

## References

### *Literature*

- Ackrén Maria and Jakobsen Uffe, 'Greenland as a Self-Governing Sub-National Territory in International Relations: Past, Current and Future Perspectives' (2015) 51(4) *Polar Record* 404–412.
- Acquaviva Guido and Pocar Fausto, 'Stare decisis' in Rüdiger Wolfrum (ed), *The Max Planck Encyclopedia of Public International Law* (Oxford University Press 2012).
- Allen Nicholas, 'Brexit Means Brexit: Theresa May and post-referendum British Politics' (2018) 13 *British Politics* 105–120.
- Allot Philip, 'Adherence to and Withdrawal from Mixed Agreements' in David O'Keeffe and Henry G Schermers (eds), *Mixed Agreements* (Kluwer 1983) 97–121.
- Armstrong Kenneth A, *Brexit Time: Leaving the EU – Why, How and When?* (Cambridge University Press 2017).
- Ascensio Hervé, 'Article 70: Consequences of the Termination of a Treaty' in Olivier Corten and Pierre Klein (eds), *The Vienna Conventions on the Law of Treaties* (vol II, Oxford University Press 2011).
- Aust Anthony, *Modern Treaty Law and Practice* (2nd edn, Cambridge University Press 2007).
- Azaria Danae, 'The Working Methods of the International Law Commission: Adherence to Methodology, Commentaries and Decision-Making' in United Nations, *Seventy Years of the International Law Commission: Drawing a Balance for the Future* (Brill Nijhoff 2021) 172–197.
- Bartels Lorand, 'The UK's Status in the WTO Post-Brexit' in Robert Schütze and Stephen Tierney (eds), *The United Kingdom and the Federal Idea* (Hart Publishing 2018) 227–249.
- Beaud Olivier, 'La notion de pacte fédératif: Contribution à une théorie constitutionnelle de la Fédération' in Jean-François Kervégan and Heinz Mohnhaupt (eds), *Gesellschaftliche Freiheit und vertragliche Bindung in Rechtsgeschichte und Philosophie* (Klostermann 1999).
- Bernhardt Rudolf, 'International Organizations: Internal Law and Rules' in Rudolf Bernhardt (ed), *International Organizations in General: Universal International Organizations and Cooperation* (Elsevier Science Publishers 1983) 142–145.
- Bernier Ivan, *International Legal Aspects of Federalism* (Longman 1973).
- Binder Christina and Hofbauer Jane A, 'The Perception of the EU Legal Order in International Law: An In- and Outside View' in Marc Bungenberg and others (eds), *European Yearbook of International Economic Law 2017* (Springer 2017) 139–202.
- Bleckmann Albert, 'Analogie im Völkerrecht' (1977) 17(2) *Archiv des Völkerrechts* 161–180.

## References

- , ‘The Mixed Agreements of the EEC in Public International Law’ in David O’Keeffe and Henry G Schermers (eds), *Mixed Agreements* (Kluwer 1983) 155–165.
- Bordin Fernando Lusa, *The Analogy between States and International Organizations* (Cambridge University Press 2019).
- Brewer Scott, ‘Exemplary Reasoning: Semantics, Pragmatics, and the Rational Force of Legal Argument by Analogy’ (1996) 109(5) *Harvard Law Review* 923–1028.
- , ‘Indefeasible Analogical Argument’ in Hendrik Kaptein and Bastiaan David van der Velden (eds), *Analogy and Exemplary Reasoning in Legal Discourse* (Amsterdam University Press 2018) 33–48.
- Brölmann Catherine M and others, ‘Exiting International Organizations: A Brief Introduction’ (2018) 15(2) *International Organizations Law Review* 243–263.
- Brölmann Catherine M, *The Institutional Veil in Public International Law: International Organisations and the Law of Treaties* (Hart Publishing 2007).
- , ‘A Flat Earth?: International Organizations in the System of International Law’ (2001) 70 *Nordic Journal of International Law* 319–340.
- , ‘Brexit en bestaande verdragsverplichtingen’ (2017) 95(25) *Nederlands Juristenblad* 1748–1750.
- , ‘The 1986 Vienna Convention on the Law of Treaties: The History of Draft Article 36bis’ in Jan Klabbers and René Lefeber (eds), *Essays on the Law of Treaties: A Collection of Essays in Honour of Bert Vierdag* (Brill Nijhoff 1998) 121–140.
- Brownlie Ian, ‘The Calling of the International Lawyer: Sir Humphrey Waldock and His Work’ (1984) 54(7) *British Yearbook of International Law* 7–74.
- Bühler Konrad, ‘State Succession, Identity/ Continuity and Membership in the United Nations’ in Pierre Michel Eisemann and Martti Koskeniemi (eds), *State Succession: Codification Tested Against the Facts* (Martinus Nijhoff Publishers 2000).
- Burgess Michael, *Federalism and European Union: The Building of Europe, 1950–2000* (Routledge 2000).
- Busse Christian, *Die völkerrechtliche Einordnung der Europäischen Union* (C Heymanns 1999).
- Calliess Christian, ‘Article 1 TEU’ in Christian Calliess and Matthias Ruffert (eds), *EUV/AEUV: Das Verfassungsrecht der Europäischen Union mit Europäischer Grundrechtecharta* (6th edn, CH Beck 2022).
- Casteleiro Andrés Delgado, ‘EU Declarations of Competence to Multilateral Agreements: A Useful Reference Base?’ (2012) 17(4) *European Foreign Affairs Review* 491–509.
- Chestermann Simon, ‘Rule of Law’ in Rüdiger Wolfrum (ed), *The Max Planck Encyclopedia of Public International Law* (Oxford University Press 2012).
- Christiansen Thomas and Reh Christine, *Constitutionalizing the European Union* (Bloomsbury Publishing 2017).
- Comella Victor F, ‘Does Brexit Normalize Secession’ (2018) 53(2) *Texas International Law Journal* 139–152.

- Cotran Eugene, 'Some Legal Aspects of the Formation of the United Arab Republic and the United Arab States' (1959) 8(2) *International & Comparative Law Quarterly* 346–390.
- Craven Matthew C R, *The Decolonization of International Law: State Succession and the Law of Treaties* (Oxford University Press 2007).
- , 'The European Community Arbitration Commission on Yugoslavia' (1996) 66(1) *British Yearbook of International Law* 333–413.
- Crawford James, 'State' in Rüdiger Wolfrum (ed), *The Max Planck Encyclopedia of Public International Law* (Oxford University Press 2012).
- , 'The Contribution of Professor DP O'Connell to the Discipline of International Law' (1980) 51(1) *British Yearbook of International Law* 1–87.
- , 'The Current Political Discourse Concerning International Law' (2018) 81(1) *The Modern Law Review* 1–22.
- , *Creation of States in International Law* (2nd edn, Oxford University Press 2007).
- Cremona Marise, 'External Relations of the European Union: The Constitutional Framework for International Action' in Paul Craig and Grainne de Búrca (eds), *The Evolution of EU Law* (3rd edn, Oxford University Press 2021) 431–479.
- , 'The Withdrawal Agreement and the EU's International Agreements' (2020) 45(2) *European Law Review* 237–250.
- De Witte Bruno, 'EU Law: Is it International Law?' in Catherine Barnard and Steve Peers (eds), *European Union Law* (3rd edn, Oxford University Press 2020) 177–197.
- , 'The European Union as an International Legal Experiment' in Grainne de Búrca and Joseph H Weiler (eds), *The Worlds of European Constitutionalism* (Cambridge University Press 2012) 19–56.
- Denza Eileen, *The Intergovernmental Pillars of the European Union* (Oxford University Press 2005).
- Devaney James Gerard, 'Making Sense of Transcendental Nonsense: A Functional Reframing of the Law of State Succession' (2022) 14 GCILS Working Paper Series.
- , 'The Role of Precedent in the Jurisprudence of the International Court of Justice: A Constructive Interpretation' (2022) 35(3) *Leiden Journal of International Law* 641–659.
- Donoghue Joan E, 'The Role of the World Court Today' (2012) 47(1) *Georgia Law Review* 181–202.
- Dorau Christoph, *Die Verfassungsfrage der Europäischen Union: Möglichkeiten und Grenzen der europäischen Verfassungsentwicklung nach Nizza* (Nomos 2001).
- Dörr Oliver, 'Article 47 TEU' in Eberhard Grabitz, Meinhard Hilf and Martin Nettesheim (eds), *Das Recht der Europäischen Union* (82nd supplement, CH Beck 2024).
- , 'Article 50 TEU' in Eberhard Grabitz, Meinhard Hilf and Martin Nettesheim (eds), *Das Recht der Europäischen Union* (82nd supplement, CH Beck 2024).
- Dougan Michael, *The UK's Withdrawal from the EU: A Legal Analysis* (Oxford University Press 2021).

