

Occupation in Iraq since 2003 and the powers of the UN Security Council

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Deskripsi Lengkap: <https://lib.ui.ac.id/detail?id=20496707&lokasi=lokal>

Abstrak

ABSTRAK

This article provides a summary analysis of the topical question of how far the Security Council may derogate from occupation law. The answer is that the Council may not derogate from those provisions of IHL that are of a specifically humanitarian nature or humanitarian ordre public, that derogations from international law or IHL are in any case not to be presumed and that the Council has not derogated in any way from occupation law in the case of the occupation of Iraq since 2003.