



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



Venice Palazzo Ducale, 20 July 2021

Prot. N. DPL20072100018

International Public Legal Act "Compensation for serious violations of obligations deriving from mandatory rules of international law".

The Veneto National Liberation Committee, in agreement with the Veneto National Government Authority and the Veneto National Council, establishes the annual compensation amount of 20 billion euros, to be paid directly to the institutional current account of the Veneto National Liberation Committee, available to the Government and for direct distribution in current accounts to all the self-determined Veneto people, as per international law. The law imposes an apology from the International Organization sui generis defined "European Union" and imposes on the European Commission, in compliance with the Council of Europe, provisions for the opening of an institutional government current account, in the name of the Veneto National Liberation Committee for the annual payment of compensation, up to the termination of the crime against humanity. It also imposes not to create discrimination and inequalities between peoples, having recognized the European Commission as peoples in self-determination. The qualification and quantification of the self-determination obligations are determined by violations to promote the erga omnes obligations, for the implementation of the right of self-determination of the European peoples and the Veneto people, in accordance with the provisions of the United Nations Statute. The compensation of 20 billion euros must be paid 70% by the international organization sui generis "European Union" and 30% by the Italian state, 30 days from the recipient. This "International Public Indemnity Legal Act" will be sent to the International Criminal Court and other international Courts for the protection of human rights.

Violations of erga omnes obligations, the ECB Statute violates human rights (see Judgment of the Second Senate of 5 May 2020. German Federal Constitutional Court). Discriminatory consequences of inequalities deriving from the ECB-Eurosystem statute of independent conventional monetary policy, of its exclusive nature, separated from the real economic policy of the member states.

From the Secretary General of the Organization for Economic Co-operation and Development (OECD) Mr. Angel Gurría: "the OECD is bound by the principles and objectives defined by the 1975 Helsinki Act and the 1990 Paris Charter".

Performed by:

Veneto National Liberation Committee of Europe.

Federal Department of Foreign Affairs of the Veneto National Liberation Committee of Europe.

Government of the National Council of the Veneto People.

Organization for the Liberation of the Venetian Territories.

Human Rights Commission.

Venetian National Authority.

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



COMITATO LIBERAZIONE NAZIONALE VENETO
(Art. 96.3 I° Protocollo Convenzione di Ginevra 1977 – legge n.762 del 11 dicembre 1985)



To:

High Representative of the Union for Foreign Affairs and Security Policy Josep Borrell, European Council. Palazzo Europa, Palazzo Justus Lipsius. Rue de la Loi, 155 Brussels.

To the General Secretariat of the Council of the European Union Jeppe Tranholm-Mikkelsen.

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.

With regard to the members of the sui generis international organization "European Union" for serious violations of obligations deriving from mandatory rules, the obligation to cooperate to put an end to the violation by lawful means, as well as the obligation not to recognize the relative situation as legitimate in fact:

To the European Commission: Commission President Ursula von der Leyen, Frans, Margrethe Vestager, Valdis Dombrovskis, Josep Borrell, Fontelles Maroš Šefčovič, Věra Jourová, Dubravka Šuica, Margaritis Schinas, Johannes Hahn, Mariya Gabriel, Nicolas Schmit, Paolo Gentiloni, Janusz Wojciechowski, Thierry Breton, Elisa Ferreira, Stella Kyriakides, Didier Reynders, Helena Dalli, Ylva Johansson, Janez Lenarčič, Adina Vălean, Olivér Várhelyi, Jutta Urpilainen, Kadri Simson, Virginijus Sinkevičius, Mairead McGuinness.

To the Members of the European Council: Charles Michel President of the European Council, Sebastian Kurz, Rumen Radev, Nicos Anastasiades, Mette Frederiksen, Kaja Kallas, Emmanuel Macron, Kyriakos Mitsotakis, Mario Draghi, Gitanas Nausėda, Robert Abela, Mateusz Morawiecki, Klaus Werner Iohannis, Janez Janša, Stefan Löfven, Alexander De Croo, Andrej Plenković, Andrej Babiš, Micheál Martin, Sanna Marin, Angela Merkel, Viktor Orbán, Krišjānis Kariņš, Xavier Bettel, Mark Rutte, António Costa, Eduard Heger, Pedro Sánchez.

To the the Governing Council of the ECB: Christine Lagarde President of the European Central Bank, Luis de Guindos, Frank Elderson, Philip R. Lane, Fabio Panetta, Isabel Schnabel, Pierre Wunsch, Jens Weidmann, Madis Müllner, Gabriel Makhlouf, Yannis Stournaras, Pablo Hernández de Cos, François Villeroy de Galhau, Ignazio Visco, Constantinos Herodotou, Mārtiņš Kazāks, Gediminas Šimkus, Gaston Reinesch, Edward Scicluna, Klaas Knot, Robert Holzmann, Mário Centeno, Boštjan Vasle, Peter Kažimír, Olli Rehn.

To the Independent Expert for the Promotion of a Democratic and Equitable International Order, Mr. Livingstone Sewanyana, Office of the United Nations High Commissioner for Human Rights (OHCHR), Palais des Nations, 10 CH-1211 Geneva, Switzerland.

To the Italian State: President of the Italian Republic and of the Higher Council of the Judiciary Sergio Mattarella and Vice President David Ermini, President of the Constitutional Court, Giancarlo Coraggio, Prime Minister, Draghi Mario.

and p. c.

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.



COMITATO LIBERAZIONE NAZIONALE VENETO
(Art. 96.3 I° Protocollo Convenzione di Ginevra 1977 – legge n.762 del 11 dicembre 1985)



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)

Human Rights Committee (CCPR)

Committee on the Elimination of Discrimination Against Women (CEDAW)

Committee against Torture (CAT)

Committee on the Rights of the Child (CRC)

Committee on Migrant Workers (CMW)

Subcommittee on the Prevention of Torture (SPT)

Committee on the Rights of Persons with Disabilities (CRPD)

Committee on Forced Disappearances (EDC)

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)

DESA (Department for Economic and Social Affairs)

Commission on the Status of Women (CSW)

Division for the Advancement of Women (DAW)

United Nations Population Fund (UNFPA)

United Nations Children's Fund (UNICEF)

United Nations Entity for Gender Equality and Women's Empowerment (UN-Women)

United Nations Development Program (UNDP)

I believe in direct democracy, because it releases the energies of every human being. I prefer to belong to a poor nation that is free rather than a rich nation that has stopped being in love with freedom. You are not here simply to live. You are here to allow the world to live more widely, with a greater vision, with a higher spirit of hope and results.