## References

- Douma Wybe, 'Come Fly With Me?: Brexit and Air Transport' in Juan Santos Vara, Ramses A Wessel and Polly Ruth Polak (eds), *The Routledge Handbook on the International Dimension of Brexit* (Routledge 2020) 90–103.
- Dumberry Patrick, 'An Uncharted Question of State Succession: Are New States Automatically Bound by the BITs Concluded by Predecessor States Before Independence?' (2015) 6(1) *Journal of International Dispute Settlement* 74–96.
- , 'State Succession to Bilateral Treaties: A Few Observations on the Incoherent and Unjustifiable Solution Adopted for Secession and Dissolution of States under the 1978 Vienna Convention' (2015) 28(1) *Leiden Journal of International Law* 13–30.
- , 'State Succession to BITs: Analysis of Case Law in the Context of Dissolution and Secession' (2018) 34(3) *Arbitration International* 445–462.
- Eckes Christina and Wessel Ramses A, 'An International Perspective' in Robert Schütze and Takis Tridimas (eds), *The Oxford Principles of European Union Law: The European Union Legal Order* (Oxford University Press 2018) 74–102.
- Eeckhout Piet, *External Relations of the European Union: Legal and Constitutional Foundations* (Oxford University Press 2004).
- Ehlermann Claus-Dieter, 'Mixed Agreements: A List of Problems' in David O'Keeffe and Henry G Schermers (eds), *Mixed Agreements* (Kluwer 1983) 3–21.
- el-Khoury Naiade, 'Human Rights Treaties and the Law of State Succession in the Event of Secession' in Erika de Wet and Kathrin Maria Scherr (eds), *Max Planck Yearbook of United Nations Law Online* (Brill Nijhoff 2020).
- Epping Volker, 'Die Europäische Union: Noch international Organisation oder schon Staat?: Zur Vision der Vereinigten Staaten von Europa' in Christoph Brüning and Joachim Suerbaum (eds), *Die Vermessung der Staatlichkeit: Europäische Union – Bund – Länder – Gemeinden. Symposium zu Ehren von Rolf Grawert anlässlich seines 75. Geburtstages* (Duncker & Humblot 2013) 13–28.
- Ermacora Felix, 'Confederations and Other Unions of States' in Rudolf Bernhardt (ed), *Encyclopedia of Disputes Installment* (Elsevier Science Publishers 1987) 60–65.
- Everling Ulrich, 'Sind die Mitgliedstaaten der Europäischen Gemeinschaft noch Herren der Verträge?: Zum Verhältnis von Europäischem Gemeinschaftsrecht und Völkerrecht' in Rudolf Bernhardt and others (eds), *Völkerrecht als Rechtsordnung, Internationale Gerichtsbarkeit, Menschenrechte: Festschrift für Hermann Mosler* (Springer 1983) 173–191.
- Fahey Elaine and Mancini Isabella, 'Introduction: Understanding the EU as a Good Global Actor: Whose Metrics?' in Elaine Fahey and Isabella Mancini (eds), *Understanding the EU as a Good Global Actor: Ambitions, Values and Metrics* (Edward Elgar Publishing 2022) 1–17.
- Fajardo Teresa, 'Disentangling the UK from EU Environmental Agreements after Brexit: The Challenges Posed by Mixed Agreements and Soft Law' in Juan Santos Vara, Ramses A Wessel and Polly Ruth Polak (eds), *The Routledge Handbook on the International Dimension of Brexit* (Routledge 2020) 270–283.
- Fastenrath Ulrich, *Lücken im Völkerrecht: Zu Rechtscharakter, Quellen, Systemzusammenhang, Methodenlehre und Funktionen des Völkerrechts* (Duncker & Humblot 1991).

- Feist Christian, *Kündigung, Rücktritt und Suspendierung von multilateralen Verträgen* (Duncker & Humblot 2001).
- Forsyth Murray, *Unions of States: The Theory and Practice of Confederation* (Leicester University Press 1981).
- Fressynet Isabel, 'The Legal Impact of Brexit on the Comprehensive Economic Trade Agreement (CETA) Between the European Union and Canada' in Jennifer A Hillman and Gary N Horlick (eds), *Legal Aspects of Brexit: Implications of the United Kingdom's decision to withdraw from the European Union* (Georgetown Law 2017) 69–78.
- Friel Raymond J, 'Providing a Constitutional Framework for Withdrawal from the EU: Article 59 of the Draft European Constitution' (2004) 53(2) *International & Comparative Law Quarterly* 407–428.
- , 'Secession from the European Union: Checking Out of the Proverbial "Cockroach Motel"' (2003) 27(2) *Fordham International Law Journal* 590–641.
- Gareis Sven Bernhard, Hauser Gunther and Kernic Franz, *The European Union – A Global Actor?* (Verlag Barbara Budrich 2012).
- Gatti Mauro, 'Art. 50 TEU: A Well-Designed Secession Clause' (2017) 2(1) *European Papers – A Journal on Law and Integration* 159–181.
- Geiger Rudolf and Kirchmair Lando, 'Article 1 TEU' in Rudolf Geiger, Daniel-Erasmus Khan, Markus Kotzur and Lando Kirchmair (eds), *EUV/AEUV: Vertrag über die Europäische Union und Vertrag über die Arbeitsweise der Europäischen Union* (7th edn, CH Beck 2023).
- Giegerich Thomas, 'Article 61' in Oliver Dörr and Kirsten Schmalenbach (eds), *Vienna Convention on the Law of Treaties: A Commentary* (2nd edn, Springer 2018).
- , 'Article 62' in Oliver Dörr and Kirsten Schmalenbach (eds), *Vienna Convention on the Law of Treaties: A Commentary* (2nd edn, Springer 2018).
- Golding Martin, 'Argument by Analogy in the Law' in Hendrik Kaptein and Bastiaan David van der Velden (eds), *Analogy and Exemplary Reasoning in Legal Discourse* (Amsterdam University Press 2018) 123–136.
- Götting-Biwer Friedemann, *Die Beendigung der Mitgliedschaft in der Europäischen Union* (Nomos 2000).
- Gradoni Lorenzo, 'Article 2' in Giovanni Distefano, Gloria Gaggioli and Aymeric Héche (eds), *La Convention de Vienne de 1978 sur la Succession d'États en Matière de Traités: Commentaire Article par Article et Études Thématiques* (Bruylant 2016).
- Grawert Rolf, 'Staatsvolk und Staatsangehörigkeit' in Josef Isensee and Paul Kirchhof (eds), *Handbuch des Staatsrechts der Bundesrepublik Deutschland* (3rd edn, CF Müller 2004).
- Gruber Joachim, 'Europäische Schulen: Ein in die EG integriertes Völkerrechtssubjekt' (2005) 65 *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht* 1015–1032.
- Hafner Gerhard and Novak Gregor, 'State Succession in Respect of Treaties' in Duncan B Hollis (ed), *The Oxford Guide to Treaties* (2nd edn, Oxford University Press 2020) 396–427.
- Hall William Edward, *A Treatise on International Law* (8th edn, Clarendon Press 1924).

## References

- Hallstein Walter, *Der unvollendete Bundesstaat: Europäische Erfahrungen und Erkenntnisse* (Econ-Verlag 1969).
- Harbo Florentina, 'Secession Right – An Anti-Federal Principle?: Comparative Study of Federal States and the EU' (2008) 1(3) *Journal of Politics and Law* 132–148.
- Harhoff Frederik, 'Greenland's Withdrawal from the European Communities' (1983) 20(1) *Common Market Law Review* 13–33.
- Hay Peter, *Federalism and Supranational Organizations: Patterns for New Legal Structures* (Illinois University Press 1966).
- Heesen Julia, *Interne Abkommen: Völkerrechtliche Verträge zwischen den Mitgliedstaaten der Europäischen Union* (Springer 2015).
- Heintschel von Heinegg Wolff, 'Treaties, Fundamental Change of Circumstances' in Rüdiger Wolfrum (ed), *The Max Planck Encyclopedia of Public International Law* (Oxford University Press 2012).
- Helfer Laurence R, 'Exiting Treaties' (2005) 91(7) *Virginia Law Review* 1579–1648.
- , 'Part VI Avoiding or Exiting Treaty Commitments: Terminating Treaties' in Duncan B Hollis (ed), *The Oxford Guide to Treaties* (2nd edn, Oxford University Press 2020) 624–640.
- Heliskoski Joni and Kübek Gesa, 'A Typology of EU Mixed Agreements Revisited' in Nicolas Levrat and others (eds), *The EU and its Member States' Joint Participation in International Agreements* (Hart Publishing 2021) 23–42.
- Heliskoski Joni, 'EU Declarations of Competence and International Responsibility' in Malcolm D Evans and Panos Koutrakos (eds), *The International Responsibility of the European Union: European and International Perspectives* (Hart Publishing 2013) 189–212.
- , *Mixed Agreements as a Technique for Organizing the International Relations of the European Community and its Member States* (Kluwer Law International 2001).
- Herbst Jochen, 'Observations on the Right to Withdraw from the European Union: Who are the "Masters of the Treaties"?' (2005) 6(11) *German Law Journal* 1755–1759.
- Herrmann Christoph, 'Brexit, WTO und EU-Handelspolitik' (2017) 24 *Europäische Zeitschrift für Wirtschaftsrecht* 961–967.
- Hillion Christophe, 'Accession and Withdrawal in the Law of the European Union' in Anthony Arnulf and Damian Chalmers (eds), *The Oxford Handbook of European Union Law* (Oxford University Press 2017) 126–152.
- , 'Withdrawal under Article 50 TEU: An Integration-Friendly Process' (2018) 55(Special Issue) *Common Market Law Review* 29–56.
- Isiksel Turkuler, 'European Exceptionalism and the EU's Accession to the ECHR' (2016) 27(3) *European Journal of International Law* 565–589.
- Jacqué Jean-Paul, *Droit institutionnel de l'Union Européenne* (4th edn, Editions Dalloz 2006).
- Jaeger Thomas, 'Reset and Go: The Unitary Patent System post-Brexit' (2017) 3 *International Review of Intellectual Property and Competition Law* 254–285.

