

DEVELOPMENT OF INTERNATIONAL LAW AFTER WORLD WAR II

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Abstract: The era following World War II marked a significant turning point in international relations and law, laying the groundwork for a new legal and political paradigm. This paper deals with the study of the evolution of international law in the post-war period, focusing on the innovations, challenges, and changes that shaped the global legal order. Our analysis begins by considering the establishment of the United Nations and their role in promoting international peace, security, and justice, as well as the impact of their normative frameworks on international law. Considering that „authors either completely avoid the problem of defining international law; or avoiding definition, they only analyze the nature and role of international law; that is, the social function of international law, its relationship with justice, morality, general social interest, etc.,“ (Kri-vokapic, 2017:28) we will try to give a correct definition of international law as international law is a set of rules and norms that regulate relations between states and other subjects of international law, such as international organizations and, to a certain extent, individuals. This law encompasses a wide range of issues, including diplomatic relations, trade, war and peace, human rights, environment, maritime law, and much more, and in the continuation, we will cover the development of all these branches of law immediately after World War II.

Key words: international law, peace operations, sovereignty, decolonization, United Nations, International Law Commission, diplomatic and consular law, corruption.

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1. INTRODUCTION

The development of international law in the second half of the twentieth century is characterized by a series of significant changes that reflect the political, economic, and social dynamics of that period. After the horrors of World War II, in 1945, the United Nations was founded with the aim of preserving peace and security, paving the way for the strengthening of international norms and institutions. The Charter of the United Nations became the foundation of modern international law, affirming the principles of sovereign equality of states, the prohibition of the use of force, and the obligation to peacefully settle disputes.³ The war crimes committed during World War II led to the formation of the Nuremberg and Tokyo Tribunals, where the Axis powers' leaders were convicted of genocide and crimes against humanity. These processes not only punished the criminals but also set a precedent for future international judicial proceedings, establishing the jurisdiction of international law over individuals, not just states.

2. THE CREATION OF THE UNITED NATIONS ORGANIZATION AND THE FIRST PEACEKEEPING OPERATIONS

The United Nations was founded on October 24, 1945, with the aim of preserving world peace and security, upholding human rights, and promoting social and economic development. The founding charter of the United Nations was signed by 51 member states at the conference in San Francisco, held after the end of World War II. The organization inherited the mission and goals of the League of Nations, the previous international organization established after World War I, which failed to prevent the second global conflict. The main organs of the United Nations include the

3 (UK)NA/FO371/118874/JE1074/24/J/No.1296, 20 Nov. 1956, From New York (UK mission) to Foreign Office; cf. regarding the Egyptian opposition to a significant Canadian participation: LAC/RG25 [External Affairs], Vol.6100, file 50366-40, 24 Nov. 1956, UNEF – Canadian Contribution; LAC/RG2, Privy Council Office, Series A-5-a, Vol.5775/Reel T-12185; United Nations Emergency International Force; Cabinet Meeting Datum: 28 Nov. 1956.

General Assembly, where each member state has one vote, and the Security Council, which has five permanent members with veto power (the United States, Russia, China, France, and the United Kingdom) and ten rotating (non-permanent) members. The purpose of the United Nations can be best seen from the following sentence by Harry Truman: „If we do not want to die together in war, we must learn to live together in peace.“ (Truman, 1945) Yugoslavia played a significant role in the creation and operation of the United Nations. The country joined the UN as a founding member on October 24, 1945.

The first United Nations peacekeeping operations began in 1948. The first mission was the UN Truce Supervision Organization (UNTSO), established to oversee the ceasefire agreement between Israel and its Arab neighbors. In the early years, the goals of peacekeeping were mostly limited to maintaining ceasefires and stabilizing the situation on the ground so that the political level could address conflict resolution through peaceful means. The creation of the First United Nations Emergency Force for Peacekeeping (UNEF I) in response to the Suez Crisis in 1956 marks a key moment in the constitutional development of UN peacekeeping operations.⁴ This was the first time the organization sent larger peacekeeping units to a conflict zone, with the aim of securing a ceasefire and establishing conditions for a political solution.⁵ The legal nature of peacekeeping operations and their constitutional basis, however, remained unclear, which made it difficult to carry out the UN's second major operation in Congo in 1960, especially after the „mandate of ONUC was transformed.“ (Dorn, 1995:11)