You are here to enrich the world and impoverish yourself if you forget this task. If you come to me and threaten me with clenched fists, I think I'll pay you back. But if

you come to me and say: "Let's sit down for a moment and talk about it" and if we have different ideas let's try to understand the reasons for the divergence, you will see that with a little patience you will be able to reconcile the two points of view. Power consists in one's ability to connect one's will well with the purposes of others, to lead with reason and with the gift of collaboration. Democracy is not so much a form of government as a set of principles. Law is much more precious than peace.

Thomas Woodrow Wilson

To the Prosecutor's Office (OTP) for the investigation of crimes falling within the jurisdiction of the Court.

To His Excellency Attorney Ms Fatou Bensouda.

To His Excellency Deputy Attorney Mr. James Stewart.

To the Jurisdiction, Complementarity and Cooperation Division.

To the Investigation Division.

To the Division of the Prosecution.

Communication to the Prosecutor's Office of the International Criminal Court pursuant to the articles of the Rome Statute:

Art. 4/2 Legal status and powers of the Court. (Annex 1 accession to the Rome Statute)

For the erga omnes crimes of the principle of self-determination of the Veneto people, of the international legal personality of the Veneto National Liberation Committee of Europe, by virtue of which it is subject to autonomous legal imputation, in the enforceable implementation of the mandatory rules, which produce collective obligations and whose productive norms of collective obligations are mandatory, under the jurisdiction of the Court, by the State and organs of the Italian State and by the International Organization sui generis European Union. Violation noted by the International Court of Justice with the judgment of 30 June 1995 relating to the case of East Timor (Portugal v. Australia). In particular, paragraph 29 of the judgment states that "in the Court's view, Portugal's assertion that the right of peoples to self-determination, as it evolved from the Charter and from United Nations practice, has an erga omnes character, is irreproachable. The principle of self-determination of peoples has been recognized by the United Nations Charter and in the jurisprudence of the Court; it is one of the essential principles of contemporary international law ". Accordingly, see the consultative opinion of 9 July 2004 of the International Court of Justice, par. 156, relating to the legal consequences of the construction of a wall in the occupied Palestinian territories (available at <http://www.icj-cij.org/docket/files/131/1670.pdf>). On self-determination as a source of erga omnes obligations v. also A. Sinagra, P. Bargiacchi, Lessons of international law, cit., p. 162. On the erga omnes obligations in international law, see. P. Picone, International community and «erga omnes» obligations, Naples, 2013; Id., The «erga omnes» obligations, between past and future, in Journal of international law, 2015, p. 1081 and following; Id., Collective



reactions to an "erga omnes" offense in the absence of an individually injured State, in *Rivista di LEGA INTERNAZIONALE*, 2013, p. 5 and following; Id., The role of the injured State in the collective reactions to the violations of "erga omnes" obligations, in *Rivista di Legge Internazionale*, 2012, p. 957 and following; Id., Obligations erga omnes and codification of the responsibility of States,

in *Rivista di Legge Internazionale*, 2005, p. 893 and following; Id., The United Nations in the new international scenario. United Nations and "erga omnes" obligations, in *The International Community*, 1993, p. 709 and following; V. Starace, Responsabilité résultant de la création des obligations à l'égard de la Communauté Internationale, in *Recueil des cours de l'Académie de droit international*, vol. 153, 1976, p. 271 and following; B. Simma, From Bilateralism to Community Interests in International Law, in *Recueil des cours de l'Académie de droit international*, vol. 250, 1994, p. 229 and following; T. Gazzini, The contribution of the International Court of Justice to the respect of erga omnes obligations in the matter of human rights, in *The International Community*, 2000, p. 19 ff. ; S. Forlati, Actions before the International Court of Justice with respect to violations of erga omnes obligations, in *Rivista di LEGA INTERNAZIONALE*, 2001, p. 69 and following; G. Gaja, Les obligations et les droits erga omnes en droit international, in *Annuaire de l'Institut de droit international*, vol. 71, 2005, p. 117 et seq. ; v. B. Conforti, International law, Naples, 2015, p. 187, I. Brownlie, Principles of Public International Law, Oxford, 2008, p. 511; A. Cassese, Self-Determination of Peoples. A Legal Reappraisal, Cambridge, 1995, p. 140, R. Luzzatto, General international law and its sources, in S.M. Carbone, R. Luzzatto, A. Santamaria (edited by), Institutions of international law, cit., P. 82, A. Sinagra, P. Bargiacchi, Lessons of international law, cit., P. 158, E. Cannizzaro, International law, cit., Pp. 250-251, as well as, with specific regard to the present case A. Annoni, There is a judge for Western Sahara, cit., P. 875. In general, on jus cogens v. G. Morelli, On the subject of binding international norms, in *Journal of international law*, 1968, p. 108 and following; A. Verdross, Jus Dispositivum and Jus Cogens in International Law, in *American Journal of International Law*, 1966, p. 55 and following; M. Virally, Réflexions sur le "jus cogens", in *Annuaire Français de droit international*, vol. 12, 1966, p. 5 and following; A. Gomez Robledo, Le jus cogens international: sa genèse, sa nature, ses fonctions, in *Recueil des cours de l'Académie de droit international*, v. 172, 1981, p. 9 and following; L. Hannikainen, Peremptory Norms (Jus Cogens) in International Law, Helsinki, 1988; R. Kolb, Théorie du ius cogens international, Paris, 2001; A. Orakhelashvili, Peremptory Norms in International Law, Oxford, 2006; C. Focarelli, Promotional Jus Cogens: A Critical Appraisal of Jus Cogens' Legal Effects, in *Nordic Journal of International Law*, 2008, p. 429 et seq; Id., The limits of jus cogens in the most recent jurisprudence, in *Journal of international law*, 2007, p. 637 and following; Id., Jus Cogens without praxis ?, in L. Panella, E. Spatafora (edited by), Studies in honor of Claudio Zanghì, vol. 1, Turin, 2011, p. 251 and following; To identify the superordinate position of jus cogens E. Cannizzaro, International Law, cit., Pp. 245-246 speaks of "superior" law with respect to the "ordinary" regulatory sphere ", underlining how the sphere of values underlying it, as opposed to "ordinary" customary norms, constitutes a limit to the contractual capacity of States. The same Supreme Court of the Italian State indicted, in the well-known Ferrini ruling (Cass. Civ., S.U., sent. 11 March 2004, n. 5044), affirming that deportation and forced labor constitute war crimes contrary to the freedom and dignity of the human person, expressly recognized the notion of jus cogens, bringing back to it those fundamental values placed at the top of the hierarchy of international law. In this way it was excluded that any violations of these values could be covered by immunity from the jurisdiction enjoyed by the States. For all v. G. Gaja, Jus Cogens beyond the Vienna Convention, in *Recueil des cours de l'Académie de droit international*, vol. 172, 1981, p. 271 et seq; N. Ronzitti, Treaties contrary to imperative norms of international law, in *Aa.Vv.*, Studies in honor of Giuseppe Sperduti, Milan, 1984, p. 216 ff.