- Janig Philipp, 'The 1978 Vienna Convention, the Clean Slate Doctrine and the Decolonization of Sources' (2018; published 2021) 23 *Austrian Review of International and European Law* 143–161.
- Jellinek Georg, *Die Lehre von den Staatenverbindungen* (Alfred Hölder 1882).
- Jennings Robert Yewdall, *General Course on Principles of International Law* (Martinus Nijhoff Publishers 1967).
- Kaddous Christine and Touré Habib Badjinri, 'The Status of the United Kingdom Regarding EU Mixed Agreements after Brexit' in Nicolas Levrat and others (eds), *The EU and its Member States' Joint Participation in International Agreements* (Hart Publishing 2021) 271–285.
- Kammerhofer Jörg, 'Uncertainty in the Formal Sources of International Law: Customary International Law and Some of Its Problems' (2004) 15(3) *European Journal of International Law* 523–553.
- Kammaing Menno T, 'State Succession in Respect of Human Rights Treaties' (1996) 7(4) *European Journal of International Law* 469–484.
- Kamto Maurice, 'The Working Methods of the International Law Commission' in United Nations, *Seventy Years of the International Law Commission: Drawing a Balance for the Future* (Brill Nijhoff 2021) 198–214.
- Kant Immanuel, 'Perpetual Peace: A Philosophical Sketch' in Hans Siegbert Reiss (ed), *Kant: Political Writings* (2nd edn, Cambridge University Press 1991) 93–130.
- Kaspiarovich Yuliya and Levrat Nicolas, 'European Union Mixed Agreements in International Law under the Stress of Brexit' (2021) 13(2) *European Journal of Legal Studies* 121–150.
- Kaspiarovich Yuliya and Wessel Ramses A, 'Unmixing Mixed Agreements: Challenges and Solutions for Separating the EU and its Member States in Existing International Agreements' in Nicalos Levrat and others (eds), *The EU and its Member States' Joint Participation in International Agreements* (Hart Publishing 2021) 287–304.
- Kaufmann Stefan, *Das Europäische Hochschulinstitut: Die Florentiner »Europa-Universität« im Gefüge des europäischen und internationalen Rechts* (Duncker & Humblot 2003).
- Keith Kenneth J, 'Succession to Bilateral Treaties By Seceding States' (1967) 61(2) *American Journal of International Law* 521–548.
- Kellerbauer Manuel and Klamert Marcus, 'Article 351 TFEU' in Manuel Kellerbauer, Marcus Klamert and Jonathan Tomkin (eds), *The EU Treaties and the Charter of Fundamental Rights: A Commentary* (Oxford University Press 2019).
- Kent April, 'Brexit and the East African Community (EAC)-European Union Economic Partnership Agreement (EPA)' in Jennifer A Hillman and Gary N Horlick (eds), *Legal Aspects of Brexit: Implications of the United Kingdom's decision to withdraw from the European Union* (Georgetown Law 2017) 59–68.
- Kim Jin Woo Jay, 'Is the United Kingdom Still a Party to the EU-Korea FTA after Brexit?' in Jennifer A Hillman and Gary N Horlick (eds), *Legal Aspects of Brexit: Implications of the United Kingdom's decision to withdraw from the European Union* (Georgetown Law 2017) 41–58.

## References

- Kiss Alexandre Charles, 'L'extinction des traités dans la pratique française' (1959) 5 *Annuaire Français de Droit International* 784–798.
- Klabbers Jan and others (eds), *State Practice Regarding State Succession and Issues of Recognition* (Kluwer Law International 1999).
- Klabbers Jan, 'Cat on a Hot Tin Roof: The World Court, State Succession, and the Gabcikovo-Nagymaros' (1998) 11(2) *Leiden Journal of International Law* 345–355.
- , 'The European Union in the Law of International Organizations: Misfit or Model?' in Ramses A Wessel and Jed Odermatt (eds), *Research Handbook on the European Union and International Organizations* (Edward Elgar Publishing 2019) 25–41.
- , *An Introduction to International Institutional Law* (2nd edn, Cambridge University Press 2009).
- , *International Law* (3rd edn, Cambridge University Press 2021).
- , *Treaty Conflict and the European Union* (Cambridge University Press 2010).
- Kochenov Dimitry (ed), *EU Law of the Overseas: Outermost Regions, Associated Overseas Countries and Territories, Territories sui generis* (Kluwer Law International 2011).
- Koskenniemi Martti, 'Report of the Director of Studies of the English-speaking Section of the Centre' in Pierre Michel Eisemann and Martti Koskenniemi (eds), *State Succession: Codification Tested Against the Facts* (Martinus Nijhoff Publishers 2000) 65–132.
- Koutrakos Panos, 'International Agreements Concluded by Member States Prior to their EU Accession: Burgoa' in Graham Butler and Ramses A Wessel (eds), *EU External Relations Law: The Cases in Context* (Hart Publishing 2022) 133–143.
- , 'Managing Brexit: Trade Agreements Binding on the UK pursuant to its EU Membership' in Juan Santos Vara, Ramses A Wessel and Polly Ruth Polak (eds), *The Routledge Handbook on the International Dimension of Brexit* (Routledge 2020) 75–89.
- , 'Negotiating International Trade Treaties After Brexit' (2016) 41(4) *European Law Review* 475–478.
- , 'Three Narratives on the United Kingdom's Trade Agreements post-Brexit' in Adam Łazowski and Adam Jan Cygan (eds), *Research Handbook on Legal Aspects of Brexit* (Edward Elgar Publishing 2022) 403–421.
- , *EU International Relations Law* (Hart Publishing 2006).
- Krämer Hans R, 'Greenland's European Community (EC)-Referendum: Background and Consequences' (1982) 25 *German Yearbook of International Law* 273–289.
- Krieger Heike, 'Article 65' in Oliver Dörr and Kirsten Schmalenbach (eds), *Vienna Convention on the Law of Treaties: A Commentary* (2nd edn, Springer 2018).
- Kuijper Pieter Jan and Paasivirta Esa, 'EU International Responsibility and its Attribution: From the Inside Looking Out' in Malcolm D Evans and Panos Koutrakos (eds), *The International Responsibility of the European Union: European and International Perspectives* (Hart Publishing 2013) 35–72.
- Kuijper Pieter Jan, 'International Responsibility for EU Mixed Agreements' in Christophe Hillion and Panos Koutrakos (eds), *Mixed Agreements Revisited: The EU and its Member States in the World* (Hart Publishing 2010) 208–227.

- , ‘The Community and State Succession in Respect of Treaties’ in Deirdre Curtin and Ton Heukels (eds), *Institutional Dynamics of European Integration* (Martinus Nijhoff Publishers 1994) 619–640.
- , ‘The European Courts and the Law of Treaties: The Continuing Story’ in Enzo Cannizzaro (ed), *The Law of Treaties Beyond the Vienna Convention* (Oxford University Press 2011) 256–278.
- Larik Joris, ‘Instruments of EU External Action’ in Ramses A Wessel and Joris Larik (eds), *EU External Relations Law: Text, Cases and Materials* (Bloomsbury Publishing 2020) 101–137.
- Lauterpacht Hersch (ed), *Oppenheim’s International Law: A Treatise* (vol 1, 8th edn, Longmans, Green and Co. Ltd. 1955).
- Lazowski Adam and Wessel Ramses A, ‘The External Dimension of Withdrawal from the European Union’ (2016) 4 *Revue des Affaires européennes* 623–638.
- Lazowski Adam, ‘Copy-Pasting or Negotiating?: Post-Brexit Trade Agreements between the UK and non-EU Countries’ in Juan Santos Vara, Ramses A Wessel and Polly Ruth Polak (eds), *The Routledge Handbook on the International Dimension of Brexit* (Routledge 2020) 117–132.
- Lenk Hannes, ‘The Member States’ Duty to Denounce Anterior Treaties: Commission v Portugal (Maritime Policies)’ in Graham Butler and Ramses A Wessel (eds), *EU External Relations Law: The Cases in Context* (Hart Publishing 2022).
- Lickova Magdalena, ‘European Exceptionalism in International Law’ (2008) 19(3) *European Journal of International Law* 463–490.
- Lütz Susanne and others (eds), *The European Union As a Global Actor: Trade, Finance and Climate Policy* (Springer 2021).
- Mancini Federice G., ‘Europe: The Case for Statehood’ (1998) 4(1) *European Law Journal* 29–42.
- Maresceau Marc, ‘A Typology of Mixed Bilateral Agreements’ in Christophe Hillion and Panos Koutrakos (eds), *Mixed Agreements Revisited: The EU and its Member States in the World* (Hart Publishing 2010) 11–29.
- McNair Arnold D, *The Law of Treaties* (Clarendon Press 1961).
- Meessen Karl Matthias, ‘The Application of Rules of Public International Law within Community Law’ (1976) 13(4) *Common Market Law Review* 485–501.
- Messenger Gregory, ‘EU-UK Relations at the WTO: Towards Constructive Creative Competition’ in Juan Santos Vara, Ramses A Wessel and Polly Ruth Polak (eds), *The Routledge Handbook on the International Dimension of Brexit* (Routledge 2020) 136–147.
- Mikulka Václav, ‘Article 34’ in Giovanni Distefano, Gloria Gaggioli and Aymeric Héche (eds), *La Convention de Vienne de 1978 sur la Succession d’États en Matière de Traités: Commentaire Article par Article et Études Thématiques* (Bruylant 2016).
- , ‘The Dissolution of Czechoslovakia and Succession in Respect of Treaties’ in Mojmir Mrak (ed), *Succession of States* (Kluwer Law International 1999) 109–125.
- Mögele Rudolf, ‘Article 218’ in Rudolf Streinz (ed), *EUV/AEUV: Vertrag über die Europäische Union, Vertrag über die Arbeitsweise der Europäischen Union, Charta der Grundrechte der Europäischen Union* (3rd edn, CH Beck 2018).

