



**British Institute of
International and
Comparative Law**

Launch Event Report 9th October 2018

'Territorial conflicts lie at the core of modern international affairs. They seep through concrete walls topped with barbed wire, they waft across electrified borders and fortified islands as nations seek to secure the integrity of their territory'.

BIICL's report 'The Use of Force in Relation to Sovereignty Disputes over Land Territory' was formally launched at an event at BIICL on 9th October 2018. The report, published in July of this year, provides an analysis of how the international law rules on the threat or use of force operate in the context of territorial disputes. In doing so, the report scrutinises a wide range of territorial disputes to clarify the legal obligations binding upon States involved in such disputes, and the consequences flowing from a breach of these obligations.

The launch event included a keynote address by Sir Michael Wood, Member of the United Nations International Law Commission and Senior Fellow at the Lautherpacht Centre for International Law. Sir Michael briefly set out his approach to the *jus ad bellum* and commented on the report. He posited that, although very easy to state in theory, the practical application of these rules is very complicated. In commenting on the report, he particularly outlined its finding that the *jus ad bellum* prohibits to claim 'self-defence to gain control over a disputed area which is under the *de facto* control and administration of another State'. He identified this as a key finding of the research.

Dr Constantinos Yiallourides, Research Fellow in the Law of Territorial Disputes at BIICL, contextualised the report in the international legal debate and in BIICL's expertise, and succinctly presented the main conclusions of the report. One such conclusion is that 'what the law protects, pending the settlement of a territorial dispute, is not the territorial integrity of the holder of a valid title in the disputed territory, but rather the existing territorial *status quo* on the ground'. He also highlighted that given the particular

proneness of territorial disputes to escalation and armed conflict, an 'obligation of restraint' must be asserted.

The interventions were followed by a vivid round of questions and comments which raised issues such as 'frontier incidents' in ICJ case-law and the concept of dispute itself.

[Please read the report here.](#)

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