varied laws, rules and customs which govern, impact and deal with the legal interactions between different nations, their governments, businesses and organizations, to include their rights and responsibilities in these dealings.





□ The immense body that makes up international law encompasses a piecemeal collection of international customs; agreements; treaties; accords, charters (i.e. the United Nations Charter); protocols; tribunals; memorandums; legal precedents of the International Court of Justice (aka World Court) and more.

- Without a unique governing, enforcing entity, international law is a largely voluntary endeavor, wherein the power of enforcement only exists when the parties consent to adhere to and abide by an agreement.



Due to the diverse legal systems and applicable histories of different countries, laws addressing international law include both common law (case law) and civil law (statutes created by governing bodies).



- ▣ Their application covers all the facets of national law, to include substantive law, procedure, and remedies.

There are three main legal principles recognized in much of international law, which are not required, but are based chiefly on courtesy and respect:

- ❑ Principle of Comity - in the instance where two nations share common public policy ideas, one of them submits to the laws and judicial decrees of the other.



- - Act of State Doctrine - respects that a nation is sovereign in its own territory and its official domestic actions may not be questioned by the judicial bodies of another country. It dissuades courts from deciding cases that would interfere with a country's foreign policy.





Doctrine of Sovereign Immunity - deals with actions brought in the court of one nation against another foreign nation and prevents the sovereign state from being tried in court without its consent.

In the U.S., this is governed by the Foreign Sovereign Immunities Act (FSIA) of 1976.





There are both national laws and international agreements which govern/regulate international business transactions, which include investments, offshore banking, contracts, imports/exports, tariffs, dumping, trade and more.



- Although there is no definitive governing body overseeing international law, the United Nations is the most widely recognized and influential international organization and the International Court of Justice (ICJ) is its judicial counterpart.



- ❑ International law may further be broken down as public or private. Public International law covers the rules, laws and customs that govern and monitor the conduct and dealings between nations and/or their citizens

- ▣ The UN deals largely with public international law. Private International law (Conflict of laws) handles disputes between private citizens of different nations.

**Thank you for
your attention**