

Unit-III

National Power

<u>Elements of National Power</u>	<u>Soft Power</u>	<u>Hard Power</u>
1.Geography 2.National Resources 3.Population 4.Economic Development 5.Political Structure 6.Technological Development 7.Leadership 8.Diplomatic Relations 9.Military	1. Economic 2.Technology 3. National Resources 4.Diplomacy 5.Culture 6.Medias Joseph Nye-Harvard University	1. Military 2. Military Alliances 3. Military Base 4. Nuclear Technology Joseph Nye-Harvard University

Limitations of national Power

1. The World Public Opinion
2. International Morality
3. International Organization
4. International Law
5. Disarmament
6. The Balance of Power

Balance of Power

1. Basic principle of International Relations.
 2. An Equilibrium or Stability in International Relations.
 3. Stability Mean Peace
 4. Instability Mean War
 5. Simple/Multiple balance System
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1. As a description
2. As a Policy
3. As a System
4. As a Symbol of realism

Techniques of balance of Power

1. Alliances and counter alliances
 - Triple alliance (1882)
 - Triple Entente (1907)
2. Compensations
3. Partition
4. Armament/ Disarmament
5. Intervention and War
6. Buffer States
7. Neutralization (NAM)
8. Distribution of Power
9. Bi/Multilateral Agreements

International law

International law, also known as **public international law** and **law of nations** is the set of rules, norms, and standards generally accepted in relations between nations.

It establishes normative guidelines and a common conceptual framework to guide states across a broad range of domains, including war, diplomacy, trade, and human rights. International law aims at the practice of stable, consistent, and organized international relations.

The term "international law" is sometimes divided into "public" and "private" international law. On this view, "public" international law is said to cover relations between nation-states and includes fields such as treaty law, law of sea, international criminal law, the laws of war or international humanitarian law, international human rights law, and refugee law. By contrast "private" international law, which is more commonly termed "conflict of laws", concerns whether courts within countries claim jurisdiction over cases with a foreign element, and which country's law applies.

Sources of international law

The sources of international law applied by the community of nations are listed under Article 38 of the Statute of the International Court of Justice, which is considered authoritative in this regard:

1. International treaties and conventions;
2. International custom as derived from the "general practice" of states; and
3. General legal principles "recognized by civilized nations".

Treaties

International treaty law comprises obligations expressly and voluntarily accepted by states between themselves in treaties. The Vienna Convention on the Law of Treaties defines a treaty

Territory and the sea

The law of the sea is the area of international law concerning the principles and rules by which states and other entities interact in maritime matters.^[32] It encompasses areas and issues such as navigational rights, sea mineral rights, and coastal waters jurisdiction. The law of the sea is distinct from **admiralty law** (also known as **maritime law**), which concerns relations and conduct at sea by private entities.

The United Nations Convention on the Law of the Sea (UNCLOS), concluded in 1982 and coming into force in 1994, is generally accepted as a codification of customary international law of the sea.

International organizations

: Intergovernmental organization and Global administrative law

- United Nations
- World Trade Organization

- International Labour Organization
- NATO
- European Union
- G7 and G20
- OPEC
- Organisation of Islamic Conference
- Food and Agriculture Organization
- World Health Organization

International Law Making Process

- Organised the specialised Conferances on common interest in the Economic, Social, Political,Cultural, Technical, Scientific and Administration fields
- Some Specialised Organisation do this
- Discuss in the Foreign Ministral Conference / meeting/ council
- Framwork by Ad-hoc committee
- Review by Standing Committee
- Discuss in the Permanent Council
- International Legislation
- Appointed Enforcing Agency

Some Important International laws

Human rights

- Universal Declaration of Human Rights
- *Croatia–Serbia genocide case* (2014) ongoing claims over genocide.
- *Bosnia and Herzegovina v Serbia and Montenegro* [2007] ICJ 2
- *Case Concerning Barcelona Traction, Light, and Power Company, Ltd* [1970] ICJ 1

Labor law

- International Labor Organization
- ILO Conventions

- Declaration of Philadelphia of 1944
- Declaration on Fundamental Principles and Rights at Work of 1998
- United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- the Convention on the Elimination of All Forms of Racial Discrimination 1965^[33]
- Convention on the Elimination of All Forms of Discrimination Against Women 1981^[34]
- the Convention on the Rights of Persons with Disabilities 2008^[35]

Development and finance

- Bretton Woods Conference
- World Bank
- International Monetary Fund

Environmental law

- Kyoto Protocol

Trade

- World Trade Organization

War and armed conflict

: *Law of war*

- *Nicaragua v. United States* [1986] ICJ 1
- *International Court of Justice advisory opinion on the Legality of the Threat or Use of Nuclear Weapons*

Humanitarian law

International humanitarian law and Geneva conventions

- First Geneva Convention of 1949, Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, (first adopted in 1864)
- Second Geneva Convention of 1949, Amelioration of the Condition of Wounded, Sick and Shipwrecked

Members of Armed Forces at Sea (first adopted in 1906)

- Third Geneva Convention of 1949, Treatment of Prisoners of War, adopted in 1929, following from the Hague Conventions of 1899 and 1907.
- Fourth Geneva Convention of 1949, Protection of Civilian Persons in Time of War.

International criminal law

International criminal law and International Criminal Court

- International Criminal Tribunal for Rwanda
- International Criminal Tribunal for the Former Yugoslavia

Courts and enforcement

: International Court of Justice

It is probably the case that almost all nations observe almost all principles of international law and almost all of their obligations almost all the time.

— *Louis Henkin*^[36]

International bodies

such as the International Covenant on Civil and Political Rights

International courts

There are numerous international bodies created by treaties adjudicating on legal issues where they may have jurisdiction. The only one claiming universal jurisdiction is the United Nations Security Council. Others are: the United Nations International Court of Justice, and the International Criminal Court (when national systems have totally failed and the Treaty of Rome is applicable) and the Court of Arbitration for Sport.