

INTERNATIONAL LAW AND HUMAN RIGHTS

Dr. S. k. KAPOOR



CENTRAL LAW AGENCY

**INTERNATIONAL LAW
AND
HUMAN RIGHTS**

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POPULAR FOR OVER 30 YEARS

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THE PRESIDENT

November, 1986

FOREWORD

The author has always been keen to enlarge and improve the book at the time of its revised edition. He has added a new chapter on International Criminal Law and the Proposal for the establishment of an International Criminal Court. He has made a sincere endeavour to bring the subject-matter of the volume up-to-date. I notice that the latest pronouncements of the International Court of Justice concerning the case of Military and Para-military activities in and against Nicaragua (Nicaragua v. United States) 26th November, 1984, Case concerning Delimitation of Maritime Boundary in the Gulf of Maine Area (Canada v. United States) 12th October, 1984 and Case concerning the Continental Shelf (Libyan Arab Jamahiriya v. Malta) 3 June, 1985 have been incorporated in the volume. I also notice that the author has dropped Appendix III on "Leading Cases" and the relevant matter of this Appendix has been incorporated in the text. Chapters on Law of the Sea, the International Court of Justice, Intervention, State Jurisdiction, Outer Space, Nationality etc., have been further elaborated and improved. The author has also made legal scrutiny of international events such as Star War, Accident at Soviet Nuclear Plant at Chernobyl, American Attack on Libya, Financial Crisis faced by the U.N., Nuclear Terrorism, Star Peace Plan, South Africa and Apartheid and Disarmament Summit between the U.S. and U.S.S.R. Despite these additions in this volume, the bulk of the book has been kept under check ; rather it has been slightly reduced. I do hope that the book will meet the needs of Indian students.

I wish him all success.

NAGENDRA SINGH

PREFACE TO THE FIFTEENTH EDITION

In this edition, the book has been thoroughly revised and brought up-to-date. I am thankful to my readers who have showered their love and affection for a period of thirty years. On my part, I have endeavoured to keep the readers well-informed and up-to-date about all important matters relating to public international law. I hope this relationship of love and trust with my readers will continue to grow with time.

In this edition new cases—international as well as Indian have been added. With a view to bring the book up-to-date and for the benefit of readers, current international events and problems relevant for International law such as American invasion of Iraq, thaw in Indo-Pak relation in pursuance of Indian initiative, Godhra carnage, latest developments of World Trade Organisation, fight against terrorism and human rights have been incorporated.

I believe that this edition of the book will greatly benefit the students of law, political science, International Relations, International Organisations, Defence Studies, Human Rights and candidates appearing at the various competitive examinations including combined Civil Services and Provincial Civil Services Examinations.

My wife and children ("Sonal" and "Tosh") have been the source of inspiration. My relationship with the publishers has grown and matured with time. I wish to take this opportunity to thank them for their help and cooperation and for doing a fine job in printing and publishing the fifteenth edition of the book in an elegant manner.

Dated : 25th August, 2004
3/44, Prag Narain Road,
Lucknow - 226001

Dr. S. K. Kapoor

PREFACE TO THE FIRST EDITION

This book has been written to serve the needs of the students of Law of Indian Universities and the candidates appearing at the different competitive examinations. An endeavour has been made to present the subject-matter in a systematic manner and in a lucid and simple language. An attempt has also been made to explain the different topics of International Law with the help of illustrations, problems and leading cases on the points. A critical discussion has been made of the current international problems involving questions of International Law, such as Indo-Pak War (1971), Emergence of Bangladesh, Banning of Pakistani Air flights through Indian territory, Problem of Bangladesh's Admission to the United Nations, Problem of Release of Pakistani Prisoners of War and Trial of War Criminals, Sending of Indian Forces to Sikkim in April, 1973, Problem of Succession in respect of public debts by Bangladesh, Legality or illegality of American action in Vietnam and Cambodia, Legality or illegality of nuclear warfare and nuclear tests including the recent Injunction granted by the International Court of Justice forbidding France to conduct its planned nuclear tests, Indo-Pakistan Agreement on Prisoners of War, 1973 (Delhi Agreement) and International treaties and agreement recently concluded. For the benefit of the students, some leading cases on International Law have been discussed briefly in a separate Chapter.

In the end, I thank the publishers for having spared no pains in getting the book printed and published in an elegant manner in a short time.

S. K. KAPOOR

ABBREVIATIONS

A.I.R.	:	All India Reporter
A.J.I.L.	:	American Journal of International Law
American Rep.	:	American Reporter
American Rev.	:	American Review
Annual Rev. of U.N. Affairs	:	Annual Review of the U.N. Affairs
B.Y.B.I.L.	:	British Year Book of International Law
California L.R.	:	California Law Review
Col. J. Transnat'l Law	:	Columbia Journal of Transnational Law
Col. L.R.	:	Columbia Law Review
C.L.P.	:	Current Legal Problems
F.A.R.	:	Foreign Affairs Reports
Harv. Int. L.J.	:	Harvard International Law Journal
Harv. L. Rev.	:	Harvard Law Review
Harvard J. Trans. L.	:	Harvard Journal of Transnational Law
I.C.L.Q.	:	International and Comparative Law Quarterly
I.J.I.L.	:	Indian Journal of International Law
I.J. Pol. Sc.	:	Indian Journal of Political Science
Ind. Q.	:	India Quarterly
I.C.J. Review	:	Review of the International Committee of Jurists
Illions L.R.	:	Illions Law Review
I.L.M.	:	International Legal Materials
I.L.R.	:	The International Law Reporter
Int. Lawyer	:	International Lawyer
Int. Affairs	:	International Affairs
Int. Orgn.	:	International Organisation
Int. Studies	:	International Studies
J.I.L.I.	:	Journal of the Indian Law Institute
J. of Law and Economics	:	Journal of Law and Economics
J. of Int. Law and Economics	:	Journal of International Law and Economics
Law.	:	Lawyer
Law. & Cont. Prob.	:	Law and Contemporary Problems
McGill L.J.	:	McGill Law Journal
Ocean Dev. & Int. L.	:	Ocean Development and International Law
Proc. A.S.I.L.	:	Proceedings of American Society of International Law
S.C.J.	:	Supreme Court Journal
Soviet Year Book of Int. Law	:	Soviet Year Book of International Law
U.N.C.	:	United Nations Chronicle
U.N. Monthly Chronicle	:	United Nations Monthly Chronicle
University of Toronto L.J.	:	University of Toronto Law Journal
Virginia L.R.	:	Virginia Law Review
Yale L.J.	:	Yale Law Journal
Yojna	:	Yojna

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