



COMITATO LIBERAZIONE NAZIONALE VENETO

(Art. 96.3 1° Protocollo Convenzione di Ginevra 1977 – legge n.762 del 11 dicembre 1985)



High Representative of the Union for Foreign Affairs and Security Policy Joséph Borrell

European Council.

Europa Building, Justus Lipsius Building

Rue de la Loi, 155 Brussels.

To the President of the Council of Europe Charles Michel.

Rue de la Loi, 155. Europa Building, Brussels

To the President of the European Parliament David Maria Sassoli

7 Place Adrien Zeller, Allée du Printemps B.P. 1024,

67070 Strasbourg, France

To United Nations Secretary General António Guterres. U.N. Office of Legal affairs Mr.

Miguel de Serpa Soares.

760 United Nations Plaza, New York, NY 10017, USA.

Office of the United Nations High Commissioner for Human Rights

Human Rights Council

Committee on the Elimination of Racial Discrimination (CERD)

Committee on Economic, Social and Cultural Rights (CESCR)

Covenant on Civil and Political Rights (CCPR)

Committee on the Elimination of Discrimination against Women (CEDAW)

Committee against Torture (CAT)

Convention on the Rights of the Child (CRC)

Committee on Migrant Workers (CMW)

Sede del Governo: Palazzo Ducale -Venezia

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Subcommittee on Prevention of Torture (SPT)
Convention on the Rights of Persons with Disabilities (CRPD)
Committee on Enforced Disappearances (CED)
United Nations High Commissioner for Refugees (UNHCR)
Office for the Coordination of Humanitarian Affairs (OCHA)
United Nations Educational, Scientific and Cultural Organization (UNESCO)
Inter-Agency Standing Committee (IASC)
Department of Economic and Social Affairs (DESA)
Commission on the Status of Women (CSW)
Division for the Advancement of Women (DAW)
United Nations Population Fund (UNFPA)
United Nations International Children's Emergency Fund (UNICEF)
The United Nations Entity for Gender Equality and the Empowerment of Women
(UN-Women)
United Nations Development Programme (UNDP)
U.N. – OHCHR Ms. Michelle Bachelet Jeria Palais Wilson -Rue de Paquis, 52
CH-1201 Genève – SUISSE.
To the President of the ICRC General Assembly Mr. Peter Maurer

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Organisation for Economic Co-operation and Development (OCSE) Secretary-General
Mr. Angel Gurría. 2, Rue André Pascal 75775 Paris Cedex 16 – FRANCE.3

To His Excellency Prosecutor Ms Fatou Bensouda

Prosecutor's Office International Criminal Court

Po Box 19519- 2500 CM, The Hague- Netherlands

Treatise: Butterfly Effect of the Native Peoples of Europe. (Vienna formula)

Subject: Declaration of belligerence to the International Organization sui generis European Union binding for all States and international legal personalities belonging to the organization.

The present treaty "Butterfly Effect of the Native Peoples of Europe" is governed by the international law of the Vienna Convention. Treaties concluded between states and other subjects of international law or between subjects of international law other than states.

Settlement of disputes and monitoring of treaty implementation is not incompatible with the object and purpose of the treaty.

Belligerence as a legal act of public international law with the obligation to apply international humanitarian law (IHL), in the status of legal representative of the Veneto state for the self-determined Venetian people and for all indigenous peoples of Europe.

For: The enforceability of the right to self-determination of the Peoples of Europe is infringed.

- Racial discrimination.

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The 1965 United Nations Convention Against Racial Discrimination prohibits any distinction based on race, color, descent or national or ethnic origin, the purpose or consequence of which is to limit the exercise or enjoyment of a human right.

- Apartheid.
- Aggression.
- Crimes against humanity.

The Veneto National Liberation Committee of Europe gives force and signs the complaint "Crimes against humanity" presented to the International Criminal Court (ICC) by the lawyer Juan Branco, against the European Union and Member States, officials and politicians from Italy, France and Germany have knowingly created the "deadliest migration route in the world, with the result that over 12,000 people have lost their lives. To stem migratory flows and instead of safe rescue and disembarkation operations as required by law, Europe orchestrates a policy of relocation to detention facilities (in Libya) where heinous crimes are committed". The Veneto National Liberation Committee of Europe reconfirms the complaint for genocide-crimes against humanity of the Italian State and the European Union, presented to the International Criminal Court (ICC) for poisoning by PFAS substances to over 300 thousand Venetian citizens, in a spill period of 40 years to pollute groundwater, environmental crime. At present, the Italian State does not comply with the Rome Statute by refusing to provide the International Prosecutor's Office with the evidence of the civil parties on the ongoing poisoning.