Criminal actions involving:

Art. 5/1

- a) crime of genocide;
- b) crimes against humanity;
- c) war crimes;
- d) crime of aggression;

Art. 6 Crime of genocide;

- b) Cause serious injury to the physical or mental integrity of people belonging to the group;
- c) Deliberately subjecting persons belonging to the group to living conditions such as to involve the physical destruction, total or partial, of the group itself;

Art. 7 Crimes against humanity, paragraph 1:

- e) Imprisonment or other serious forms of deprivation of personal liberty in violation of fundamental norms of international law;
- h) Persecution against a group or a community with its own identity, inspired by political, racial, national, ethnic, cultural, religious or sexual reasons pursuant to paragraph 3 or by other reasons universally recognized as not permissible pursuant to international law, related to acts provided for by the provisions of this paragraph or to crimes within the jurisdiction of the Court;
- j) Crime of apartheid;
- k) Other inhuman acts of similar character aimed at intentionally causing great suffering or serious damage to physical integrity or physical or mental health.

For the purposes of paragraph 1:

- g) "persecution" means the intentional and serious deprivation of fundamental rights in violation of international law for reasons related to the identity of the group or the community;
- h) "apartheid crime" means inhuman acts of a similar nature to those indicated in the provisions of paragraph 1, committed in the context of an institutionalized regime of systemic oppression and domination by one racial group over another or other racial groups and in order to perpetuate that regime;

Art. 8 War crimes. (Annex 2 Treaty declaration of belligerence formula of Vienna)

1. The Court has jurisdiction to judge war crimes, particularly when committed as part of a political plan or design or as part of a series of similar large-scale crimes.



2. For the purposes of the Statute, "war crimes" are:

a) Serious violations of the Geneva Convention of 12 August 1949, i.e. any of the following acts against persons or property protected by the rules of the Geneva Conventions:

III) voluntarily cause great suffering or serious injury to physical integrity or health;

IV) destruction and appropriation of goods, not justified by military needs or carried out on a large scale illegally and arbitrarily;

VI) voluntarily depriving a prisoner of war or other protected person of his or her right to a fair and regular trial;

b) Other serious violations of applicable laws and customs, within the consolidated framework of international law, in international armed conflicts, namely any of the following acts:

II) intentionally directing attacks against civilian assets, that is, assets that are not military targets;

VIII) the transfer, direct or indirect, by the occupying power, of part of its civilian population in the occupied territories or the deportation and transfer of all or part of the population of the occupied territory inside or outside that territory;

IX) intentionally direct attacks against buildings dedicated to worship, education, art, science or humanitarian purposes, historical monuments, hospitals and places where the sick and wounded are gathered, provided that such buildings are not military targets;

Xiii) to destroy or confiscate enemy property, unless confiscation or destruction is imperatively required by the necessities of war;

XIV) to declare the rights and actions of the citizens of the enemy nation abolished, suspended or inadmissible in court;

XX) violate the dignity of the person, in particular by using humiliating and degrading treatments;

Art. 8bis Crime of aggression. (Attachment 3: Violation of the offices of the International Legal Person of the Veneto National Liberation Committee) (Attachment 4: Establishment-constitutive act filed with the United Nations), seizure of institutional documents in paper and electronic format, documented by the Italian State itself and documentary video).

Art. 4/2 Legal status and powers of the Court.

Art. 5/1 Crimes within the jurisdiction of the Court- a) -b) -c) -d).

Art. 6 Crime of genocide, b) -c).

THE LIABILITY ARTICLES OF THE INTERNATIONAL LAW COMMISSION APPLY.



CHAPTER II REPAIR OF INJURY

Articles 34, 35, 36, 37, 38, 39,

CHAPTER III SERIOUS BREACHES OF OBLIGATIONS ARISING FROM IMPERATIVE RULES OF GENERAL INTERNATIONAL LAW

Article 40, 41

THE INTERNATIONAL UNLAWFUL ACT OF A STATE

CHAPTER I GENERAL PRINCIPLES

Article 1, 2, 3

CHAPTER II ATTRIBUTION OF CONDUCT TO THE STATE

Article 4, 5,6,7, 8, 10/1, 2, 3,

CHAPTER III BREACH OF AN INTERNATIONAL OBLIGATION

Article 12, 14/2, 15 / 1,2.

Article 26

the 2001 draft of articles on the international responsibility of states of the International Law Commission, in art. 26, states that "no provision of this chapter excludes the unlawfulness of any act of a State that does not comply with an obligation deriving from a mandatory rule of general international law". Furthermore, Articles 40 and 41 of the Project impose on States, in the event of serious violations of obligations deriving from mandatory rules, the obligation to cooperate to put an end to the violation by lawful means, as well as the obligation not to recognize the relevant factual situation as legitimate.

The 2001 codification by the CDI: The two constitutive elements of the unlawful act: a) the violation of an international law binding on the State and b) the attribution of the conduct to the State. The unlawful fact (violation + attribution) involves a new legal relationship, called international responsibility. Types of violations of rules: The DTA distinguishes three types of violations of rules according to a temporal classification: 1) Violations determined by a behavior defined over time but whose effects may persist (eg illegitimate expropriation). 2) Ongoing violations (eg hostage holding). 3) Violations consisting of a plurality of acts (eg Metaclad). Attribution of unlawful behavior. 1) the unlawful conduct is carried out by a State body (art. 4 CDI). 2) The unlawful behavior is carried out by one or more individuals authorized by the State to exercise government authority (art. 5 CDI). 3) The unlawful behavior is carried out by subjects acting under the control of the State (art. 8): CIG sentences Nicaragua and Bosnia / Serbia. The content of the liability relationship: the legal consequences. Obligation of reparation for the responsible State. The repair can be divided into: a) return; b) expression of apologies and guarantees of non-repetition; c) compensation. Repair in the broad sense. Protest as a remedial strategy for violated legal norms. In judicial litigation, the finding of the offense has a remedial effect (see Cameroon / Nigeria, Gabcikovo Nagymaros and OMC). The primary obligation to



terminate the illicit Jus cogens and mandatory regulations is also relevant. The 2001 draft of articles on the international responsibility of states of the International Law Commission, in art. 26, states that "no provision of this chapter excludes the unlawfulness of any act of a State that does not comply with an obligation deriving from a mandatory rule of general international law". Furthermore, Articles 40 and 41 of the Project impose on States, in the event of serious violations of obligations deriving from mandatory rules, the obligation to cooperate to put an end to the violation by lawful means.