Legal debates crystallized in the controversy over the distribution of peacekeeping operation costs among UN member states, leading to an

4 After Egypt decided to nationalize the Suez Canal, major conflicts erupted between Egypt on one side and France, Great Britain, and Israel on the other. These events forced the Security Council to establish the UNEF mission, which consisted of lightly armed forces from member states that did not participate in the conflict. Its task was to ensure and monitor the withdrawal of French, Israeli, and British forces from Egyptian territory and to serve as a buffer zone between Egyptian and Israeli forces. UNEF I was established by United Nations General Assembly Resolution UN Doc. A/RES/1001 (ES-I) (1956).

5 See: LAC/RG2/, Privy Council Office, Series A-5-a, Vol.5775/Reel T-12185; International situation; contribution to United Nations Emergency International Force; Cabinet Meeting Date: 16 Nov. 1956.

advisory opinion from the International Court of Justice (ICJ) in the case „Certain Expenses of the United Nations“ in 1962. In this context, it is crucial to recall that: „The advisory opinion of the International Court of Justice of 20 July 1962 regarding the ‘Certain Expenses of the United Nations’ confirmed that the expenditures approved by the General Assembly for the UN operations in Congo and the United Nations Emergency Force in the Middle East were indeed ‘expenses of the Organization’ within the meaning of Article 17, paragraph 2, of the UN Charter. (International Court of Justice, 1962) The Court concluded that these expenses were made to achieve the goals of the Organization. Nevertheless, a pattern was established that lasted until the new types of conflicts in the 1990s and the new political constellation in the UN, which made traditional peacekeeping operations obsolete. Theorists like Brian Urkhart, who was a key figure in the development of UN peacekeeping operations, emphasize the importance of adaptability and innovation in responding to new challenges. In light of the changing nature of international conflicts, peacekeeping operations had to evolve to remain relevant and effective in maintaining peace and security. Today’s peacekeeping operations often involve a wide range of activities, including military presence, ceasefire monitoring, civilian protection, state-building support, and promotion of human rights. This evolution reflects the continuous need for adapting international law and peacekeeping practices to respond to the complex challenges of contemporary conflicts.

3. INTERNATIONAL CRIMINAL LAW

After the horrors of World War II, the international community recognized the need to strengthen international criminal law to prevent future crimes and ensure justice for victims. The development of international criminal law since then has been focused on establishing clear rules and institutions for prosecuting individuals responsible for grave crimes against international law. The first significant step in the development of international criminal law after World War II were the Nuremberg and Tokyo trials, where war criminals from Germany and Japan were prosecuted for crimes against peace, war crimes, and crimes against humanity. These trials set

a precedent that individuals, including state leaders, can be held accountable under international law. After the war, the Geneva Conventions were revised to improve the protection of victims of armed conflicts, including prisoners of war, wounded and sick soldiers, and civilians. The four Geneva Conventions of August 12, 1949, form the foundation of international humanitarian law. A year earlier, in 1948, the Convention on the Prevention and Punishment of the Crime of Genocide was adopted. During the Cold War, progress in the development of international criminal law was limited due to geopolitical tensions between the East and the West. However, despite these challenges, the normative framework continued to be built through various international treaties. At the end of the 20th century, ad hoc international criminal tribunals for the former Yugoslavia (ICTY) and Rwanda (ICTR) were established to prosecute individuals responsible for genocide, crimes against humanity, and war crimes. These tribunals further developed the jurisprudence of international criminal law.

The establishment of the International Criminal Court (ICC) in 2002 represents a milestone in the development of international criminal law. The ICC is the first permanent international court with jurisdiction to prosecute individuals for the most serious crimes of international concern, including genocide, crimes against humanity, war crimes, and the crime of aggression. Although significant progress has been made, the development of international criminal law faces challenges, including issues of sovereignty, the political will of states to cooperate, and sometimes accusations of bias and selective justice. Despite these challenges, efforts continue to strengthen international criminal law as a means to promote justice, accountability, and prevent future crimes.