- Abuse of dominant position – Eurosystem. The euro is a reason for discrimination for peoples, in how much it violates the principle of economic freedom, being the euro a currency whose circulation does not it is free to float on the currency market and no one has the right to impose a currency on a people without your consent, especially if that currency is imposed in terms of money supply, circulation, issue. Monetary limitation means limitation of economic freedom, being a currency, if such it is defined, a tool for regulating exchanges between economies and countries, as well as an



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instrument of economic policy, as long as we accept that Euroasia is a currency. Perhaps this is even more serious than the violations of the rights of self-determination, because it violates the principle of economic freedom of each and therefore of each community.

It is now evident that the economic policy implemented by the European Union does not allow to achieve the results promised by the politicians to the government, with the interested support of a large group of economists skilled in calculating but much less able to think systemically for the common good (which many of them do not even know how to define).

In compliance with the four Geneva Conventions of 1949, the two Additional Protocols of 1977 and that of the 2005 Geneva Convention of 1951 on refugees. Public international law: obligation to apply international humanitarian law (IHL). The status of the legal representative of the government of the Veneto state for the self-determined Venetian people commits to this obligation. The application of Jus in Bello brings into force protocols and conventions.

Article 1.4 of Protocol I of 1977 additional to the Geneva Conventions of 1949, the members of the Veneto National Liberation Committee must be considered legitimate combatants, with this official document International Public Legal Act in the form of a Treaty "Butterfly Effect".

Virtue of an automatic legal production process performed by:

Legal Affairs Office of the Legislative Council of the Venetian People.

Treaties Office of the Treaties Commission of the Veneto National Liberation Committee.

European Council of Peoples of Europe.

National Council of the Veneto People.

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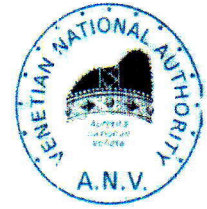
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Constituent Assembly. Federal Constitution of the Venetian Confederation, Federal Law on Venetian National Bank and Federal Law on Monetary Unit and Means of Payment.

Approval with popular subscription to direct democracy of the rights of self-determination of the Venetian People and 14,581 other authorized representatives of the Venetian nationality.

Approved by the transitional government of the National Council of the Venetian People. Approved by Legal Affairs Office of the Legislative Council of the Venetian People. Approved by the Organization for the Liberation of the Venetian Territories. Approved by the Veneto National Liberation Committee.

PREAMBLE:

We Veneto People and peoples of Europe, consider the recognition of the inherent dignity of all members of the human family and of their rights, equal and inalienable, which constitutes the foundation of freedom, justice and peace in the world, we consider that the disavowal and contempt for human rights have led to acts of barbarism that offend the conscience of humanity, and that the advent of a world in which human beings enjoy freedom of speech and belief and freedom from fear and need has been proclaimed as the highest aspiration of man, we consider that it is essential that human rights are protected by legal norms, if we want to avoid that man is forced to resort, as a last resort, to rebellion against tyranny and oppression, we consider that it is essential to promote the development of friendly relations between nations, we consider that the Peoples of the United Nations have reaffirmed in the Charter the to their faith in the fundamental rights of man, in the dignity and worth of the human person, in the equality of rights of man and woman, and have decided to promote social progress and a better standard of living in greater freedom. Considering that the Member States have undertaken to pursue, in cooperation with the United Nations, universal respect and observance of human rights and fundamental freedoms; we consider that a common understanding of these rights and freedoms is of the utmost importance for the full realization of these commitments. The Veneto National

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Liberation Committee, C.L.N.V. has an international juridical personality in the name and on behalf of all the peoples of Europe, and therefore has the right to assume ownership of subjective legal situations created by norms of international law. By virtue of which it can be considered a subject of independent legal imputation; is an international organization that holds rights and obligations within the international system and can act autonomously with respect to states and intergovernmental international organizations. In the concrete manifestation of international subjectivity, it can also include immunity and privileges. The founding act determines the structure and objectives of the Veneto National Liberation Committee and lists the powers attributed to achieve the set goals. With the effective use of these powers, in acting concretely on the international level, to make him an actor of the International Community, therefore suitable to be holder of legal personality, in the full real capacity to exercise all the functions of effectiveness.