The qualification of self-determination obligations as erga omnes obligations is also found in the preamble of the resolution adopted by the Institut de droit international, at the 2005 Krakow session, on

"Obligations erga omnes in International Law": *Annuaire de l'Institut de droit international*, vol. 71-II (2005), 2006, p. 287.

Violations of substantive and procedural rights recognized by the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).

Article 6 paragraph 1,2,3

The absence of an agreement for the implementation of the right of self-determination of the Veneto people, to the native Veneto territories and of all the peoples of Europe, has prompted the Veneto National Liberation Committee, as representative of the Veneto people, to challenge the jurisdiction imposed by the international organization sui generis European Union, through an application for annulment by means of an appeal pursuant to art. 263, paragraph 4, TFEU, a rule that allows natural and legal persons to lodge an appeal against the acts adopted against them or which concern them directly.

Art. 263 of the Treaty on the Functioning of the European Union governs the exercise of the power to control the legitimacy of the acts of the institutions attributed to the Court of Justice of the European Union in the case of incompetence, violation of substantive forms, violation of the treaties or of any rule of right relating to their application and misuse of power. For this purpose, in addition to the Member States, the European Parliament, the Council, the Commission, the European Central Bank, the Court of Auditors and the Committee of the Regions, natural and legal persons can also apply to the Court with an appeal for annulment. In this regard, the fourth paragraph of the article provides: "Any natural or legal person may propose, under the conditions provided for in the first and second paragraphs, an appeal against the acts adopted against him or which concern him directly and individually and against regulatory acts which concern you directly and which involve no implementing measure". For a general overview of the appeal for annulment, see P. Manzini, *Appeal for annulment: reform and counter-reform*, in *The Law of the European Union*, 2002, p. 717 and following; P. Pallaro, *The appeal for annulment of community acts by private individuals: proposals for reading the current jurisprudence*, in *the Italian Review of Community Public Law*, 2002, p. 87 ff.; F. Alcino, *The appeal for annulment of natural and legal persons. Past, present and possible future: strengths and weaknesses of a jurisprudential reconstruction*, in *Comparative and European Public Law*, 2006, p. 968 and following; M. Miglioranza, *The appeal for annulment between verifying the legitimacy of community acts and guaranteeing the interests of citizens*, in *Italian Journal of Community Public Law*, 2004, p. 1512 ss, in addition to the contributions contained in B. Nascimbene, L. Daniele (edited by), *The appeal for annulment in the Treaty establishing the European Community*, Milan, 1998. More specifically, on the appeal for annulment following entry into force of



the Lisbon Treaty, v. S. Marino, The active legitimacy of private individuals in the action for annulment: what news following the Lisbon Treaty ?, in *Comparative and European public law*, 2014, p. 1126 ff. ; E. Fontana, The action for annulment of individuals in the Lisbon Treaty, in *The Law of the European Union*, 2010, p. 53 and following; A.M. Romito, The appeal for annulment and the limits to the protection of non-privileged applicants, in *Studies on European integration*, 2013, p. 525 and following; G. Donà, The action for annulment and the innovations introduced by the Lisbon Treaty, in *Community law and international trade*, 2010, p. 567 ff. On point v. F. Marcelli, The international juridical condition of the Polisario Front, cit., P. 293 ff., Who spoke of the "genetic relationship" of the Polisario Front with the SADR, by virtue of the centrality of the role it played during the procla-

mation of the SADR itself. With this proclamation, the Sahrawi people announced the creation of a new sovereign state, in which the members of the Front have converged. However, the latter maintained the role of political referent and representative, so much so that in framing the relationship between the SADR and the Polisario Front, "two aspects of the same form of political organization of the Sahrawi people", addressed by on the one hand, to the realization of a power of government and, on the other, to the implementation of self-determination (ibid., p. 295). The judgment of the Court of Justice of 28 October 1982, C-135/81, *Groupement des Agences de voyages v. Commission*, in which the Court declared the admissibility of an appeal lodged by an "occasional association of ten travel agencies that met to respond together to a notice" against the decision of exclusion from the tender issued by the Commission. On that occasion, the Court observed that the notion of "legal person" referred to in the fourth paragraph of Article 263, TFEU, does not necessarily coincide with those of the various legal systems of the Member States. More specifically, the Court of Justice in two judgments of 8 October 1974 (C-175/73, *Union syndicale-Service public européen and others v. Council*, paragraph 9 et seq. And C-18/74, *Syndicat général du personnel des organismes européens v. Commission*, point 5 et seq.) has elaborated some useful criteria in the attribution of the capacity to act pursuant to art. 263, fourth paragraph, TFEU, which also includes the presence of a statute and an internal structure "such as to guarantee the autonomy necessary to act as a responsible entity in the context of legal relationships". S. Bariatti, *The interpretation of international conventions of uniform law*, Padua, 1986, p. 283 ss., L. Mari, *The civil procedural law of the Brussels Convention*, Padua, 1991, p. 47 ff. Reference is made to the judgment of the Court of Justice, C-445/07 P and C-455/07 P, *Commission v. Institution for Vesuvian Villas and Institution for Vesuvian Villas c. Commission*, sent. 10 September 2009, paragraph 45. The jurisprudence of the Court of Justice according to which international agreements concluded by the Union with third States have direct effect when, in the light of their content, object and nature, they establish clear obligations and specify that they are not subject to the intervention of other additional acts (see Court of Justice, C-240/09, *Lesoochranárske zoskupenie*, judgment of 8 March 2011, paragraph 44). Among the fundamental rights protected by the Charter of Fundamental Rights of the European Union, the rights to human dignity, life and integrity of the person (art.1 to 3), the prohibition of slavery and forced labor (art.5), professional freedom (Article 15), freedom of enterprise (Article 16), the right to property (Article 17), the right to just and equitable working conditions, the prohibition of child labor and protection of young people in the workplace (Articles 31 and 32). The presence of a national liberation movement representative of the interests of a people entails the onset of the obligation of consultation of the same by the administering or occupying Power (thus H. Corell, *The legality of exploring and exploiting natural resources in Western Sahara*, in NJ Botha, ME Olivi er, D. Van Tonder (eds.), *Multilateralism and international law with Western Sahara as a case study*, cit., p. 231). We



should also not forget the Union trade agreements relating to products from the West Bank and the Gaza Strip, in the context of which a national liberation movement (the Palestine Liberation Organization) was even considered a suitable subject to negotiate and conclude a deal.