4. THE QUESTION OF SOVEREIGNTY IN INTERNATIONAL LAW

Sovereignty represents one of the fundamental principles of international law and refers to the complete and exclusive authority of a state over its territory and population, as well as the right of the state to make decisions independently without external interference. International law recognizes state sovereignty as a key element of the international system and

guarantees their territorial integrity and political independence. The concept of sovereignty has evolved through history and became particularly important after the Peace of Westphalia in 1648, which marked the beginning of the modern system of sovereign states. International law, through various treaties, conventions, and customs, seeks to protect the sovereignty of states and promote peace and stability in international relations.

Legal scholars between the two world wars were critical of what they considered an excessive emphasis on the right to state sovereignty. Although criticism of sovereignty was still present in most Western writings, legal scholars no longer sought immediate ways to exit from that concept, even in the West. On the contrary, the appeal of politically oriented realism suggested a serious understanding of sovereignty and its use to produce diplomatically credible reports on the functioning of law or conditions for legal reform (McDougal, Stone). Neither Soviet nor third-world lawyers shared the Western discomfort with sovereignty. On the contrary, for them, sovereignty was the foundation from which they could oppose what they saw as a constant tendency towards Western domination. Statehood firmly stood as the formal center of law. That this center was deeply political was manifested in the final victory of the declarative doctrine on the effect of state recognition. It was considered that the emergence of states should be viewed as a political, historical, and sociological process - a process of de facto consolidation of power in an entity, rather than as a reflection of what existing states - in practice, the most powerful states - were willing to accept as such (e.g., Chen).

Efforts to „mitigate the relative arbitrariness of this by positing a duty of recognition once an entity reaches the necessary conditions of statehood“ (Lauterpacht, 1947:48) were not successful. In accordance with the political realism of the era, recognition was to be viewed as a political act of approval that does not create a state, even legally, but only puts a final seal of approval (by an individual state or by the community) on the statehood of the entity.⁶ These ideas reflect the complex

⁶ James Crawford expressed his opinion on state recognition in his work *The Creation of States in International Law*, published in 2006. In this book, Crawford thoroughly examines the processes of state formation in international law, including the role of recognition. He emphasizes that recognition is a political act that does not create a state but confirms its existing statehood.

relationship between law and politics in international relations, especially in the context of sovereignty and state recognition. Legal realists such as McDougal and Stone advocated an approach that respects political reality and aims for pragmatic solutions in international law, while theorists like Lauterpacht and Crawford emphasized the importance of legal standards and norms in the process of state recognition. These different perspectives continue to shape the development and interpretation of international law in the contemporary world.

In the famous 1928 arbitral award in the Island of Palmas case between the Netherlands and the United States, arbitrator Max Huber stated: „Sovereignty in relations between states signifies independence. Independence in relation to a portion of the globe is the right to exercise therein, to the exclusion of any other state, the functions of a state. The development of the internal organization of states during the last few centuries and, as a consequence thereof, the development of international law, have established this principle of the exclusive jurisdiction of the state within its own territory, in such a way that it has become the starting point for the solution of most questions concerning international relations...” (Reports of International Arbitral Awards, 1928:828)

Regarding the relationship between state sovereignty and globalization, which is a particularly relevant topic in the 21st century, according to the skeptical or traditionalist school, „globalization is not something opposed to nation-states, but states have a key role in the process of globalization“, (Tucak, 2008:154) then, another school of thought sees globalization as „an inevitable development that nation-states cannot influence or stop“, (Tucak, 2008:155) and a third school of thought argues that „nation-states will not disappear, but the way governments perform their tasks will significantly change.“ (Tucak, 2008:155)

This book is considered a key reference work in the field of international law on the formation and recognition of states.