## References

- Mosely Philip E, 'Iceland and Greenland: An American Problem' (1940) 18(4) *Foreign Affairs* 742–746.
- Nettesheim Martin, 'Article 1 TEU' in Eberhard Grabitz, Meinhard Hilf and Martin Nettesheim (eds), *Das Recht der Europäischen Union* (82nd supplement, CH Beck 2024).
- Nolte Georg and Aust Helmut P., 'European Exceptionalism?' (2013) 2(3) *Global Constitutionalism* 407–436.
- O'Connell David Patrick, 'Reflections on the State Succession Convention' (1979) 39(4) *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht* 725–739.
- ., *State Succession in Municipal Law and International Law: International Relations* (vol II, Cambridge University Press 1967).
- Odendahl Kerstin, 'Article 29' in Oliver Dörr and Kirsten Schmalenbach (eds), *Vienna Convention on the Law of Treaties: A Commentary* (2nd edn, Springer 2018).
- Odermatt Jed, 'Brexit and International Law: Disentangling Legal Orders' (2017) 31 *Emory International Law Review Recent Developments* 1051–1075.
- ., 'Brexit and International Legal Sovereignty' in Juan Santos Vara, Ramses A Wessel and Polly Ruth Polak (eds), *The Routledge Handbook on the International Dimension of Brexit* (Routledge 2020) 316–328.
- ., 'Unidentified Legal Object: Conceptualizing the European Union in International Law' (2018) 33(2) *Connecticut Journal of International Law* 215–247.
- ., *International Law and the European Union* (Cambridge University Press 2021).
- Oeter Stefan, 'Föderalismus und Demokratie' in Armin von Bogdandy and Jürgen Bast (eds), *Europäisches Verfassungsrecht: Theoretische und dogmatische Grundzüge* (2nd edn, Springer 2009) 73–120.
- Olson Peter, 'Mixity from the Outside: the Perspective of a Treaty Partner' in Christophe Hillion and Panos Koutrakos (eds), *Mixed Agreements Revisited: The EU and its Member States in the World* (Hart Publishing 2010) 331–348.
- Orakhelashvili Alexander, 'Statehood, Recognition and the United Nations System: A Unilateral Declaration of Independence in Kosovo' in Armin von Bogdandy and Rüdiger Wolfrum (eds), *Max Planck Yearbook of United Nations Law* (Brill 2008) 1–44.
- ., 'The Idea of European International Law' (2006) 17(2) *European Journal of International Law* 315–347.
- Paasivirta Esa and Kuijper Pieter Jan, 'Does one Size fit All?: The European Community and the Responsibility of International Organizations' (2005) 36 *Netherlands Yearbook of International Law* 169–226.
- Patel Kiran Klaus, *Project Europe: A History* (Cambridge University Press 2020).
- Pauwelyn Joost, Wessel Ramses A and Wouters Jan, 'When Structures Become Shackles: Stagnation and Dynamics in International Lawmaking' (2014) 25(3) *European Journal of International Law* 733–763.
- Pechstein Matthias, 'Article 1 TEU' in Rudolf Streinz (ed), *EUV/AEUV: Vertrag über die Europäische Union, Vertrag über die Arbeitsweise der Europäischen Union, Charta der Grundrechte der Europäischen Union* (3rd edn, CH Beck 2018).

- Peers Steve, 'The End – or a New Beginning?: The EU/UK Withdrawal Agreement' (2021) 39(1) *Yearbook of European Law* 122–198.
- Pellet Alain, 'Article 38' in Andreas Zimmermann and others (eds), *The Statute of the International Court of Justice: A Commentary* (2nd edn, Oxford University Press 2012).
- Petti Alessandro and Scott Joanne, 'International Agreements in the EU Legal Order: International Fruit' in Graham Butler and Ramses A Wessel (eds), *EU External Relations Law: The Cases in Context* (Hart Publishing 2022) 21–34.
- Polak Polly Ruth, 'EU Withdrawal Law After Brexit: The Emergence of a Unique Legal Procedure' in Juan Santos Vara, Ramses A Wessel and Polly Ruth Polak (eds), *The Routledge Handbook on the International Dimension of Brexit* (Routledge 2020) 58–71.
- Rasulov Akbar, 'Revisiting State Succession to Humanitarian Treaties: Is There a Case for Automaticity?' (2003) 14(1) *European Journal of International Law* 141–170.
- Reuter Paul, *Introduction to The Law of Treaties* (2nd edn, Kegan Paul International 1995).
- Robinson James Harvey, 'Review: Staatenbund und Bundesstaat by J. B. Westerkamp' (1894) 4 *The Annals of the American Academy of Political and Social Science* 145–149.
- Rodenhoff Vera, *Die EG und ihre Mitgliedstaaten als völkerrechtliche Einheit bei umweltvölkerrechtlichen Übereinkommen* (Nomos 2008).
- Rudolf Walter, 'Federal States' in Rüdiger Wolfrum (ed), *The Max Planck Encyclopedia of Public International Law* (Oxford University Press 2012).
- Ruffert Matthias and Walter Christian, *Institutionalisiertes Völkerrecht: Das Recht der Internationalen Organisationen und seine wichtigsten Anwendungsfelder* (2nd edn, CH Beck 2015).
- Ruffert Matthias, 'Article 288 TFEU' in Christian Calliess and Matthias Ruffert (eds), *EUV/AEUV: Das Verfassungsrecht der Europäischen Union mit Europäischer Grundrechtecharta* (6th edn, CH Beck 2022).
- Schaefer Sabrina and Odermatt Jed, 'Nomen est Omen?: The Relevance of "EU Party" In International Law' in Nicolas Levrat and others (eds), *The EU and its Member States' Joint Participation in International Agreements* (Hart Publishing 2021) 131–150.
- Schermers Henry G and Blokker Niels, *International Institutional Law: Unity within Diversity* (5th edn, Martinus Nijhoff Publishers 2011).
- Schermers Henry G, 'A Typology of Mixed Agreements' in David O'Keefe and Henry G Schermers (eds), *Mixed Agreements* (Kluwer 1983) 23–33.
- Schmalenbach Kirsten, 'Article 2' in Oliver Dörr and Kirsten Schmalenbach (eds), *Vienna Convention on the Law of Treaties: A Commentary* (2nd edn, Springer 2018).
- , 'Article 218' in Christian Calliess and Matthias Ruffert (eds), *EUV/AEUV: Das Verfassungsrecht der Europäischen Union mit Europäischer Grundrechtecharta* (6th edn, CH Beck 2022).
- , 'Article 351' in Christian Calliess and Matthias Ruffert (eds), *EUV/AEUV: Das Verfassungsrecht der Europäischen Union mit Europäischer Grundrechtecharta* (6th edn, CH Beck 2022).