Who we are. International legal personality

The Veneto National Liberation Committee in compliance with the provisions contained in Art. 96.3 of the 1st Additional Protocol of 1977, to the Geneva Conventions of 1949. 96.3 of the First Geneva Protocol of 1977 on Liberation Movements, in order to relate to third States, it issued the Institutional Government Apparatus: National Council of the Veneto People (Venetian National Authority ANV) and notified its foundation by delivering the Constitutive Act , with signatures of the founders, at the headquarters of the High Commissioner for Human Rights (OHCHR) in Geneva (CH) on 25/07/2016 to be notified to the Secretary General of the United Nations. The Provisional Veneto Legal System is the legal instrument of reference that the Veneto Provisional Government adopts for the management of the transition phase. Every citizen of the Veneto population has the right and the power to delegate the provisional administration of the Veneto State to the Veneto Provisional Government, established pursuant to and for the purposes of Article 96.3 of the First Geneva Protocol of 1977, recognizing it as the only legally constituted authority on the occupied territories of their own Patria Naturalis Ratio. For a free, conscious and democratic choice, in order to perfect our Union, guarantee justice, ensure tranquility

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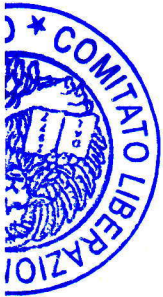
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within, provide for the common defense, promote general well-being, safeguard the good of freedom for us and for our posterity, we put into effect all the rights of self-determination of the peoples with direct democracy the Federal Constitution of the Venetian Confederation. The principle of self-determination of peoples establishes the right of a people subjected to foreign domination to obtain independence, associate with another state or in any case to be able to choose their own political regime independently. This principle constitutes a rule of general international law, that is, a rule that produces legal effects (rights and obligations) for the whole Community of States. Furthermore, this principle also represents a norm of *ius cogens*, that is, mandatory law (It means that it is a supreme and inalienable principle of international law, so it cannot be derogated by an international convention). ART. 53 of the Vienna Convention on the law of treaties: those rules of general international law which are recognized and accepted by the international community as a whole as mandatory constitute norms of *ius cogens*. They protect the fundamental rights of the international order and constitute the foundations of the current international community and coexistence between states:

- prohibition of aggression / use of force
- prohibition of denying the right to self-determination
- prohibition of war crimes and crimes against humanity
- ban on genocide
- ban on apartheid
- prohibition of torture
- prohibition of racial discrimination
- prohibition of slavery

The formation of a custom also depends on the conviction that the general practice conforms to law: states must have the feeling of conforming to what constitutes a legal

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obligation. The customary norm, once formed, becomes binding for all members of the international community, even for States that have not positively contributed to its formation, the theory according to which custom does not bind the State which has persistently opposed it is not acceptable to its formation process (persistent objector theory). The Veneto National Liberation Committee, referring to the United Nations Statute, as well as to the aims and principles contained therein, signs the Declaration and Program of Action for a Culture of Peace (A / RES / 53/243)

WHO WE REPRESENT:

The entire Veneto people and 14.581 people, self-determined Venetian citizens of the "Veneto National Liberation Committee" and all the autochthonous-indigenous peoples of Europe. Recalling that the Veneto people were the only ones not conquered by the war by the Romans, because they saw in them a hardworking and peaceful people. The sources written on the Ancient Venetians are many and well known, distributed over a wide span of centuries and referable to the most famous Greek and Latin writers: from Homer to Virgil, to Titus Livius, Pliny the Elder, etc. Homer called them "Evetoy" and so all the Greeks, the Latins said them "Heneti" The Greek meaning of the word EVETOY is: worthy of praise, or praiseworthy, narrated by Tito Livio famous excursus of homeland history.