State liability (Ratione personae) (Article 35, paragraph 3 of the Convention). Article 6 § 2 of the Convention violated (presumption of innocence).

Territorial jurisdiction (Ratione loci) (Article 35, paragraph 3 of the Convention)

The exploitation of the natural resources of the native Veneto territories, by the International Organization sui generis European Union and by the Italian State, is considered an activity qualified by the Ve-

neto National Liberation Committee of Europe as an "economic plunder with the aim of modifying the structure of the Venetian society "in violation of the fundamental rights of its inhabitants.

It should be emphasized that the issues addressed also concern another appeal brought by Fronte Polisario on March 14, 2014, case T-180/14, concerning the annulment of the Council Decision 2013/785 / EU of December 16, 2013, concerning the conclusion of the protocol between the European Union and the Kingdom of Morocco, which fixes the fishing opportunities and the financial contribution provided for in the Partnership Agreement in the fisheries sector. On the subject v. E. Milano, The new fisheries protocol between the European Union and Morocco and the rights of the Sahrawi people on natural resources, in Human rights and international law, 2014, p. 505 ff., As well as Id., The 2013 Fisheries Protocol between the EU and Morocco: Fishing 'too South' Continues..., in M. Balboni, G. Laschi (edited by), The European Union Approach Towards Western Sahara, cit. p. 151 and following Thus P. Mori, The Court of Justice annuls the sentence T-512/12, Fronte Polisario v. Council: the agreement between the Union and the Kingdom of Morocco concerning liberalization measures in the field of agriculture and fisheries does not apply to the territory of Western Sahara, in European Union Law - European Observatory (www.dirittounioneuropea.eu), January 2017, p. 11. On the relationship between Union law and general international law and on the impact of the latter in the system of sources see, for all, A. Gianelli, European Union and customary international law, Turin, 2004. In this regard, it seems It is useful to remember that the Union, as a subject of international law, is required to comply with the rules of general international law, in accordance with the provisions of art. 3, par. 5 TEU, which also recalls, among other things, "respect for the principles of the United Nations Charter". The jurisdiction of the Union, as clarified also in the jurisprudential context (see Court of Justice of the European Union, C-162/96, Racke v. Hauptzollamt Mainz, sent. 16 June 1998; C-364/10, Hungary v. Slovakia, sent. 16 October 2012) must be exercised in compliance with international law as an integral part of the legal order of the Union. The rules of general international law must therefore be used both in the interpretation of Union law (see Court of Justice of the European Union, C-41/74, Van Duyn v. Home Office (Ministry of the Interior), sent. 4 December 1974; C-286/90, Poulsen, sent. 24 November 1992; C-347/10, Salemink v. Raad van bestuur van het Uitvoerings instituut werknemersverze keringen, sent. 7 January 2012: for example, in this' last case it was sanctioned that in the territorial application of Union law it is necessary to consider international maritime law), both as a parameter of legitimacy of the acts of the institutions. Art. 216, par. 2, TFEU, which provides that "the agreements concluded by the Union are binding on the institutions of the Union and the Member States". Of the Court of Justice, C-402/05 P and C-415/05 P, Kadi and Al Barakaat International Foundation v. Council and Commission sent. September 3, 2008, issued on the basis of appeals



presented, complaining of the violation of various fundamental rights, against a Council regulation, which ordered the freezing of the assets of some terrorist suspects, in application of a resolution of the Security Council of United Nations. The Court ruled that "the obligations imposed by an international agreement cannot have the effect of compromising the constitutional principles of the EC Treaty, including the principle that all Community acts must respect fundamental rights, given that such respect is the prerequisite for their legitimacy, which it is for the Court to review in the context of the comprehensive system of remedies, established by the Treaty itself '(paragraph 285). The same also specified that, although art. 216, par. 2, TFEU, provides for the supremacy of international agreements over the secondary law, such prevalence cannot go as far as the violation of general principles and the squeezing of fundamental rights (paragraphs 307-308). The doctrine has expressed itself widely on the matter: see, ex multis, M. Porcelluzzi, The protection of fundamental rights in the fight against international terrorism: the Kadi case, in *Law of international trade*, 2014, p. 256

ff. ; M. Marchegiani, The principle of equivalent protection in the "Kadi" case, in *The Law of the European Union*, 2014, p. 169 ff. ; A. Gianelli, Exit Kadi, in *Journal of international law*, 2013, p. 1244 and following; V. Sciarabba, The last important chapter of the "Kadi affair": from the Court confirmations and clarifications regarding the control of anti-terrorism measures and protection of fundamental rights, in *Comparative and European public law*, 2013, p. 1310 and following; L. Gradoni, Telling "Kadi" after "Kadi II": why the Court of Justice of the European Union does not compromise on respect for human rights in the fight against terrorism, in *Human rights and international law*, 2013, p. 587 and following; P. Pirrone, Implementation of the resolutions of the Security Council against terrorism and judicial protection of fundamental rights in the EU legal order: the judgment of the Court of Justice relating to the Kadi and Al Barakaat cases, in *Human rights and international law*, 2009, p. 55; F. Salerno, As a "community of law" for Mr. Kadi, in *Journal of international law*, 2009, p. 110 and following; G.F. Ferrari, Kadi: Towards a Constitutional Court of Justice ?, in *Comparative and European Public Law*, 2009, p. 187 ff. ; E. Cannizzaro, On the effects of the resolutions of the Security Council in the EU legal order: the ruling of the Court of Justice in the Kadi case, in *Rivista di Legge Internazionale*, 2008, p. 1075; MYSELF. Bartoloni, The scope *ratione personae* of Articles 301 and 60 of the EC Treaty in the recent Yusuf and Kadi judgments, in *The Law of the European Union*, 2006, p. 317 ff. Decision of the European Ombudsman of 18 January 2017 in joined cases 506-509-674- 784-927-1381 / 2016 / MHZ, issued following complaints lodged by some Spanish NGOs and some private citizens. The text is available on <https://www.ombudsman.europa.eu/it/cases/decision.faces/en/75160/html.bookmark>. Declaration by the members of the European Council of 18 March 2016 (available at <http://www.consilium.europa.eu/it/press/press-releases/2016/03/18-eu-turkey-statement>). The document was also the subject of three appeals for annulment for non-compliance with fundamental rights on which the Court expressed itself on February 28, 2017 with some orders, by means of which it declared itself incompetent as the Declaration does not was adopted by one of the institutions of the European Union but personally by the Heads of State and Government of the Member States (see Court, cases T-192/16, T-193/16 and T-257/16, NF, NG and NM v. European Council, ord. February 28, 2017).