## References

- Schmitt Carl, *Verfassungslehre* (11th edn, Duncker & Humblot 2017).
- Schmitz Thomas, *Integration in der Supranationalen Union: Das europäische Organisationsmodell einer prozeßhaften geo-regionalen Integration und seine rechtlichen und staatstheoretischen Implikationen* (Nomos 2001).
- Schönberger Christoph, 'Die Europäische Union als Bund: Zugleich ein Beitrag zur Verabschiedung des Staatenbund-Bundesstaat-Schemas' (2004) 129(1) *Archiv des öffentlichen Rechts* 81–120.
- Schütze Robert, 'On "Federal Ground": The European Union as an (Inter)national Phenomenon' in Robert Schütze (ed), *Foreign Affairs and the EU Constitution: Selected Essays* (Cambridge University Press 2014).
- , 'The "Succession Doctrine" and the European Union' in Robert Schütze (ed), *Foreign Affairs and the EU Constitution: Selected Essays* (Cambridge University Press 2014) 91–119.
- , *European Constitutional Law* (2nd edn, Cambridge University Press 2015).
- , *From Dual to Cooperative Federalism: The Changing Structure of European Law* (Oxford University Press 2009).
- Schweisfurth Theodor, 'Das Recht der Staatensukzession: Die Staatenpraxis der Nachfolge in völkerrechtliche Verträge, Staatsvermögen, Staatsschulden und Archive in den Teilungsfällen Sowjetunion, Tschechoslowakei und Jugoslawien' in Ulrich Fastenrath, Theodor Schweisfurth and Carsten Thomas Ebenroth (eds), *Das Recht der Staatensukzession* (CF Müller 1996).
- Schwerdtfeger Angela, 'Austritt und Ausschluss aus Internationalen Organisationen: Zwischen staatlicher Souveränität und zwischenstaatlicher Kooperation' (2018) 56(1) *Archiv des Völkerrechts* 96–126.
- Shaw Malcolm N and Fournet Caroline, 'Article 62' in Olivier Corten and Pierre Klein (eds), *The Vienna Conventions on the Law of Treaties* (vol II, Oxford University Press 2011).
- Shaw Malcolm N, 'State Succession Revisited' (1995) 34(6) *Finch Yearbook of International Law* 34–98.
- Silverkeke Siri, 'Withdrawal from the EU and Bilateral Free Trade Agreements: Being Divorced is Worse?' (2018) 15(2) *International Organizations Law Review* 321–340.
- Simma Bruno and Pulkowski Dirk, 'Of Planets and the Universe: Self-contained Regimes in International Law' (2006) 17(3) *European Journal of International Law* 483–529.
- Singh Nagendra, *Termination of Membership of International Organisations* (Praeger 1958).
- Steiger Dominik and Günther Wiebke, 'Brexit: What's Public International Law Got to Do with it' in Karl August Prinz von Sachsen Gessaphe, Juan J Garcia-Blesa and Nils Szuka (eds), *Legal Implications of Brexit* (MV Wissenschaft 2018) 93–120.
- Steiger Heinhard, *Staatlichkeit und Überstaatlichkeit: Eine Untersuchung zur rechtlichen und politischen Stellung der Europäischen Gemeinschaften* (Duncker & Humblot 1966).
- Stein Klaus D, *Der gemischte Vertrag im Recht der Außenbeziehungen der Europäischen Wirtschaftsgemeinschaft* (Duncker & Humblot 1986).

- Steinberger Eva, 'The WTO Treaty as a Mixed Agreement: Problems with the EC's and the EC Member States' Membership of the WTO' (2006) 17(4) *European Journal of International Law* 837–862.
- Stern Brigitte, *La Succession d'États* (Martinus Nijhoff Publishers 1996).
- Sunstein Cass R, 'On Analogical Reasoning' (1993) 106(3) *Harvard Law Review* 741–791.
- Tams Christian J, 'State Succession to Investment Treaties: Mapping the Issues' (2016) 31(2) *ICSID Review* 314–343.
- Thiele Alexander, 'Der Austritt aus der EU: Hintergründe und rechtliche Rahmenbedingungen eines „Brexit“' (2016) 51(3) *Europarecht* 281–304.
- Thürer Daniel and Burri Thomas, 'Secession' in Rüdiger Wolfrum (ed), *The Max Planck Encyclopedia of Public International Law* (Oxford University Press 2012).
- Tomuschat Christian, 'Liability for Mixed Agreements' in David O'Keeffe and Henry G Schermers (eds), *Mixed Agreements* (Kluwer 1983) 125–132.
- Tropper Johannes, 'Succession into Human Rights Treaties' in Christina Binder and others (eds), *Elgar Encyclopedia of Human Rights* (Edward Elgar Publishing 2022) 332–338.
- Vahl Marius and Grolimund Nina, 'Integration without Membership: Switzerland's Bilateral Agreements with the European Union' (Brussels 2006), CEPS.
- Van der Loo Guillaume, 'Less is More?: The Role of National Parliaments in the Conclusion of Mixed (Trade) Agreements' (2018) 1 *CLEER Paper Series* 1–34.
- Villiger Mark Eugen, 'Article 62' in Mark Eugen Villiger (ed), *Commentary on the 1969 Vienna Convention on the Law of Treaties* (Martinus Nijhoff Publishers 2008).
- , 'Article 70' in Mark Eugen Villiger (ed), *Commentary on the 1969 Vienna Convention on the Law of Treaties* (Martinus Nijhoff Publishers 2008).
- Voland Thomas, 'Auswirkungen des Brexit auf die völkervertraglichen Beziehungen des Vereinigten Königreichs und der EU' (2019) 79(1) *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht* 1–42.
- Von Juraschek Franz, *Personal- und Realunion: Das rechtliche Verhältniss zwischen Oesterreich und Ungarn* (C Heymanns 1878).
- Vöneky Silja, 'Analogy in International Law' in Rüdiger Wolfrum (ed), *The Max Planck Encyclopedia of Public International Law* (Oxford University Press 2012).
- Waltemathe Arved, *Austritt aus der EU: Sind die Mitgliedstaaten noch souverän?* (Lang 2000).
- Walter Christian, 'Subjects of International Law' in Rüdiger Wolfrum (ed), *The Max Planck Encyclopedia of Public International Law* (Oxford University Press 2012).
- Webb Dominic, 'UK Progress in Rolling over EU Trade Agreements' (13 December 2019), Briefing Paper Number 7792 <<https://researchbriefings.files.parliament.uk/documents/CBP-7792/CBP-7792.pdf>>.
- Weiler Joseph H, 'Europe: The Case Against the Case for Statehood' (1998) 4(1) *European Law Journal* 43–62.

## References

- , ‘The External Legal Relations of Non-Unitary Actors: Mixity and the Federal Principle’ in David O’Keefe and Henry G Schermers (eds), *Mixed Agreements* (Kluwer 1983) 35–83.
- , ‘The Transformation of Europe’ (1991) 100(8) *The Yale Law Journal* 2403–2483.
- Weiss F, ‘Greenland’s Withdrawal from the European Communities’ (1985) 10 *European Law Review* 173–185.
- Wessel Ramses A, ‘Can the EU Replace its Member States in International Affairs?: An International Law Perspective’ in Inge Govaere and others (eds), *The European Union in the World: Essays in Honour of Professor Marc Maresceau* (Martinus Nijhoff Publishers 2014) 129–147.
- , ‘Close Encounters of the Third Kind: The Interface between the EU and International Law after the Treaty of Lisbon’ (2013) 8 *SIEPS Reports*.
- , ‘Consequences of Brexit for International Agreements Concluded by the EU and its Member States’ (2018) 55 (Special Issue) *Common Market Law Review* 101–132.
- , ‘International Agreements as an Integral Part of EU Law: Haegeman’ in Graham Butler and Ramses A Wessel (eds), *EU External Relations Law: The Cases in Context* (Hart Publishing 2022) 34–44.
- , ‘Studying International and European Law: Confronting Perspectives and Combining Interests’ in Inge Govaere and Sacha Garben (eds), *The Interface Between EU and International Law: Contemporary Reflections* (Hart Publishing 2019) 73–98.
- , ‘You Can Check out Any Time You like, but Can You Really Leave?’ (2016) 13(2) *International Organizations Law Review* 197–209.
- Westerkamp Justus Bernhard, *Staatenbund und Bundesstaat: Untersuchungen über die Praxis und das Recht der modernen Bünde* (Brockhaus 1892).
- Wittich Stephan, ‘Article 70’ in Oliver Dörr and Kirsten Schmalenbach (eds), *Vienna Convention on the Law of Treaties: A Commentary* (2nd edn, Springer 2018).
- Wolfrum Rüdiger, ‘International Law’ in Rüdiger Wolfrum (ed), *The Max Planck Encyclopedia of Public International Law* (Oxford University Press 2012).
- Young Richard, ‘The State of Syria: Old or New?’ (1962) 56(2) *American Journal of International Law* 482–488.
- Zedalis Rex J, ‘An Independent Quebec: State Succession to NAFTA’ (1996) 2(4) *Law and Business Review of the Americas* 3–27.
- Ziegler Katja S, ‘The Relationship between EU Law and International Law’ in Anna Södersten and Dennis M Patterson (eds), *A Companion to European Union Law and International Law* (Wiley Blackwell 2016) 42–61.
- Zimmermann Andreas and Devaney James Gerard, ‘State Succession in Treaties’ in Rüdiger Wolfrum (ed), *The Max Planck Encyclopedia of Public International Law* (Oxford University Press 2012).
- , ‘Succession to Treaties and the Inherent Limits of International Law’ in Christian J Tams, Antonios Tzanakopoulos and Andreas Zimmermann (eds), *Research Handbook on the Law of Treaties* (Edward Elgar Publishing 2016) 505–540.