The Veneto National Liberation Committee is organized and representative of the Veneto people and the peoples of Europe, subject to racist colonial rule and foreign occupation, fighting for self-determination. The Veneto National Liberation Committee of Europe participates in international social life: it has the ability to conclude agreements, take part in the work of international organizations and participate in international conferences, presents complaints and international requests, leads the struggle to realize the right to self-determination. The custom for which the European government cannot use force to deprive the European peoples of their right to self-determination is part of the relations between the racist government established by the international organization sui generis European Union and the Veneto National Liberation Committee of Europe. From the right of resistance, the various resolutions

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of the GA have attributed to the private European peoples with the strength of their right to self-determination the right to receive assistance from third States for the purposes of the future independence of the territory. In the change of sovereignty, the government of the National Council of the Veneto people takes over the government of the territory of the predecessor state and acquires its original sovereignty. (Vienna Convention on the succession between states in the 1978 treaties - ART 2 (b) (e) legal succession and ART 15 rule of the tabula rasa). Vienna Convention on the succession of states in matters of assets, archives and state of 1983. ART 14 transfer, the transfer of assets from the predecessor to the successor (the indigenous people of Veneto millenary) must be governed by an agreement between the two, this agreement (supplementary rule) the immovable and movable assets of the predecessor connected to the activity of the state in the territory in question pass to the successor. (Return into possession). ART. 15: contains a provision in favor of the states born from the decolonization process attributing to the new state the properties acquired with the contribution of the territory on which the new independent state was established. (Repossession of indigenous popular sovereignty). ART 12: assets belonging to third countries are not affected by the change in sovereignty. Public debt of the predecessor state, however, odious debts are not passed on to the successor state. General debt: they belong to the predecessor if he does not cease to exist despite the succession. All state archives that have a direct connection with the territory that is the subject of the succession, the Vienna Convention adopts the principle of territoriality. The headquarters agreement of the organization where it is located is governed by jurisdictional immunities. The immunity of the organs of the Veneto National Liberation Committee of Europe. The activities carried out by the individual-body in the exercise of its functions are not activities of the individual but of the State of which it is a body and for which it acts.

- the activity is imputed to the state unless an international crime is committed: the individual is therefore not liable for it.

- Functional organic immunity of the individual-organ: the person who carried out the act cannot be judged because this was only an intermediary. Functional immunity

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covers the act forever, even once the office has ceased, the only limit to functional immunity: commission of an international crime. In this case there is the possibility of bringing the people who committed the crime to trial.

- international law allows the territorial state to deny organic immunity in well-defined cases, in particular when the body has committed international crimes. Organic immunity is also accompanied by immunity of a personal nature, for the acts that the individual-organ performs outside the exercise of its functions. Heads of state and heads of government, in addition to enjoying organic immunity like any other organ of the state, enjoy the same personal immunities as diplomatic agents when they are abroad. Ministers of foreign affairs enjoy complete immunity from criminal jurisdiction, both for acts performed in a private capacity and for official ones, as long as they are a minister in office. The diplomatic agent represents the accrediting state in international relations with the accrediting state. The consul performs typical functions of the administration of the sending state within the territorial state.

General international law establishes certain privileges and immunities in favor of diplomatic agents in order to ensure the effective performance of diplomatic functions. 1961 Vienna Convention on Diplomatic Relations. The immunity of the International Organization Veneto National Liberation Committee of the Peoples of Europe is affirmed in relation to the functions that fall within the sphere of the entity: Self-determination of Peoples.

Legal basis

By virtue of the principles that characterize the rule of law on the judicial protection of peoples in self-determination/self-decision, solemnly proclaimed and recognized:

Right of National and Ethnic groups to freely decide their own destiny: Art. 2 of the Treaty of Tartu of 02 February 1920 (USSR-Estonia).

Atlantic Charter Declaration of principles of agreed international policy (1941)

United Nations Charter: Article 1, paragraph 2, and Article 55

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Human Rights Declaration of 1948

Resolution 217 A (III) - Universal Declaration of Human Rights - 10.12.1948

Resolution 1514 (L) XV / 1960 - Declaration on the granting of the independence of the Colonial peoples

Resolution 2200 / A of 1966 - International Covenant of Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights

Resolution 2625 (XXV) / 1970 - the principle that States refrain, in their international relations, from resorting to the threat or use of force against the territorial integrity or political independence of a State or in any other incompatible way for the purposes of the United Nations.