5. DECOLONIZATION AND THE COLD WAR

Decolonization as a legal process involves a series of international legal principles and procedures that enable the transition from colonial status to independence and sovereignty. This process is closely linked to the right of peoples to self-determination, which is a key principle of international law established in the Charter of the United Nations and other international documents. Decolonization also played a key role in the development of international law during this period, as many newly established states gained membership in the United Nations. This changed the global geopolitical structure and increased legal pluralism, as many of these states brought new perspectives and demands to international law, especially regarding the right to self-determination. By the 1960s, decolonization was widely accepted as a principle of international law, significantly confirmed by the adoption of the United Nations Declaration on Decolonization in 1960.⁷ The Declaration promoted the following principles: 1. The right of all peoples to self-determination and independence, 2. The obligation of colonial powers to transfer power to colonial peoples quickly and unconditionally,⁸ 3. The need to end all forms of colonial rule in all its forms and manifestations, 4. The right of peoples to fight against colonial domination and external domination, 5. The condemnation of colonialism as an injustice and an obstacle to economic and social development.

The UN Declaration on Decolonization had a significant impact on the decolonization process worldwide, especially during the 1960s and 1970s, when many African and Asian countries gained independence. This document obliged states to recognize and respect the right of peoples to self-determination and encouraged the independence of most Eu-

7 The United Nations Declaration on Decolonization is known as Resolution 1514 (XV) of the General Assembly, adopted on December 14, 1960. The official title of this document is „Declaration on the Granting of Independence to Colonial Countries and Peoples.“ This declaration is a key document in the decolonization process and is the basis of international law supporting the right of peoples to self-determination.

8 The declaration was one of the first major contributions of the United Nations to the decolonization process. The United Nations later established the Committee on Decolonization (also known as the Committee of 24) to oversee the implementation of the Declaration and provide support to countries and peoples in their efforts for independence.

ropean colonies within a few years. The decolonization process was not just a political but also a legal phenomenon that involved the transfer of sovereignty from colonial powers to newly formed states. In this regard, there was an understanding that sovereignty over natural resources was not just a matter of state control, but also legal regulation that protects the rights and interests of people in developing countries. The UN General Assembly Resolution on Permanent Sovereignty over Natural Resources in 1962 played a key role in this process, providing a legal framework that allows states to independently manage and exploit their resources, often in opposition to previously concluded private contracts with foreign corporations. Legal debates on nationalization and compensation for the expropriation of foreign property intensified during this period, especially regarding natural resources in the Middle East and Africa.

The debate did not stop at sovereignty in public law but also extended to the regulation of private transnational activities. Third World states, through platforms such as the United Nations Conference on Trade and Development (UNCTAD) established in 1964, sought to transform international economic relations to achieve greater distributive justice. The movement for the establishment of a New International Economic Order (NIEO) in the late sixties and early seventies resulted in the adoption of numerous legal instruments, treaties, and resolutions that envisaged changes in international economic relations, especially in terms of international investments. The establishment of the UN Center for Transnational Corporations in 1973 was aimed at strengthening the negotiating capacities of developing countries and regulating the activities of private enterprises.⁹ However, processes such as the adoption of the Declaration on the Establishment of a New International Economic Order and the Charter of Economic Rights and Duties of States in 1974, despite widespread support, faced resistance from developed countries that were exporters of capital. The legal principles adopted during this period shaped contemporary international law, adding layers of complexity through is-

⁹ The United Nations Center for Transnational Corporations (UNCTC) was a specialized agency of the United Nations established in 1974. Its primary objective was to provide support and advice to developing countries regarding issues related to transnational corporations (TNCs), especially in the context of their impact on development and international economic relations.

sues such as nationalization, fair compensation, and the right of peoples to development. These developments showed how international law can serve as a tool to redefine global economic relations and support processes of decolonization and self-determination.