Art. 73 of the Charter of the United Nations states: "The Members of the United Nations, who have or assume responsibility for the administration of territories whose population has not yet achieved full autonomy, recognize the principle that the interests of the inhabitants of these territories are pre-eminent and accept as a sacred mission the obligation to promote as much as possible, within the framework of the international peace and security system established by this Statute, the well-being of the inhabitants of these territories, and for this purpose, the obligation:



a) to ensure, with due respect for the culture of the populations concerned, their political, economic, social and educational progress, their just treatment and their protection against abuse; b) to develop the self-government of the populations, to take into due consideration the political aspirations and to assist them in the progressive development of their free political institutions, in harmony with the particular circumstances of each territory and its populations and their different degree of development; c) to strengthen international peace and security; d) to promote constructive development measures, to encourage research, and to collaborate with each other and, when and where appropriate, with specialized international institutes, for the practical achievement of the social, economic and scientific purposes set out in this article; e) to regularly transmit to the Secretary General, for information purposes and with the limitations that may be required by security and constitutional considerations, statistical data and other news of a technical nature, regarding economic, social and educational conditions in the territories for which

they are respectively responsible, with the exception of those territories to which Chapters XII and XIII apply ».

The right of peoples to self-determination constitutes in fact a sufficient principle to justify the relevance of international rules on territorial occupation. See, ex multis, R. Ago, *The requirement of effective employment in international law*, Rome, 1934; F. Capotorti, *The occupation in the law of war*, Naples, 1949; A. Migliazza, *The war occupation*, Milan, 1949; G. Balladore Pallieri, *War Law*, Padua, 1954, p. 300 and following; C. Curti Gialdino, *War occupation*, in *Encyclopedia of Law*, 1979, p. 720 ff. ; A. Bernardini, *Iraq: illicit occupation, popular resistance, Iraqi self-determination*, in *Journal of International Legal Cooperation*, 2003, p. 29 ff. ; S. Silingardi, *War Occupation and Obligations of Occupying Powers in the Economic Field*, in *Journal of International Law*, n. 4/2006, p. 978 and following; M. Arcari, *Authorization from the Security Council, protection of human rights and military occupation in Iraq: the Al-Jedda case before the British judges*, in *International Law Journal*, n. 4/2006, p. 1083 and following; A. Gattini, *War occupation*, in S. Cassese (a curadi), *Dictionary of public law*, Milan, 2006, p. 3889 and following; A. Carcano, *The occupation of Iraq in international law*, Milan, 2009; Y. Arai-Takahashi, *The Law of Occupation. Continuity and Change of International Humanitarian Law, and its Interaction with International Human Rights Law*, Boston / Leiden, 2009; I. Di Bernardini, *The protection of human rights under a belligerent occupation regime in the case of Iraq*, in *Human Rights*, n. 3/2009, p. 27 and following; A. Gioia, *The Belligerent Occupation of Territory*, in A. De Guttry, H. Post, G. Venturini (ed.), *The 1998-2000 War between Eritrea and Ethiopia: An International Legal Perspective*, The Hague, 2009, p. 351 and following; S. Vezzani, *On the previous exhaustion of internal means of recourse in situations of illegitimate territorial occupation*, in *Rivista di Legge Internazionale*, n. 3/2011, p. 799 and following; N. Course, *Military occupation and protection of private property*, in *Human rights and international law*, n. 1/2012, p. 5 and following; M. Pace, *Exploitation of natural resources and war occupation in a recent ruling by the Supreme Court of Israel*, in *Human rights and international law*, n. 3/2012, p. 679 and following; A. Annoni, *The "hostile" occupation in contemporary international law*, Turin, 2012; E. Benvenisti, *The international Law of Occupation*, Oxford, 2012. The third paragraph of art. 30 of the Vienna Convention in fact provides that, in the interpretation of the treaties, "in addition to the context: a) any further agreement between the parties regarding the interpretation of the treaty or the implementation of the provisions contained therein will be taken in consideration; b) of any further practice followed in the application of the treaty with which the agreement of the parties with regard to the interpretation of the treaty is ascertained; c) any relevant rule of international law applicable to relations between the parties. See, for all, S. Sur,



L'interprétation en droit international public, Paris, 1974; M.K. Yass en, *Interprétation des traités d'après la Convention de Vienne*, in *Recueil des cours de l'Académie de droit international*, vol. 116, 1976, p. 44 ff. ; M. Bos, *Theory and Practice of Treaty Interpretation*, in *Netherlands International Law Review*, 1980, p. 3 and following; S. Bariatti, *The interpretation of international conventions of uniform law*, cit. ; R. Kolb, *Interprétation et création du droit international*, Brussels, 2006; R. Gardiner, *Treaty Interpretation*, Oxford, 2008; L. Gradoni, *Rules of interpretation difficult to interpret and fragmentation of the principle of systemic integration*, in *Rivista di LEGA INTERNATIONAL*, 2010, p. 809 and following; E. Feola, *The principles on the interpretation of treaties in the recent jurisprudence of the International Court of Justice in the case of Dispute Regarding Navigational and Related Rights (Costa Rica v. Nicaragua)*, in *The International Community*, 2011, p. 473 and following; C. Ragni, *Interpretation of treaties and "standards of review" in the case law of the International Court of Justice: reflections on the "Whaling in the Antarctic" affair*, in *International*