Resolution 3314 (XXIX) / 1974 - Definition of aggression with reference to 2625 (XXV) / 1970

Resolution 55/2 - United Nations Millennium Declaration - 20.09.2000

Resolution 41/128 - Declaration on the right to development - O.N.U. 04.12.1986

CDS Resolution 276 - Condemnation of the use of force by the Libyan regime against protesters 1970 issued unanimously on 11.26.2011 and referred for the first time a state to the International Criminal Court.

Resolution 61/178 of 20 December 2006 - UN Declaration of Indigenous Peoples' Rights

Resolution 61/295 of 13 September 2007 - Approval of the Declaration of the Rights of Indigenous Peoples - 107th UN Plenary Session

COM (2012) 748: Proposal for a COUNCIL EU DECISION

Declaration of acceptance of the jurisdiction of the International Criminal Court Art. 94 of the Charter of the United Nations

International Criminal Court's judgments - I.C.C.

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Judgments and binding advisory opinions of the International Court of Justice, ICJ

2001 codification by the CDI

UNCTAD / GDS / APP / 2013/1 - Report on "Loss of Palestinian tax revenue in Israel under the Paris Protocol on Economic Relations."

United Nations Guiding Principles on Business and Human Rights (UNGPR).

The UN "Protect, Respect and Remedy" Framework for Business and Human Rights
U.N. Human Rights Council, "Resolution 8/7

Resolution 18/6

Resolution adopted by the General Assembly on 22 June 2017 (A / 71 / L.73 and Add.1)]
71/292. General Assembly: Reiterating that all peoples have an inalienable right to the exercise of their Sovereignty and Integrity of their National Territory.

Resolution 65/118 of 10 December 2010.

Resolution 65/119 of 10 December 2010.

Resolution 71/122 of 6 December 2016

Conference for Security and Cooperation in Europe (1975)

African Charter on the rights of men and peoples (so-called Banjul Charter adopted in 1981)

Jurisprudence of the Canadian Supreme Court 25506 of 20.8.1998 - 2 SCR 217 - 112 (b)

Court of Justice: community directive 85/577 - 89/665

Art. 19 of the Nice Charter - Treaty on European Union and art. 47 of the Charter of Fundamental Rights.

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION on the violation of the rights of indigenous peoples in the world, including land grabbing. (2017/2206 (INI))

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MOTION FOR A RESOLUTION 3.7.2015 submitted pursuant to article 133 of the regulation on the right to self-determination of peoples by Gianluca Buonanno. It invites the EU institutions to recognize and reaffirm that all peoples have the right to self-determination and by virtue of this right they freely decide on their political status and freely pursue their economic, social and cultural development.

The European Parliament, - having regard to Rule 133 of its Rules of Procedure,

A. whereas when the Greek referendum on the so-called bailout plan was called, many European leaders, including the EU's top leaders, expressed harsh criticism of this;

B. whereas according to the authoritative opinion of two independent experts of the United Nations, Alfred de Zayas and Virginia Dandan, "all institutions dealing with human rights should welcome the Greek referendum as an eloquent expression of self-determination of the Greek people ", as provided for in Article 1 of the International Covenant on Civil and Political Rights;

C. whereas, therefore, the above criticisms of the referendum initiative in question show that the principle of self-determination does not appear to have been implemented as it should:

1. Calls on the EU institutions to recognize and reaffirm that all peoples have the right to self-determination and by virtue of this right they freely decide on their political status and freely pursue their economic, social and cultural development;

2. Instructs its President to forward this motion for a resolution to the Council Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy and the Secretary-General of the United Nations.

Parliamentary questions 28 February 2017. Question for written answer E-001376-17 to the Commission, Article 130 of the Mara Bizzotto Regulation (ENF).

WRITTEN QUESTION by Matti Wuori (Verts / ALE) to the Commission. Parliamentary questions 28 February 2017. Question for written answer E-001376-17 to the Commission Article 130 of the Mara Bizzotto Regulation (ENF). EU support for





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indigenous peoples. The Council recognized in its resolution of 30 November 1998 on indigenous peoples that cooperation with these peoples and support for the creation of partnerships with them is of fundamental importance for achieving the objectives of poverty reduction, sustainable development, respect for human rights and the democratic process.

