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Belligerent occupation and ICC territorial jurisdiction / Michail Vagias

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Abstract:	This chapter examines issues relating to the concept of territory in Article 12(2)(a) ICC Statute ('the territory of which') and the territorial scope of application of the Rome Statute. In analysing the legal questions arising from situations of belligerent occupation, this chapter first formulates some of the basic principles of applicable treaty law and international humanitarian law. Subsequently, three different situations are examined; first, the case of occupation of the territory of a State Party by another State Party (e.g. Uganda/DRC over Ituri), secondly the occupation of the territory of a State Party by a State not Party (e.g. Cyprus/Turkey, respectively), and thirdly the case of occupation of the territory of a State not Party by a State Party (e.g. Iraq by the United Kingdom). General conclusions are offered at the end.
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