Law Journal, 2014, p. 725 ff. . More recently v. also S. Bariatti, *The agreement in the system of sources and the law of treaties*, in S.M. Carbone, R. Luzzatto, A. Santamaria (edited by), *Institutions of international law*, cit., P. 104 ff. Articles 1 and 55 of the Charter of the United Nations, assumes a particular direct significance in reference to non-autonomous territories. In particular, the principle of self-determination is configured as a right of peoples, the application of which constitutes an indispensable requirement in the process of decolonization. The competence of states to conclude agreements relating to occupied territories has been the subject of at least one precedent. This is the case of Namibia, the subject of the consultative opinion of the International Court of Justice of 21 June 1971, available at <http://www.icj-cij.org/docket/files/53/5594.pdf>, relating to the Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) Notwithstanding Security Council Resolution 276 (1970). In this opinion, the Court, underlining the illegitimacy of the South African presence in the territory of Namibia, sanctioned the invalidity of the acts carried out by South Africa relating to this territory. On the effects of the treaties vis-à-vis third States, see. p. E. Jimenez De Arechaga,

Treaty Stipulations in Favor of Third States, in *American Journal of International Law*, 1956, p. 338 and following; P.-F. Smets, *Les effets des traités internationaux à l'égard des Etats tiers*, Paris, 1966; F. Cahier, *The problème des effets des traités à l'égard des Etats tiers*, in *Recueil des cours de l'Académie de droit international*, vol. 143, 1974, p. 589 and following; C. Rozakis, *Treaties and Third States: a Study in the Reinforcement of the Consensual Standards in International Law*, in *Österreichische Zeitschrift für öffentliches Recht und Völkerrecht*, 1975, p. 1 ss. ; M. Fitzmaurice, *Third Parties and the Law of Treaties*, in *Max Planck Yearbook of United Nations Law*, 2002, p. 37 ff. The principle of self-determination of peoples was also invoked in the context of the Nagorno Karabakh question concerning the conflictual relationship between Azerbaijan and the ethnic Armenian majority of Nagorno Karabakh, supported by Armenia. On the conflict v. S. Forlati, *The ECHR and the Nagorno-Karabakh Conflict - Applications Concerning "Historical Situations" and the Difficult Quest for Legal Certainty*, in *Human Rights and International Law*, 2012, p. 402 and following; N. Ronzitti, *Nagorno-Karabakh conflict and international law*, Turin, 2014. Vienna Convention on the law of treaties, art. 53: «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 cannot be modified unless by a new rule of general international law having

Sede del Governo: Palazzo Ducale -Venezia

Sede Operativa – Via Strada per Fratta, 35 – 33077 Sacile (PN) – Territori Veneti Occupati

segreteria@clnveneto.net – www.clnveneto.net



the same character". Similarly, art. 64 of the Convention attributes particular importance to jus cogens, providing that "if a new imperative rule of general international law arises, any existing treaty that conflicts with this rule becomes null and void". The consequences of the nullity of the treaty are governed by art. 71, which provides, on the one hand, that if the treaty is void pursuant to article 53, "the parties are required: a) to eliminate, as far as possible, the consequences of any act carried out on the basis of a provision that is contrary to the mandatory rule of general international law; and b) to ensure that their reciprocal relations comply with the binding norm of general international law". On the other hand, "in the case of a treaty that becomes void and terminates under Article 64, the termination of the validity of a treaty: a) frees the parties from the obligation to continue to implement the treaty; b) does not affect any right, obligation or legal situation of the parties that have arisen as a result of the execution of the treaty before the termination of its validity; however, said rights, obligations or situations cannot be retained afterwards except to the extent that their conservation does not conflict with the new peremptory norm of general international law". For a general analysis of the causes of invalidity of the treaties see, for all, F. Capotorti, *L'extinction et la suspension des traités*, in

Recueil des cours de l'Académie de droit international, vol. 134, 1971, p. 415 and following; J. Verhoeven, *Invalidity of Treaties: Anything New in / under the Vienna Conventions ?*, in E. Cannizzaro (ed.), *The Law of Treaties Beyond the Vienna Convention*, Oxford, 2011, p. 297 et seq; T.O. Eliilas, *Problems concerning the Validity of Treaties*, in Recueil des cours de l'Académie de droit international, vol. 134, 1971, p. 134 ff. On the scope of art. 103 of the Charter see P. De Sena, *Individual sanctions of the Security Council*, art. 103 of the United Nations Charter and relations between regulatory systems, in F. Salerno (edited by), *"Individual" sanctions of the Security Council and fundamental procedural guarantees*, Padua, 2010, p. 46 ff., Which, analyzing the cases of *Yusuf and Al Barakaat International Foundation v. Council*, (Court, T-306/01, judgment 21 September 2005) and *Kadi v. Council and Commission* (Court, T-315/01), ruled out that the jurisprudence of the Court of Justice has brought back art. 103 to a customary rule of jus cogens, by virtue of which the obligations deriving from the Charter would also be suitable to bind the Union regardless of its adherence to the Charter. In any case, with the aforementioned sentences, as well as with the *Ayadi v. Council* (Court, T-253/02, sentence 12 July 2006), the Court also explicitly recognized the existence of jus cogens, as a nucleus of precepts from which it is not possible to derogate and which are imposed on everyone, including the Union. On the subject, cf. E. Rebasti, *Beyond the policy of conditionality: the external action of the European Union and compliance with the mandatory rules of international law*, in A. Caligiuri, G. Cataldi, N. Napolitano (ed.), *The protection of human rights in Europe. Between state sovereignty and supranational orders*, Padua, 2010, p. 173 ff., S. Koury, *L'obligation de non-reconnaissance de la Communauté européenne et de ses États membres au regard de l'accord d'association CE-Maroc: responsabilité étatique et droit international coutumier*, in K. Arts, V. Chapaux, P. Pinto Leite (edited by), *Le droit international et la question du Sahara occidental*, Leiden, 2009, p. 165 and following; M. Dawidowicz, *Trading Fish or Human Rights in Western Sahara? Self-Determination, Non-Recognition and the EC-Morocco Fisheries Agreement*, in D. French (ed.), *Statehood, Self-Determination and Minorities: Reconciling Tradition and Modernity in International Law*, Cambridge, 2013, p. 250 and following *Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo*, opinion of 22 July 2010, in I.C.J. Reports, 2010, p. 403 ff., P. 438, par. 82). On the jurisprudence of the International Court of Justice in the matter of self-determination of peoples, cf. CASSESE, *The International Court of Justice and the Right of Peoples to Self-Determination*, in LOWE, FITZMAURICE (eds.), *Fifty Years of the International Court of Justice: Essays in Honor of Sir Robert Jennings*, Cambridge, 1996, p. 351 ff., And ZYBERI, *Self-Determination through the Lens of the International Court of Justice*, in