On 16 November 1989 the enlarged Bureau of the European Parliament, meeting in extraordinary session in Brussels, expressed its joy in the aftermath of what happened in Germany and the opening of the Berlin Wall, reaffirming the Assembly's commitment to favor of democracy e

self-determination of peoples. Instructs its President to forward this motion for a resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy and the UN Secretary-General.

- Discrimination: the High Representative of the European Union for Foreign Affairs and Security Policy, Catherine Ashton, who reiterated on 20 November 2012 that the EU recognized the National Coalition of Syrian Revolution and Opposition Forces as a legitimate representative of the aspirations of the Syrian people - terminology on which there was a commonality of position by all the members - and not as the only legitimate representative of the Syrian people. A clarification on the choice to use an indefinite or definite article, rather than the singular or the plural, was made, for example, by the United Kingdom through its Foreign Secretary, in the recognition of the Syrian National Council as a legitimate representative of the Syrian people, pronounced it as follows: "Well there are other representatives as well as the Syrian National Council, and that's why say 'a' legitimate representative of the Syrian people". Other EU states, on the other hand, have gone further by speaking of the National Coalition of Syrian Revolution and Opposition Forces as the "only legitimate" representative of the Syrian people. Whatever the level of recognition, the National Coalition of Syrian Revolution and Opposition Forces is perceived (and recognized) as

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the legitimate representative of Syrians calling for a democratic change in the country as well as the Syrian opposition.

The Venetian National Liberation Committee of Europe, as per the opinion of the European Court, available to collaborate for an improvement contribution of its Diplomatic Corps to the institutions of the EU organization and for obtaining the standard certification of the ISO 3166 States code.

23 December 2013 - The Venetian language is recognized with ISO 639-3 "vec" by UNESCO and classified among the living languages in the Ethnologue catalog and recognized by the Council of Europe in 1981.

The *ius cogens* is perceived by the members of the so-called international community (States in particular) as an absolutely mandatory right. According to Article 53 of the 1969 Convention, "Any treaty which, at the time of its conclusion, conflicts with a mandatory rule of general international law is void. For the purposes of this Convention, an imperative rule of general international law means a rule that has been accepted and recognized by the international community of States as a whole as a rule from which no derogation is permitted and which can only be modified by a new rule of general international law of the same character". Article 64 prescribes: "If a new imperative rule of general international law arises, any existing treaty that conflicts with this rule becomes null and void".

Jurist Enzo Moavero Milanese President of the Organization for Security and Cooperation in Europe (OSCE) confirms: "The self-determination of peoples is not part of the European Union treaties". Self-determination of peoples is not covered by the EU treaties. The EU treaties are binding agreements between the member countries of the European Union. They define the objectives of the EU, the rules of operation of the European institutions, the procedures for taking decisions and the relations between the EU and its member countries.

Every action taken by the EU is based on the treaties.

Treaty on European Union (consolidated version 2016).

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Treaty on the Functioning of the European Union (consolidated version 2016).

Treaty establishing the European Atomic Energy Community (consolidated version 2016).

Charter of Fundamental Rights of the European Union (2016).

The autochthonous peoples of Europe impose the mandatory erga omnes obligations on all States adhering by treaty and on the Organization sui generis European Union itself, in joint responsibility of legal reciprocity, the collectability of self-determination. Project for the codification by the Commission of international law on the responsibility of States, in the definitive draft of 2001, for serious violations towards the international community, of the erga omnes obligations by the norms of jus cogens. Erga Omnes Obligations and Codification of State Responsibility, 2005, now in the international community, cit., P. 517 ssRapporteur Crawford unitary reference in Chapter III of the second part of the final text the "serious breaches" of obligations established by mandatory norms ("peremptory norms") of general international law.