Zimmermann Andreas, 'Secession and the Law of State Succession' in Marcelo G Kohen (ed), *Secession: International Law Perspectives* (Cambridge University Press 2006).

–, *Staatennachfolge in völkerrechtliche Verträge: Zugleich ein Beitrag zu den Möglichkeiten und Grenzen völkerrechtlicher Kodifikation* (Springer 2000).

## Cases

ECJ NV Algemene Transport en Expeditie Onderneming van Gend & Loos v Netherlands Inland Revenue Administration (1963) C-26/62 ECLI:EU:C:1963:1.

–, International Fruit Company NV and others v Produktschap voor Groenten en Fruit (1972) C-21 to 24/72 ECLI:EU:C:1972:115.

–, R. & V. Haegeman v Belgian State (1974) C-181/73 ECLI:EU:C:1974:41.

–, Yvonne van Duyn v Home Office (1974) C-41/74 ECLI:EU:C:1974:133.

–, Parti écologiste "Les Verts" v European Parliament (1986) C-294/83 ECLI:EU:C:1986:166.

–, Draft agreement between the Community, on the one hand, and the countries of the European Free Trade Association, on the other, relating to the creation of the European Economic Area (1991) Opinion 1/91 ECLI:EU:C:1991:490.

–, Hermès International v FHT Marketing Choice BV (1998) Case C-53/96 EU:C:1998:292.

–, Hermès International v FHT Marketing Choice BV (Opinion of the Advocate General Tesaurò) (1998) C-53/96 ECLI:EU:C:1997:539.

–, A. Racke GmbH & Co. v. Hauptzollamt Mainz (1998) C-162/96 ECLI:EU:C:1998:293.

–, Commission of the European Communities v Portuguese Republic (Joined opinion of Advocate General Mischo) (1999) C-62/98 and C-84/98 ECLI:EU:C:1999:509.

–, Commission of the European Communities v Portuguese Republic (2000) C-84/98 ECLI:EU:C:2000:359.

–, Creation of a Unified Patent Litigation System (2011) Opinion 1/09 ECLI:EU:C:2011:123.

–, Accession to the ECHR (2014) Opinion 2/13 ECLI:EU:C:2014:2454.

–, FTA Singapore (2015) Case 2/15 EU:C:2017:376.

–, FTA Singapore (Opinion of the Advocate General Sharpston) (2017) Opinion 2/15 EU:C:2016:992.

–, Wightman (2018) C-621/18 ECLI:EU:C:2018:999.

–, Governor of Cloverhill Prison and Others (Opinion of the Advocate General Kokott) (2021) C-479/21 PPU ECLI:EU:C:2021:899.

German Federal Constitutional Court Maastricht (1993) 2 BvR 2134/92, 2 BvR 2159/92 BVerfGE 89, 155.

ICJ Reparation for Injuries Suffered in the Service of the United Nations (Advisory Opinion) (1949) ICJ Rep 1949, p 174.

## References

- , International Status of South-West Africa (Advisory Opinion) (1950) ICJ Rep 1950, p 128.
  - , Case Concerning the Aerial Incident of July 27th, 1955 (Israel/Bulgaria) (Preliminary Objections) (1959) ICJ Rep 1959, p 127.
  - , North Sea Continental Shelf Cases (Federal Republic of Germany/Denmark; Federal Republic of Germany/Netherlands) (Judgement) (1969) ICJ Rep 1969, p 3.
  - , Fisheries Jurisdiction (United Kingdom v Iceland) (Jurisdiction) (1973) ICJ Rep 1973, p 3.
  - , Fisheries Jurisdiction Case (Federal Republic of Germany v Iceland) (Jurisdiction) (1973) ICJ Rep 1973, p 3.
  - , Case Concerning United States Diplomatic and Consular Staff in Tehran (Judgement) (1980) ICJ Rep 1980, p 3.
  - , Interpretation of the Agreement of 25 March 1951 between the WHO and Egypt (Advisory Opinion) (1980) ICJ Rep 1980, p 96.
  - , Case Concerning Military and Paramilitary Activities in and against Nicaragua (Nicaragua v United States of America) (Jurisdiction and Admissibility) (1984) ICJ Rep 1984, p 392.
  - , Case Concerning Military and Paramilitary Activities in and against Nicaragua (Nicaragua v United States of America) (Merits) (1986) ICJ Rep 1986, p 4.
  - , Case Concerning the Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Provisional Measures) (1993) ICJ Rep 1993, p 3.
  - , Case Concerning the Gabčíkovo-Nagymaros Project (Hungary v Slovakia) (Memorial of Hungary) (1994) ICJ Rep 1997, p 7.
  - , Case Concerning the Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro) (Preliminary Objections) (1996) ICJ Rep 1996, p 595.
  - , Case Concerning the Gabčíkovo-Nagymaros Project (Hungary v Slovakia) (Judgement) (1997) ICJ Rep 1997, p 7.
  - , Case Concerning the Land and Maritime Boundary between Cameroon and Nigeria (Cameroon v Nigeria) (Preliminary Objections) (1998) ICJ Rep 1998, p 275.
  - , Case Concerning the Arrest Warrant of 11 April 2000 (Judgement) (2002) ICJ Rep 2002, p 3.
  - , Case Concerning the Arrest Warrant of 11 April 2000 (Dissenting Opinion of Judge van den Wyngaert) (2002) ICJ Rep, p 137.
  - , Case Concerning Application of the Convention on the Prevention and Punishment of the Crime Genocide (Bosnia and Herzegovina v Serbia and Montenegro) (Judgement) (2007) ICJ Rep 2007, p 43.
- ITLOS Responsibilities and Obligations of States Sponsoring Persons and Entities with respect to Activities in the Area (Advisory Opinion) (2011) ITLOS Rep 10.
- PCA Muscat Dhows Case (France v Great Britain) (Award) [1905] [1961] XI RIAA 83 (1961).

- , Russian Claim for Interest on Indemnities (Damages Claimed by Russia for Delay in Payment of Compensation Owed to Russians Injured During the War of 1877–1878) (Russia v Turkey) (Award) (1912) XI RIAA 421 (1961).
- , Difference between New Zealand and France Concerning the Interpretation or Application of Two Agreements Concluded on 9 July 1986 between the Two States and Which Related to the Problems Arising from the "Rainbow Warrior" Affair (New Zealand v France) (1990) 20 RIAA 217.
- PCIJ Case of the S.S. Wimbledon (United Kingdom, France & Italy v. Germany) (Judgement) (1923) Series A No 1.
- , Delimitation of the Polish-Czechoslovakian Frontier (Question of Jaworzina) (Advisory Opinion) (1923) Series B No 8.
- , Certain German Interests in Polish Upper Silesia (Judgement) (1926) Series A No. 7 Series A No 7.
- , The Case of the S.S. Lotus (Judgement) (1927) Series A No. 10 Series A No 10.
- , Customs Regime between Germany and Austria (Individual Opinion) (1931) Series A/B No. 41 Series A/B No 41.
- , Free Zones Case of Upper Savoy and the District of Gex (Judgement) (1932) Series A/B No. 146 Series A/B No 146.
- UK Supreme Court R (on the Application of Miller and Another) v Secretary of State for Exiting the European Union (2017) UKSC 5.

### *International Agreements and Legislation*

- Agreement between the Member States of the European Coal and Steel Community and the People's Democratic Republic of Algeria (27 September 1978) OJ L263/119.
- Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part (30 December 2002) OJ L352/3.
- Agreement establishing an Association between the European Economic Community and Greece (18 February 1963) OJ L26/294.
- Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other (15 December 2012) OJ L346/3.
- Agreement establishing an Association between the United Kingdom of Great Britain and Northern Ireland and the Republic of Chile (30 January 2019) CS Chile No. 2/2019.
- Agreement Establishing the Common Fund for Commodities (adopted on 27 June 1980, entered into force 19 June 1989) 1538 UNTS 3.
- Agreement Establishing the World Trade Organization (adopted on 15 April 1994, entered into force 1 January 1995) 1867 UNTS 4.
- Agreement on a Unified Patent Court (20 June 2013) OJ C175/1.