The Cold War established a bipolar world, but it also spurred the development of international law in areas such as disarmament and arms control, with agreements like the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in 1968. These initiatives were aimed at preventing the spread of nuclear weapons and reducing the risk of nuclear conflict. Treaties on disarmament and arms limitation were an important part of international relations in the 20th century, especially during the Cold War. One of the key moments was the Strategic Arms Limitation Talks (SALT), which began in 1969 between the United States and the Soviet Union. SALT I resulted in the Anti-Ballistic Missile Treaty and the Interim Agreement on Certain Measures with Respect to the Limitation of Strategic Offensive Arms, which were signed in 1972. These agreements recognized the sovereignty of each side and agreed on the principle of non-imposition, aiming to promote economic, scientific, and cultural ties that are mutually beneficial. SALT II, signed in 1979, represented the first nuclear arms treaty that assumed an actual reduction of strategic forces to 2,250 categories of weapon carriers on both sides.

These negotiations were a continuation of earlier disarmament efforts organized by the League of Nations, such as the Geneva Conference in 1932. This conference aimed to implement Article 8 of the Covenant of the League of Nations, which required the reduction of national armaments to the lowest point consistent with national security and international obligations. During the Cold War, these negotiations were key in limiting nuclear armaments, and the term „arms control“ was often used to denote any disarmament or arms limitation agreement. Although the SALT talks represented significant progress in arms control, challenges and criticisms remained. Some issues included the presence of a Soviet brigade in Cuba and the Soviet invasion of Afghanistan, which led to the withdrawal of the SALT II treaty from consideration in the US Senate in 1980, although both sides adhered to the treaty's terms until 1986. Throughout the 20th century, there were several such disarmament attempts, and the SALT talks were

later surpassed by the START I treaty in 1991. Other significant treaties include the Comprehensive Nuclear-Test-Ban Treaty (CTBT), the Intermediate-Range Nuclear Forces Treaty (INF), and the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

6. INTERNATIONAL LAW COMMISSION

The Charter of the United Nations tasked the UN General Assembly with “encouraging the progressive development of international law and its codification”¹⁰ (Article 13(1)(a) of the UN Charter). However, the idea was that the UN would not develop into a world legislative body or a center of international administration, but rather function as a forum for multilateral diplomacy through which international conventions would be adopted and disputes peacefully resolved. To carry out the first task, the International Law Commission (ILC) was established in 1947 as a body of independent experts charged with preparing drafts for the codification and progressive development of international law. At its first session in 1949, the Commission adopted its first work program consisting of fourteen topics: the law of international treaties, state responsibility (state responsibility for private actors), immunities and jurisdictions, regulations on the high seas and territorial waters, diplomatic and consular relations, extradition, the right to asylum (territorial and extraterritorial, and individual and collective), recognition of states, and arbitral procedure. Regarding the Commission’s objectives, it is important to note that it was established: „with a mandate to promote the progressive development of international law and its codification. Over the years, the Commission has played a key role in the development of contemporary international law, contributing to the formulation of numerous key conventions and treaties.“ (Pellet, 1998:44)

The achievements of the ILC in the period 1945–1960 were not impressive. Work was completed on five topics, with two draft conventions (on the territorial sea and the high seas), the UN General Assembly refused to take action on one proposal (arbitral procedure), and two topics were in progress

10 The International Law Commission was created by United Nations General Assembly Resolution A-RES-174(II) on November 21, 1947.

(diplomatic relations and statelessness). The ILC's activity was characterized as „the slowness of progress and disappointment with the results achieved.“ Although work on arbitral procedure, reduction of statelessness, and the field of international criminal law did not go beyond drafts, significant preparatory work was, however, done for the Vienna Convention on Consular Relations (1963), the Vienna Convention on Diplomatic Relations (1961), and the Vienna Convention on the Law of Treaties (1969).

The efforts of the ILC to codify and develop international law, despite slow progress, contributed to the establishment of important legal instruments that today form the basis of the international legal system. These conventions set standards for diplomatic and consular relations, as well as for the law of treaties, which enabled greater predictability and stability in international relations. Although challenges remained, the work of the ILC was crucial in shaping contemporary international law.