In accordance with the writer's orientation:

The Court's ruling in the East Timor case expressed the following terms: "[i]n the Court's view, Portugal's assertion that the right of peoples to self-determination has an erga omnes character, is irreproachable. [...] However, the Court considers that the erga omnes character of a norm and the rule of consent to jurisdiction are two different things" (judgment, cit., P. 102, par. 29). Strictly speaking, the reference to a "right" (and even more so, in the second paragraph of the quotation, to a "rule") erga omnes would seem to imply that the emphasis is placed by the Court on the customary nature of the principle of self-determination. In these terms, among other things, Judge Weeramantry's qualification, in his dissent opinion, of self-determination as "a right assertible erga omnes" could also be understood. For this interpretation see e.g. KLABBERS, The Scope of International Law: Erga Omnes Obligations and the Turn to Morality, in Liber Amicorum Bengt Broms: Celebrating His 70th Birthday, 16 October 1999, M. Tupamäki (ed.), Helsinki, 1999, p. 149 ff., P. 169. In the sense instead that

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from the use of the terminology indicated it could be inferred that the Court has identified in the active legal position deriving from the principle of self-determination a right due not to the States, but to the peoples, see the considerations made by FORLATI, *Actions*, cit., p. 96. It must also be said that in subsequent case law the Court corrected the shot, when it again recognized, this time in terms in our opinion more appropriate, the erga omnes character of the «obligation to respect the right of the Palestinian people to self determination (Muro, consultative opinion, cit., P. 199, par. 155, emphasis added).

The Court also speaks of "rights" erga omnes in the 1996 judgment on the Application of the Convention on genocide (see ante, note 31), in a passage which is also reproduced in subsequent jurisprudence (see note 38). In this case, the reference to rights serves the Court to justify the immediately subsequent assertion according to which "the obligation each State [...] has to prevent and to punish the crime of genocide is not territorially limited by the Convention" (judgment, cit., p. 616, par. 31). For this notation see also TAMS, *Enforcing Obligations Erga Omnes*, cit., p. 110 ff. Muro, consultative opinion, cit., Pp. 201-202, par. 163. For these findings, see Separate opinion of Judge Kooijmans, Muro, advisory opinion, cit., I.C.J. Reports 2004, p. 219 ff., P. 231, par. 40. See also PICONE, *Obligations erga omnes*, cit., P. 628 and following; VILLALPANDO, *Le codificateur et le juge face à la responsabilité internationale de l'État: interaction between CDI et la CIJ dans la détermination des règles secondaires*, in *Annuaire français de droit int.*, 2009, p. 39 ff., p. 56; CRAWFORD, *Responsibilities for Breaches of Communitarian Norms: An Appraisal of Article 48 of the ILC Articles on Responsibility of States for Wrongful Acts Responsibility*, in *From Bilateralism to Community Interest. Essays in Honor of Judge Bruno Simma*, U. Fastenrath et al. (eds.), Oxford, 2011, p. 224 ff., Pp. 231, 234. In this sense PERTILE, «Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory»: A Missed Opportunity for the Development of International Humanitarian Law?, in *Italian Yearbook of Int. Law*, vol. 14, 2005, p. 121 ff., P. 155. It should also be noted that in the reasoning, this obligation to cooperate is reconstructed in partially different terms: with regard only to the principle of self-determination, the Court seems to admit that





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the fulfillment of the related obligations can also be achieved through unilateral measures by the States: "[i]t is also for all States, while respecting the United Nations Charter and international law, to see to it that any impediment, resulting from the construction of the wall, to the exercise by the Palestinian people of its right to self-determination is brought to an end" (Muro, consultative opinion, cit., p. 200, par. 159). As for the obligation of each State party to the Fourth Geneva Convention to ensure compliance by Israel with the rules of humanitarian law, it is instead reconstructed that the call to the States to intervene to obtain the implementation of international humanitarian law covers, in addition to the obligations qualified as erga omnes obligations, also the other obligations, obviously of a collective nature, provided for by the Convention itself but which are not customary in nature (and are therefore to be qualified more correctly as obligations erga omnes partes): cf. in this sense VERMEER-KÜNZLI, A Matter of Interest, cit., p. 576, note 111). FOX, The Law of State Immunity², Oxford, 2008, p. 2, and KRAJEWSKI, SINGER, Should Judges be Front-Runners? The ICJ, State Immunity and the Protection of Fundamental Human Rights, in Max Planck Yearbook of United Nations Law, vol. 16, 2012, p. 1 ff., P. 5: "state immunity is not a static concept, but subject to changes and reformulation reacting to changes in the international system". VERMEER-KÜNZLI, A Matter of Interest, cit., P. 570, which, starting from the assumption of the identity between norms that impose erga omnes obligations and mandatory norms, states: "[e]ven if the peremptory nature of a norm cannot create jurisdiction of a certain court where it does not exist, it can, when jurisdiction exists but is limited by reservations or other limiting clauses, determine the application, or rather the non-application, of such limitations". In similar terms, cf. also ORAKELASHVILI, Peremptory Norms in International Law, Oxford, 2006, p. 490: "[o]ne must distinguish between claims portraying jus cogens as a free-standing basis of judicial competence, and claims viewing it as a relevant factor in the interpretative process". East Timor, judgment, cit., P. 102, par. 29: "[w]hatever the nature of the obligations invoked, the Court could not rule on the lawfulness of the conduct of a State when its judgment would imply an evaluation of the lawfulness of the conduct of another State which is not a party to the case". On the "monetary gold" rule, see ORAKHELASHVILI, The Competence of the International Court of Justice and the