## References

- Agreement on Government Procurement (signed on 12 April 1979, entered into force 1 January 1981) 1235 UNTS 258.
- Agreement on Maritime Transport between the European Community and its Member States, of the one part, and the government of the People's Republic of China, of the other part (21 February 2008) OJ L46/25.
- Agreement on Relations between the International Labour Organization and the European Economic Community (27 April 1959) OJ 27/521.
- Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (12 November 2019) OJ C384 I/1.
- Agreement on Trade Continuity between the United Kingdom of Great Britain and Northern Ireland and Canada (9 December 2020) CS Canada No.1/2020.
- Agreements Establishing the Commonwealth of Independent States (9 December 1991) 1992 (31) ILM 138.
- Air Transport Agreement between the United States of America, of the one part, and the European Community and its Member States, of the other part (25 May 2007) OJ L134/5.
- Articles of Agreement of the International Bank for Reconstruction and Development (adopted 27 December 1945, entered into force 27 December 1945) 2 UNTS 134.
- Articles of Agreement of the International Development Association (adopted 29 January 1960, entered into force 24 September 1960) 439 UNTS 249.
- Articles of Agreement of the International Finance Corporation (adopted 25 May 1955, entered into force 20 July 1956) 264 UNTS 117.
- Articles of Agreement of the International Monetary Fund (adopted 27 December 1945, entered into force 27 December 1945) 2 UNTS 39.
- Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part (29 May 2014) OJ L161/3.
- Comprehensive Economic and Trade Agreement between Canada, of the one part, and the European Union and its Member States, of the other part (14 January 2017) OJ L11/23.
- Consolidated Version of the Treaty on European Union (26 October 2012) OJ C326/13.
- Consolidated Version of the Treaty on the Functioning of the European Union (26 October 2012) OJ C326/47.
- Constitution of the International Labour Organisation (adopted on 1 April 1919, entered into force 28 June 1919) 15 UNTS 40.
- Convention Defining the Statute of the European Schools (17 August 1994) OJ L212/3.
- Convention establishing the Multilateral Investment Guarantee Agency (adopted on 11 October 1985, entered into force 12 April 1988) 1508 UNTS 99.
- Convention for European Economic Cooperation (adopted on 16 April 1948, entered into force 28 July 1948) 888 UNTS 141.
- Convention for the Protection of Human Rights and Fundamental Freedoms (adopted 4 November 1950, entered into force 3 September 1953) 213 UNTS 221.

- Convention on the Grant of European Patents (adopted 5 October 1973, entered into force 7 October 1977) 1065 UNTS 199.
- Convention on the Rights and Duties of States (adopted 26 December 1933, entered into force 26 December 1934) 165 LNTS 19.
- Convention Setting up a European University Institute (9 February 1976) OJ C29/1.
- Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS) between the European Community and its Member States, of the one part, and the Republic of Korea, of the other part (19 October 2006) OJ L288/31.
- Council Decision (86/283/EEC) of 30 June 1986 on the association of the overseas countries and territories with the European Economic Community (1 July 1986) OJ L175/1.
- Decision of the European Council (2010/718/EU) of 29 October 2010 amending the status with regard to the European Union of the island of Saint-Barthélemy (29 October 2010) OJ L325/4.
- Draft Convention on the Law of Treaties (adopted 20 February 1928) 1935 (29) AJIL 657.
- Draft Treaty establishing a Constitution for Europe (18 July 2003) OJ C169/1.
- European Convention on the Suppression of Terrorism (adopted on 10 November 1976, entered into force 27 January 1977) CoE No. 090.
- Exchange of Letters between Mr Walter Hallstein, President of the Commission of the European Community, and Mr Jacques Fouques-Duparc, Chairman of the Central Commission for the Navigation of the Rhine, on cooperation between the EEC and the Central Commission for the Navigation of the Rhine (4 August 1961) OJ 53/1027.
- Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part (3 October 2022) OJ L255/3.
- Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Kingdom of Thailand, of the other part (23 December 2022) OJ L330/72.
- Internal Agreement between the Representatives of the Governments of the Member States of the European Union meeting within the Council, on the Financing of European Union Aid under the Multiannual Financial Framework for the Period 2014 to 2020, in Accordance with the ACP-EU Partnership Agreement, and on the Allocation of Financial Assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies (6 August 2013) OJ L210/1.
- International Cocoa Agreement (adopted on 25 June 2010, provisionally applied since 1 October 2012) 2871 UNTS 3.
- International Tropical Timber Agreement (adopted on 27 January 2006, entered into force 7 December 2011) 2797 UNTS 75.
- Partnership Agreement between the Members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part (23 June 2000) OJ L317/3.
- Partnership Agreement between the Members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part (15 December 2000) OJ L317/3.

## References

- Partnership and Cooperation Agreement Establishing a Partnership between the United Kingdom of Great Britain and Northern Ireland, of the one part, and the Republic of Uzbekistan, of the other part (31 October 2019) CS Uzbekistan No. 1/2019.
- Political Dialogue and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Cuba, of the other part (13 December 2016) OJ L3371/3.
- Protocol on Integrated Coastal Zone Management in the Mediterranean (4 February 2009) OJ L34/19.
- Statute of the Council of Europe (signed on 5 May 1949, entered into force 3 August 1949) 87 UNTS 103.
- Statute of the International Court of Justice (adopted 24 October 1945, entered into force 18 April 1946) 33 UNTS 993.
- Statute of the Permanent Court of International Justice (adopted 13 December 1920, entered into force 8 October 1921) Serie D – No. 1.
- Stepping Stone Economic Partnership Agreement between Ghana, of the one part, and the European Community and its Member States, of the other part (21 October 2016) OJ L278/3.
- Strategic Partnership Agreement between the European Union and its Member States, of the one part, and Japan, of the other part (24 August 2018) OJ L216/4.
- The European University Institute (EU Exit) Regulations 2022 (25 November 2022) 2022 No. 1231.
- Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part (21 December 2012) OJ L354/3.
- Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part (30 April 2021) OJ L149/10.
- Trade Continuity Agreement between the United Kingdom of Great Britain and Northern Ireland and the United Mexican States (15 December 2020) CS Mexico No.1/2021.
- Treaty concerning the Accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Economic Community and to the European Atomic Energy Community and Act concerning the Conditions of Accession and the Adjustments to the Treaties 27 March 1972.
- Treaty establishing the European Coal and Steel Community (adopted 18 April 1951, entered into force 23 July 1952) 261 UNTS 140.
- Treaty establishing the European Economic Community (adopted on 25 March 1957, entered into force 1 January 1958) 294 UNTS 3.
- Treaty Establishing the European Economic Community (adopted on 25 March 1957, entered into force 1 January 1958) 294 UNT 3.
- United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1836 UNTS 3.

- United Nations Framework Convention on Climate Change (adopted on 9 May 1992, entered into force 21 March 1994) 1771 UNTS 107.
- Vienna Convention on Succession of States in respect of State Property, Archives and Debts (adopted 8 April 1983, not yet in force) A/CONF.117/14.
- Vienna Convention on Succession of States in Respect of Treaties (adopted 23 August 1978, entered into force 6 November 1996) 1946 UNTS 3.
- Vienna Convention on the Law of Treaties (adopted 23 May 1969, entered into force 27 January 1980) 1155 UNTS 331.
- Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations (adopted and opened for signature 21 March 1986) UN Doc A/CONF.129/15.

*Documents and Miscellaneous Sources*

- Council of the European Union, 'Directives for the Negotiation of an Agreement with the United Kingdom of Great Britain and Northern Ireland setting out the Arrangements for its Withdrawal from the European Union' (Brussels 22 May 2017) XT 21016/17 ADD 1 REV 2.
- EC Arbitration Commission, 'Opinions on Questions Arising from the Dissolution of Yugoslavia: Opinion No. 9' (1992) 31(6) International Legal Materials 1488.
- EU Commission, 'Internal EU27 Preparatory Discussions on the Framework for the Future Relationship: International Agreements and Trade Policy' (6 February 2018) TF50(2018) 29.
- , 'Cover Letter and Note Verbale on the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern' (5 December 2018) COM(2018) 841 final.
- European Council, 'Guidelines following the United Kingdom's Notification under Article 50 TEU' (Brussels 29 April 2017) EUCO XT 20004/17.
- ILA, 'Berlin Conference 2004: Aspects of the Law of State Succession – Provisional Report'.
- , 'New Delhi Conference 2002: Committee on Aspects of the Law of State Succession – Rapport Final sur la Succession en Matiere de Traités'.
- , 'Rio de Janeiro Conference 2008: Aspects of the Law on State Succession'.
- , 'Toronto Conference 2006: Aspects of the Law of State Succession – Economic Aspects of State Succession'.
- , 'Conclusions of the Committee on Aspects of the Law of State Succession: Resolution No. 3/2008' (2008).
- ILC, 'Survey of International Law in Relation to the Work of Codification of the International Law Commission: UN Doc. A/CN.4/1/Rev.1' (1949), YBILC.
- , 'Second Report on the Law of Treaties, by Gerald Fitzmaurice, Special Rapporteur: UN Doc A/CN.4/107' (1957), YBILC Vol. II.
- , 'First Report on the Law of Treaties, by Sir Humphrey Waldock, Special Rapporteur: UN Doc A/CN.4/144 and Add. 1' (1962), YBILC Vol. II.