7. SPECIALIZED AGENCIES OF THE UN

Following the establishment of the United Nations, many other specialized agencies were founded to address specific issues, such as the World Health Organization (WHO) and the International Atomic Energy Agency (IAEA). The specialized agencies of the United Nations (UN) are international organizations that are associated with the UN through cooperation agreements. They are autonomous and have their own members, budgets, and administrative structures. Specialized agencies were established to deal with specific issues on a global level, such as health, education, food, agriculture, civil aviation, and telecommunications. Their establishment allows for more efficient and focused action in certain areas. These organizations have contributed to the creation and implementation of international law in areas of public health and nuclear safety. The Cold War also brought a new dimension to international law, with the adoption of numerous arms control and disarmament agreements. International disarmament conferences contributed to the limitation of the spread of weapons and the establishment of verification and monitoring systems.¹¹

¹¹ The specialized agencies of the UN include: International Labour Organization (ILO), Food

8. HUMAN RIGHTS AND ENVIRONMENTAL PROTECTION

Human rights are defined as „a set of fundamental rights of the human person, i.e., rights that one does not have to specifically acquire, but should possess based on one’s very existence and regardless of the country of citizenship or residence, as well as regardless of whether one may be stateless or a refugee.“ (Ibler, 1987:236) Human rights are actually „common rights“ (Griffin, 2007:256) inherent to the entire human collective. They are understood as „a set of principles and standards common to all people.“ (Sahadzic, 2011:246)

In the field of human rights, international law began to apply to situations within states, often in contrast to traditional principles of sovereignty. This resulted in pressure on states to respect the human rights of their citizens and allowed the international community to intervene in cases of severe violations, as was the case in Rwanda and the former Yugoslavia. Additionally, the right to national self-determination, which became a key feature of the post-war era, enabled many peoples to gain independence and become recognized states within the international community. This contributed to a significant increase in United Nations members and further development of international law regulating relations between states.

Human rights became a significant part of international law with the adoption of the Universal Declaration of Human Rights in 1948, which laid the foundations for the development of international human rights treaties, such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, both adopted in 1966. These documents defined a wide range of human

and Agriculture Organization (FAO), United Nations Educational, Scientific and Cultural Organization (UNESCO), World Health Organization (WHO), World Bank (WB), International Monetary Fund (IMF), International Civil Aviation Organization (ICAO), Universal Postal Union (UPU), International Telecommunication Union (ITU), World Meteorological Organization (WMO), International Maritime Organization (IMO), World Intellectual Property Organization (WIPO), International Fund for Agricultural Development (IFAD), United Nations Industrial Development Organization (UNIDO), and World Tourism Organization (UNWTO).

rights and the obligations of states to respect them. In the same spirit, the fight against discrimination led to the adoption of several conventions, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1979, which strengthened women's rights and promoted gender equality.

Legal regulation concerning environmental protection and sustainable development became another key segment of international law. Events such as the Chernobyl disaster in 1986 highlighted the need for international cooperation in preventing and responding to environmental disasters. The Comprehensive Nuclear-Test-Ban Treaty (CTBT) is crucial, representing an international treaty aimed at banning all nuclear explosions in all environments, including the atmosphere, space, underwater, and underground. The treaty was opened for signature in 1996, but it has not yet entered into force because not all key states possessing nuclear weapons have ratified the treaty. The CTBT represents a step in efforts to limit the spread of nuclear weapons and promote nuclear disarmament. The implementation of the Treaty is monitored through the CTBT International Monitoring System, which uses technology to detect nuclear explosions.

Other significant sources in international law related to environmental protection include: The Convention on Biological Diversity (CBD) focused on conserving biological diversity, sustainable use of its components, and equitable sharing of benefits arising from the use of genetic resources, The United Nations Framework Convention on Climate Change (UNFCCC) aims to stabilize greenhouse gas concentrations in the atmosphere at a level that prevents dangerous anthropogenic (human-induced) interference in the climate system, The Kyoto Protocol, an addition to the UNFCCC, sets binding targets for reducing greenhouse gas emissions for industrialized countries, The Paris Agreement, adopted under the UNFCCC, aims to strengthen the global response to the threat of climate change by keeping the global temperature increase below 2°C above pre-industrial levels and striving to limit the temperature increase to 1.5°C, The Convention on the Ozone Layer, officially known as the Vienna Convention for the Protection of the Ozone Layer, is an international convention adopted in 1985 aimed at protecting the ozone layer

from damage caused by human activities, particularly emissions of certain chemicals that degrade it, such as chlorofluorocarbons (CFCs) and halons, The Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) aims to reduce pollution and protect the marine and coastal environment of the Mediterranean, while The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) regulates international trade in endangered species of wild animals and plants.

