

COLLEGEMATERIAAL

Elementair
Internationaal Recht
2025

SELECTED COURSE MATERIALS

Elementary
International Law
2025

T.M.C. ASSER INSTITUUT

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VOORWOORD

Al sinds 1980 produceert het T.M.C. Asser Instituut, in samenwerking met de Faculteiten Rechtsgeleerdheid van de Nederlandse universiteiten, de collegebundel *Elementair Internationaal Recht*. De aanleiding tot deze stap was het feit dat destijds in vrijwel alle juridische faculteiten van de Nederlandse universiteiten een inleiding tot het internationaal recht verplicht werd gesteld. Bij de samenstelling van de bundel werd en wordt ten volle gebruikgemaakt van de bij deze instellingen aanwezige deskundigheid, mede teneinde de bundel geschikt te houden voor het onderwijs aan die faculteiten.

De bundel bevat vooral basismateriaal dat betrekking heeft op het internationaal publiekrecht, inclusief het internationaal institutioneel recht, en een ruime selectie uit internationale en nationale jurisprudentie. Voorts zijn bepalingen van Nederlands recht opgenomen (zoals geldend per lente 2025) die van groot belang zijn voor de doorwerking en toepassing van internationaal recht in de Nederlandse rechtsorde. Daarnaast zijn in de loop der tijd en op verzoek van de faculteiten meer gespecialiseerde teksten opgenomen die het inleidend niveau overstijgen, maar waardoor de bundel tevens bruikbaar is geworden voor en gebruikt wordt bij onderwijs in meerdere opleidingen op verschillende niveaus. In de loop der jaren hebben opeenvolgende, herziene edities van de bundel hiermee een vaste plaats verworven binnen het juridisch onderwijs in Nederland.

De editie 2025 van de bundel *Elementair Internationaal Recht* is wederom vernieuwd. Zoals bij iedere nieuwe editie zijn een aantal teksten uit de vorige editie geschrapt dan wel vervangen om redenen van actualiteit. De bundel weerspiegelt actuele ontwikkelingen in het internationaal recht, in het bijzonder op het gebied van klimaatverandering. Tevens zijn op enkele plaatsen teksten herschikt of opnieuw ingedeeld. Het spreekt vanzelf dat de herkenbaarheid en betaalbaarheid van ‘de gele bundel’ scherp in het oog is gehouden.

De inhoud van de nieuwe bundel is ook dit keer wederom in nauwe samenwerking met een aantal Faculteiten Rechtsgeleerdheid vastgesteld. De uiteindelijke redactie had, als altijd, plaats bij het T.M.C. Asser Instituut. Bijzondere dank zijn wij verschuldigd aan Eylül Kabakci en Paula Rodríguez Padilla voor hun hulp bij het samenstellen van deze bundel.

Wij hopen dat studenten en docenten in het internationaal recht in Nederland ook van deze nieuwe editie *Elementair Internationaal Recht 2025* ten volle zullen profiteren. Wij houden ons als altijd aanbevolen voor commentaar en suggesties.

Den Haag, juni 2025

dr Tarik Gherbaoui
T.M.C. Asser Instituut

mr Frank Bakker
T.M.C. Asser Press

FOREWORD

Since 1980, the T.M.C. Asser Institute, in collaboration with the law faculties of the universities in The Netherlands, has produced *Elementary International Law*, a comprehensive collection of international legal instruments and jurisprudence. The reason for doing so was the fact that at that time a module providing an introduction to international law was made compulsory in almost all law faculties of Dutch universities. To ensure that the collection remains suited to the educational needs of the law faculties, full use has been made of the vast knowledge and expertise available within these institutions throughout the entire editing process.

The collection primarily contains basic material regarding public international law, including international institutional law, as well as a wide selection drawn from international and national jurisprudence. Furthermore, several key provisions of Dutch law are included (updated in spring 2025), which are essential to the implementation of international law in the Dutch legal order. At the request of the Dutch law faculties, more specialised texts going beyond the introductory level have been gradually included, thereby also making the collection useful for teaching a wide range of international law courses at both undergraduate and postgraduate level. Over the years, subsequent revised editions of the collection have gained a firm position within legal education in the Netherlands.

The 2025 edition of the collection *Elementary International Law* has once again been thoroughly updated. As with every new edition, new texts have been added and a number of texts have been removed or replaced in order to reflect developments in the field of international law, in particular regarding climate change litigation. Needless to say, we have done our utmost to maintain the recognisability and affordability of ‘the yellow collection’.

The content of the new collection has once again been determined in close collaboration with a number of law faculties, but the final editing, as always, took place under the auspices of the T.M.C. Asser Instituut. We are grateful to Eylül Kabakci and Paula Rodríguez Padilla for their invaluable assistance in compiling this collection.

We hope that students and teachers of international law in the Netherlands will benefit greatly from this new edition of *Elementary International Law 2025*. As ever, we very much welcome any comments and suggestions.

The Hague, June 2025

dr Tarik Gherbaoui
T.M.C. Asser Instituut

mr Frank Bakker
T.M.C. Asser Press

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