## References

- , ‘Summary Records of its 14th Session (24 April-29 June 1962): UN Doc A/CN.4/SR.647’ (1962), YBILC Vol. I.
- , ‘Report by Manfred Lachs, Chairman of the Sub-Committee on Succession of States and Governments: UN Doc. A/CN.4/160 and Corr.1’ (1963), YBILC Vol. II.
- , ‘Second Report on the Law of Treaties, by Sir Humphrey Waldock, Special Rapporteur: UN Doc. A/CN.4/156 and Add.1 – 3’ (1963), YBILC Vol. II.
- , ‘Reports of the International Law Commission on the Work of its 18th Session (4 May-19 July 1966): UN Doc A/CN.4/191’ (1966), YBILC Vol. II.
- , ‘Summary Records of the 18th Session (4 May – 19 July 1966): UN Doc. A/CN.4/Ser.A/1966’ (1966), YBILC Vol. I(2).
- , ‘First Report on Succession of States and Governments in Respect of Treaties, by Sir Humphrey Waldock: UN Doc A/CN.4/202’ (1968), YBILC Vol. II.
- , ‘Report of the International Law Commission on the work of its twentieth session, 27 May-2 August 1968: UN Doc. A/7209/Rev.1’ (1968), YBILC Vol. II.
- , ‘Second Report on Succession in Respect of Treaties, by Sir Humphrey Waldock: UN Doc. A/CN.4/214 and Add. 1 & 2’ (1969), YBILC Vol. II.
- , ‘Third Report on Succession in Respect of Treaties, by Sir Humphrey Waldock: UN Doc. A/CN.4/244 and Add. 1’ (1970), YBILC Vol. II.
- , ‘Fourth Report on Succession in Respect of Treaties, by Sir Humphrey Waldock: UN Doc A/CN.4/249’ (1971), YBILC Vol. II(1).
- , ‘Fifth Report on Succession in Respect of Treaties, by Sir Humphrey Waldock: UN Doc. A/CN.4/256 and Add.1 – 4’ (1972), YBILC Vol. II.
- , ‘Report of the International Law Commission on the Work of its Twenty-Fourth Session, 2 May – 7 July 1972, Official Records of the General Assembly, Twenty-seventh session, Supplement No.10: UN Doc. A/8710/Rev.1’ (1972), YBILC Vol. II.
- , ‘Summary records of the Twenty-Fourth Session 2 May-7 July 1972: UN Doc. A/CN.4/Ser.A/1972’ (1972), YBILC Vol. I.
- , ‘First Report on Succession of States in Respect of Treaties, by Sir Francis Vallat, Special Rapporteur: UN Doc. A/CN.4/278 and Add.1 – 6’ (1974), YBILC Vol. II(1).
- , ‘Report of the International Law Commission on the Work of its Twenty-Sixth Session, 6 May – 26 July 1974: UN Doc. A/9610/Rev.1’ (1974), YBILC Vol. II(1).
- , ‘Tenth Report on the Question of Treaties concluded between States and International Organizations or between two or more International Organizations, by Paul Reuter, Special Rapporteur: UN Doc A/CN.4/341 and Add.1 & Corr.1’ (1981), YBILC Vol. II(1).
- , ‘Report of the International Law Commission on the Work of its 34th Session (3 May-23 July 1982): UN Doc A/37/10’ (1982), YBILC Vol. II(2).
- , ‘Third Report on State responsibility, by Roberto Ago, Special Rapporteur: UN Doc. A/CN.4/246 and Add.1 – 3’ (2000), YBILC Vol. II(1).
- , ‘Articles on the Responsibility of States for Internationally Wrongful Acts’ (2001), YBILC Vol. II(2).

- , ‘Conclusions of the Study Group on the Fragmentation of International Law: Difficulties arising from the Diversification and Expansion of International Law’ (2006), YBILC Vol. II.
- , ‘Draft Articles on the Responsibility of International Organizations: UN Doc A/66/10’ (2011), YBILC Vol. II(2).
- , ‘Draft Conclusions on Identification of Customary International Law, with Commentaries’ (UN Doc. A/73/10) (2018), YBILC Vol. II(2).
- Miller V, ‘Legislating for Brexit: EU External Agreements’ (5 January 2017), Briefing Paper Number 7850.
- Office of the President of the Government of Southern Sudan in collaboration with the Public International Law & Policy Group, ‘South Sudan: A Guide to Critical Post-2011 Issues, Legal Handbook’ (December 2009).
- Praesidium de la Convention européenne, ‘Titre X: L’appartenance à l’Union: CONV 648/03’ (2 April 2003).
- Swiss Federal Department of Foreign Affairs/Federal Department of Economic Affairs, ‘Bilateral Agreements Switzerland-EU’ (Bern August 2009).
- UK Government, ‘The Process for Withdrawing from the European Union’ (London February 2016) Cm 9216.
- , ‘Why the Government believes that Voting to Remain in the EU is the Best Decision for the UK: Booklet Providing Important Information about the EU Referendum on 23 June 2016’ (6 April 2016).
- , ‘The United Kingdom’s Exit from and New Partnership with the European Union: White Paper’ (2 February 2017) Cm 9417.
- , ‘Technical Note: International Agreements during the Implementation Period’ (8 February 2018).
- , ‘EU Exit: Taking back control of our borders, money and laws while protecting our economy, security and Union’ (November 2018) Cm 9741.
- , ‘International Agreements if the UK leaves the EU without a Deal’ (5 November 2019), Guidance Note.
- , ‘Written Questions, Answers and Statements: European University Institute’ (tabled on 22 September 2022; answered on 11 October 2022) UIN 54450.
- UK House of Commons, ‘Oral Evidence: Costs and Benefits of EU Membership for the UK’s Role in the World’ (8 December 2015) HC 545.
- , ‘Global Britain: Sixth Report of Session 2017–19’ (6 March 2018) HC 780.
- UK House of Lords, ‘Brexit and the EU budget: European Union Committee – 15th Report of Session 2016–17’ (4 March 2017) HL Paper 125.
- UN Conference on the Law of Treaties, ‘Official Records of the UN Conference on the Law of Treaties (Summary Records of the Plenary Meetings and of the Meetings of the Committee of the Whole): First Session, 26 March – 24 May 1968’ (A/CONF.39/11).
- UN Secretariat, ‘Succession of States in Respect of Bilateral Treaties – Study prepared by the Secretariat: UN Doc. A/CN.4/229’ (1970), YBILC Vol. II.

## References

- , ‘Succession of States in Respect of Bilateral Treaties – Second and Third Studies prepared by the Secretariat: A/CN.4/243 and Add.1’ (1971), YBILC Vol. II(2).
- UN Conference on Succession of States in Respect of Treaties, ‘Official Records: 3rd meeting of the Committee of the Whole’ UN Doc. A/CONF.80/C.1/SR.3.
- , ‘Official Records: 37th Meeting of the Committee of the Whole’ (31 July 1978) UN Doc. A/CONF.80/C.1/SR.37.
- , ‘Official Records: 38th Meeting of the Committee of the Whole’ (1 August 1978) UN Doc. A/CONF.80/C.1/SR.38.
- , ‘Official Records: 39th Meeting of the Committee of the Whole’ (1 August 1978) UN Doc. A/CONF.80/C.1/SR.39.
- , ‘Official Records: 40th Meeting of the Committee of the Whole’ (2 August 1978) UN Doc. A/CONF.80/C.1/SR.40.
- , ‘Official Records: 41st Meeting of the Committee of the Whole’ (2 August 1978) UN Doc. A/CONF.80/C.1/SR.41.
- , ‘Official Records: 42nd Meeting of the Committee of the Whole’ (3 August 1978) UN Doc. A/CONF.80/C.1/SR.42.
- , ‘Official Records: 47th Meeting of the Committee of the Whole’ (7 August 1978) UN Doc. A/CONF.80/C.1/SR.47.
- , ‘Official Records: 48th Meeting of the Committee of the Whole’ (8 August 1978) UN Doc. A/CONF.80/C.1/SR.48.
- , ‘Official Records: 49th Meeting of the Committee of the Whole’ (8 August 1978) UN Doc. A/CONF.80/C.1/SR.49.
- , ‘Official Records: 13th Plenary Meeting’ (21 August 1978) UN Doc. A/CONF.80/SR.13.
- , ‘Official Records (Volume III): Documents of the Conference’ (1979) UN Doc. A/CONF.80/16/Add.2.
- UN General Assembly, ‘Future Work in the Field of the Codification and Progressive Development of International Law: UN Doc. A/Res/16/1686’ (18 December 1961).
- , ‘Letter Dated 31 December 1992 from the Permanent Representative of Czechoslovakia to the United Nations Addressed to the Secretary-General: UN Doc A/47/848, Annex II’ (1992).
- , ‘Letter Dated 31 December 1992 from the Permanent Representative of Czechoslovakia to the United Nations Addressed to the Secretary-General: UN Doc A/47/848 Annex I’ (1992).
- United Nations, ‘Final Clauses of Multilateral Treaties: Handbook’ (2nd edn, United Nations Publications 2005).
- United Nations, ‘Summary of Practice of the Secretary-General as Depository of Multilateral Treaties’ (UN Doc. ST/LEG/7/Rev.1).
- UN Security Council, ‘On the question of membership of the Federal Republic of Yugoslavia (Serbia and Montenegro) in the United Nations: UN Doc. S/RES/777’ (19 September 1992).

WTO, 'Accession of the United Kingdom to the Agreement on Government Procurement in its own Right: Decision of the Committee on Government Procurement of 27 February 2019' (28 February 2019) GPA/CD/2.