9. INTERNATIONAL BUSINESS LAW

The end of the Cold War and the fall of the Berlin Wall in 1989 opened the way for a new wave of globalization and cooperation, resulting in the strengthening of international institutions such as the World Trade Organization (WTO) and the expansion of the European Union. This led to new rules and norms in international economic law and the enhancement of regional integration. At the same time, international humanitarian law was advanced through the adoption of the Additional Protocols to the Geneva Conventions in 1977, which expanded the protection of civilians in armed conflicts and set stricter rules for conducting wars. These changes were a response to changing forms of warfare and the need for better protection of human rights. Environmental protection became an international legal issue after world leaders met at the United Nations Conference on the Human Environment in Stockholm in 1972, leading to the establishment of the United Nations Environment Programme (UNEP) and later, the adoption of numerous multilateral agreements aimed at protecting natural resources.

The law of the sea was also revised during this era, culminating in the adoption of the United Nations Convention on the Law of the Sea (UNCLOS) in 1982, which set comprehensive rules for the use of the oceans and their resources, affirming concepts such as exclusive economic zones. In the field of trade law, the General Agreement on Tariffs and Trade (GATT), and later the World Trade Organization (WTO), advanced rules and norms for international trade, promoting the reduction of trade barriers and fair practices. Given all these changes, the second half of the

twentieth century was a time of significant expansion and consolidation of international law, laying the groundwork for global governance in the new millennium. International law became not just a system of rules for states but also a platform for individuals, international organizations, and civil society to seek justice and advance global standards in various areas of human activity.

The development of international law during the second half of the twentieth century was a dynamic process that was strongly influenced by global political changes and growing awareness of human rights, environmental protection, and the rights of minority groups. During this period, the International Labour Organization (ILO) was established and set standards for workers' rights, health conditions, and fair working conditions, thereby extending international law to the social sphere.

The concept of justice and international accountability gained new momentum through the establishment of the permanent International Criminal Court (ICC) in 2002, as a result of the 1998 agreement. The ICC was designed to prosecute individuals accused of the gravest crimes such as genocide, war crimes, and crimes against humanity.

In refugee law, the adoption of the 1951 Refugee Convention and its 1967 Protocol were key moments in international law, establishing a legal framework for the protection of the rights and status of persons forced to flee their homes due to persecution or conflict. The right to development also became a focus of the international community, recognizing that all peoples have the right to economic, social, and cultural development, as well as the right to participate in and enjoy economic growth.

10. DIPLOMATIC-CONSULAR LAW

The realm of diplomatic law was not immune to changes, as the Vienna Convention on Diplomatic Relations of 1961 and the Vienna Convention on Consular Relations of 1963 enhanced the rules governing diplomatic and consular interactions among states. In addition, it is necessary to mention the Vienna Convention on the Privileges and Immunities of the United Nations (1946), the Vienna Convention on the Privileges

and Immunities of Specialized Agencies of the United Nations (1946), and the Vienna Convention on the Status of Special Missions (1969).

11. AIR, SPACE, AND OTHER LAWS

In the field of air and space law, various conventions and agreements, such as the Convention on International Civil Aviation (also known as the Chicago Convention) and the Outer Space Treaty, established the foundations for regulating the use of airspace and space activities. International maritime law also saw significant initiatives, such as efforts to combat piracy, illegal fishing, and protect marine biodiversity, all of which are included in the broader commitment to preserving and sustainably using oceans and seas. The concept of sustainable development became a central theme in international law following the United Nations Conference on Environment and Development in Rio de Janeiro in 1992, where key documents such as Agenda 21, the Convention on Biological Diversity, and the Framework Convention on Climate Change were adopted.