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Doctrine of the Indispensable Party: From Monetary Gold to East Timor and Beyond, in Journal of Int.

Dispute Settlement, 2011, p. 373 ff. The point had already been addressed (even if with respect to the reservations to the declarations of acceptance of the mandatory jurisdiction of the Court) in the context of the Jurisdiction affair in the field of fishmongers (Spain v. Canada) by judge Vereshchetin, who, in his opinion dissident attached to the judgment on the jurisdiction of the Court of 4 December 1998, had observed in this regard: "a State making a reservation sometimes does so because it" lack [s] confidence as to the compatibility of certain of its actions with international law "[...] and for that reason wishes to evade the scrutiny of its conduct by the Court. However, it is one thing when the legality of certain actions may be seen as doubtful, and quite a different thing when the actions whose examination by the Court a State seeks to avoid, by making a reservation, are clearly contrary to the Charter of the United Nations, the Statute of the Court or to erga omnes obligations under international law. Being confronted with such a dilemma, it is for the Court to draw a distinction between these two different legal situations, which may lead to different conclusions as to the validity or admissibility of the reservation in question "(ICJ Reports 1998, p. 570 ss ., p. 575, par. 11) The agreement of this Treaty is a source of international law ART 38 of the Statute of the International Court provides that the Court applies "both general and particular international conventions that establish rules expressly recognized by the states in dispute". The procedure for concluding treaties, their effects, reservations, invalidity and termination are governed by customary international law. Vienna Convention on the Law of Treaties of 1969. The Vienna Convention on the Law of Treaties of 1969 which from the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations of 1986. ART 2: A Treaty is "an agreement international law concluded in writing between states and governed by international law, contained both in a single instrument and in two or more related instruments, and no matter about its particular denomination "

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Signature subject to ratification, acceptance of approval, Arts. 10 and 18, Vienna Convention on the Law of Treaties of 1969, with direct democracy; this Treaty: BUTTERFLY EFFECT is available on the Institutional website of the Venetian National Liberation Committee of the Peoples of Europe: for all subjects of international law, political groups representing indigenous peoples and for people fighting for the survival of all peoples autochthonous of Europe and of the world for international law of self-determination.

Start of the Constituent phase for the Federal Constitution of the Confederation of Peoples of Europe with direct democracy, for the judicial protection of the rights listed by international law which recognizes the individual as an international personality deriving from the circumstance that human rights conventions make him a recipient of the rules in they contained.

PREAMBLE:

The peoples of Europe, in creating an ever closer union among themselves, have decided to share a future of peace based on common values.

Aware of its spiritual and moral heritage, the Union of Peoples of Europe is founded on the indivisible and universal values of human dignity, freedom, equality, solidarity, self-determination-self-decision; it is based on the principle of democracy and the principle of the rule of law. It places the person at the center of its action by establishing Union citizenship and creating an area of freedom, security and justice. The Union of Free Peoples of Europe contributes to the safeguarding and development of these common values while respecting the diversity of cultures and traditions of the peoples of Europe, as well as national identities The enjoyment of these rights gives rise to responsibilities and duties towards others as well as the human community and future generations. Therefore, the Union of Free Peoples of Europe recognizes the rights, freedoms and principles set out below.

The signatories effectively affirm "their deep attachment to these fundamental freedoms which constitute the very foundations of justice and peace in the world and whose maintenance is essentially based, on the one hand, on an effectively democratic political regime with direct democracy and on the other, on a common conception and a common respect for the human rights they rely on "

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Venice-Doge's Palace 20/10/2020

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