



Ordine internazionale e diritti umani

International Legal Order and Human Rights
Ordenamiento Jurídico Internacional y Derechos Humanos
Ordre juridique international et Droits de l'Homme

FROM IRAQ AND YUGOSLAVIA TO UKRAINE: AGAINST THE STATE SOVEREIGNTY AND SELF-DETERMINATION OF PEOPLE

In present international law the rule concerning the sovereign equality and political independence of States is fundamental. Aggression, regime change with the use of force from outside, foreign help to insurgents are international crimes. The so-called abuse of human rights as pretext to attack a State is not acceptable. Contrary to current opinions, human rights cannot be used to infringe State sovereignty. They must be developed and implemented through international conventions. Self-determination of peoples in the *stricto sensu* international legal meaning is also in a certain degree subordinate to the sovereignty of *constituted* State. Action by Security Council must respect U.N. Charter limits. In different ways all these principles have been turned upside down or misinterpreted in many recent cases, from Yugoslavia and Iraq to Libya, Syria and Ukraine.