

Treaties in international law

- The Vienna Convention on the Law of Treaties (1969)
- Different names of treaties
Treaties, conventions, covenants, exchange of letters, etc
- Contractual and law-making treaties
- Binding and non-binding agreements
MOUs
- Treaties establishing international institutions
IOs, courts and treaty bodies
- Framework treaties and protocols

Adoption of treaties

- Signature and ratification
- Adoption by IOs
- Reservations and declarations

Interpretation of treaties

- Wording
- Object and purpose
- Context
- Agreement between the parties: formal and informal
- Supplementary means of interpretation
- One or several methods of interpretation?

Development of treaty law

- Why is there a need for dynamism?
- Dynamic (evolutive) interpretation
- Amendments
- Framework conventions and protocols
- The use of annexes
- The establishment of international institutions and courts
- The use of soft law instruments
- Dynamic interpretation and democratic control
- Should there be a margin of appreciation?

Conflicts between treaties

- Explicit regulations on the relationship between treaties
- 'Systemic interpretation'
- Collision principles
 - Lex superior
UN Charter art. 103/jus cogens
 - Lex specialis
 - Lex posterior

Violation of treaties

- Breach of treaties
- State responsibility, including counter-measures
- Compliance mechanisms
- Dispute settlement
- International enforcement

Termination of treaties

- Agreement between the parties
- Denunciation
- State succession

Case Study No 2

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