During these years, it was evident that international law was developing through a series of agreements focusing on specific challenges, such as the Convention on the Prohibition of Chemical Weapons and the Convention on the Prohibition of Biological Weapons, which represented a step forward in global efforts for peace and security. These and many other changes defined the post-World War II period as an era in which international law became a key tool in shaping international relations and global governance. The development of law reflected the need for collective solutions to global problems and the increasing interdependence of states in the international community. In this period, it is also important to mention the progress in recognizing and protecting the rights of indigenous peoples, resulting in the adoption of the United Nations Declaration on the Rights of Indigenous Peoples in 2007. This document recognizes their rights to land, language, culture, education, and self-determination. In response to increased globalization and international economic integration, the International Monetary Fund (IMF) and the World Bank have been adjusting their policies to tackle economic crises and promote development in developing countries.

12. CORRUPTION AND OTHER GLOBAL CHALLENGES

The fight against corruption also gained an international dimension, making the United Nations Convention against Corruption in 2003 the first global legal instrument aimed at preventing and combating corruption at all levels. State responsibility exists in relation to „the actions of its officials as well as for other entities acting on its behalf or under state management or control, is a fundamental principle of international relations, and thus of international law, including the law governing foreign investments. The approach to the responsibility of investors for the actions of their employees or agents is generally the same“ (Miljenic, 2018:188) which directly concerns corruption itself, as state apparatus officials represent the most corrupt part of society.

International law and corruption are two areas that often intersect, especially when it comes to fighting corruption on a global level. International law encompasses various agreements, conventions, and protocols aimed at preventing and combating corruption in international relations and within states. One of the key instruments in the fight against corruption is the United Nations Convention against Corruption (UNCAC), which is the most comprehensive international legal instrument for combating corruption. UNCAC promotes measures for the prevention of corruption, criminal prosecution and punishment of corrupt acts, international cooperation, and the return of assets obtained through corruption. In addition to UNCAC, there are other international initiatives such as the Organization for Economic Cooperation and Development (OECD) Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and the Council of Europe Convention on Fighting Corruption. International law and international organizations play a key role in establishing standards and norms for fighting corruption, but the effectiveness of these instruments depends on the willingness and ability of individual states to implement and enforce them at the national level.

Finally, challenges such as international terrorism, human trafficking, and other forms of transnational crime have resulted in numerous conventions and protocols that have strengthened international legal and police cooperation to combat these threats. With all these developments,

the end of the twentieth century presented challenges in the form of conflicts in the Balkans, genocide in Rwanda, and other regional conflicts that tested the ability of the international community to apply the principles of international law and intervene to protect human rights and preserve peace. International law has thus become a complex and comprehensive legal system that constantly adapts to respond to changing global challenges, providing a legal basis for maintaining peace, promoting justice, and protecting human rights around the world.

With the emergence of new technologies, especially in the field of communications and information, international law has faced the challenge of addressing issues such as cybersecurity, digital privacy, and intellectual property rights at a global level.

13. CONCLUSION

After World War II, the development of international law experienced significant changes aimed at promoting peace, security, and justice on a global level. The establishment of the United Nations (UN) in 1945 represented a key moment in the development of international law, as it established an international organization with a mandate to preserve international peace and security, promote human rights, and encourage social and economic development. International human rights law underwent significant expansion after World War II. The Universal Declaration of Human Rights was adopted in 1948, setting fundamental human rights standards at a global level. Subsequently, numerous international treaties addressing specific aspects of human rights were adopted, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. International business law also experienced significant development in the post-war period. The globalization of trade and investment spurred the need for establishing common rules and standards to facilitate international business transactions. This led to the establishment of numerous international agreements and organizations, such as the World Trade Organization (WTO) and the International Chamber of Commerce (ICC), which promote the harmonization of trade rules and dispute resolution. Overall, the

development of international law after World War II is characterized by efforts to establish a fairer and more stable international order through the promotion of peace, protection of human rights, and facilitation of international trade and investment.

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