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



Netherlands International Law Review, 2009, p. 429 ff. L'actio popularis ou la defense de l'intérêt collectif devant les juridictions internationales, Paris, 2004, pp. 298-299. See CRAWFORD, Third report on State responsibility, UN Doc. A / CN.4 / 507, March 15, 2000, par. 94. South West Africa (Ethiopia v. South Africa; Liberia v. South Africa), Second Phase, sent. July 18, 1966, in I.C.J. Reports, 1966, p. 6 et seq., P. 47, par. 88: «the argument amounts to a plea that the Court should allow the equivalent of an " actio popularis ", or right resident in any member of a community to take legal action in vindication of a public interest. But although a right of this kind may be known to certain municipal systems of law, it is not known to international law as it stands at present ". For a comment see. POPE, The reports, cit., P. 633 and following in relation to the East Timor affair, the issue had not been addressed by the Court, which had limited itself to excluding its jurisdiction in application of the so-called principle of Monetary Gold (see, for a summary of these aspects of the sentence, PICONE, POPA, Jurisdiction of the International Court of Justice and erga omnes obligations, in PICONE, International Community, cit., p. 693 et seq.). Instead, it had been widely discussed by the parties and deepened, with diverging results, by some judges in the opinions attached to the judgment: see, also for the necessary references, TAMS, Enforcing Obligations Erga Omnes in Interna

tional Law, Cambridge, 2005, pp. 185-186. Questions relating to the Obligation to Prosecute or Extradite (Belgium v. Senegal), sent. July 20, 2012, in I.C.J. Reports, 2012, p. 422 ff., P. 448 et seq., Par. 64 ff., On which v. POPE, Interest in acting before the International Court of Justice and protection of collective values in the judgment on the case of Belgium v. Senegal, in Human Rights and International Law, 2013, p. 79 ff. Par. 6 of the comment on art. 54 of the articles on liability, UN Doc. A / 56/10, p. 355. But see, for a reading of the practice favorable to the legitimacy of such countermeasures (limited, however, to the hypothesis of serious erga omnes offenses), TAMS, Enforcing, cit., P. 198 ff. ; DAWIDOWICZ, Public Law Enforcement without Public Law Safeguards? An Analysis of State Practice on Third-party Countermeasures and Their Relationship to the UN Security Council, in British Yearbook of International Law, 2007, p. 333 and following; KATSELLI PROUKAKI, The Problem of Enforcement in International Law. Countermeasures, the Non-injured State and the Idea of International Community, London / New York, 2010, p. 90 and following; SICILIANOS, Countermeasures in Response to Grave Violations of Obligations Owed to the International Community, in CRAWFORD, PELLET, OLLESON (eds.) The Law of International Responsibility, Oxford, 2010, p. 1137 ff. The resolution of the Institut de droit international (cited above, note 5) which, in art. 5 lett. c), provides for the right for all States, in response to the serious violation of an erga omnes obligation, to carry out countermeasures not involving the use of force. V. PICONE, Obligations erga omnes and codification of the responsibility of States, in Magazine. Par. 3 of the comment of the International Law Commission on art. 54 of the project (in particular the measures adopted against South Africa for its segregationist policy: see UN Doc. Of international law, 2005, p. 893 ff., P. 940 ff. A / 56/10, p. 352), inter alia, the trade sanctions recommended by the Organization for African Unity against Portugal in 1963, 1964 and 1973 for the latter's refusal to allow the exercise, by the colonial populations subjected to its administration, of the right of self-determination (see FOCARELLI, The countermeasures in international law, Milan, 1994, pp. 39-40, 68; DAWIDOWICZ, Public Law Enforcement, cit., pp. 399-400); the oil embargo decided in 1973 by the Arab oil-producing states against Israel and its allies to obtain the liberation of the occupied Arab territories (KATSELLI PROUKAKI, op. cit., p. 122 ff.); the measures adopted by Western states against the Soviet Union in response to the invasion of Afghanistan (SICILIANOS, Les réactions décentralisées à l'illicite, Paris, 1990, p. 157 et seq.), and so on. As part of the practice of collective countermeasures in response to violations of the principle of self-determination of peoples, many authors also consider the suspension of the prohibition of interference, which re-



COMITATO LIBERAZIONE NAZIONALE VENETO

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



sults in the admissibility of the premature recognition of national liberation movements and various forms of assistance to arising in the context of civil conflicts against colonial or racist regimes (hypotheses that will be analyzed as autonomous guarantees of the principle infra, in par. 6): v. for example CARELLA, State responsibility for international crimes, Naples, 1985, p. 198. Others, on the other hand, also qualify the disavowal of situations created by the violation of self-determination as a countermeasure: thus CASSESE, Self-Determination, cit., P. 158. Separate opinion of Judge Kooijmans, in I.C.J. Reports 2004, p. 219 ff., P. 231, par. 40; and, in doctrine, PICONE, Obligations erga omnes, cit., p. 931; VILLALPANDO, Le codificateur et le juge face à la responsabilité internationale de l'État: interaction between the CDI and the CIJ in the détermination des règles secondaires, in *Annuaire français de droit international*, 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 FASTENRATH et al. (eds.), *From Bilateralism to Community Interest. Essays in Honor of Judge Bruno Simma*, Oxford, 2011, p. 224 ff., Pp. 231, 234; PICONE, POPA, op. cit., pp. 689-690. Prohibition to recognize the situation resulting from the serious violation of the right of self-determination and to assist in its maintenance: CHRISTAKIS, L'obligation de non-reconnaissance des situations créées par le recours illicite à la force ou d'autres actes enfreignant des règles

fondamentales, in TOMUSCHAT, THOUVENIN (eds.), *The Fundamental Rules of the International Legal Order: Jus Cogens and Obligations Erga Omnes*, Leiden / Boston, 2006, p. 127 ff. ; TALMON, The Duty not to "Recognize as Lawful" a Situation Created by the Illegal Use of Force or Other Serious Breaches of a Jus Cogens Obligation: An Obligation without Real Substance ?, *ibid.*, P. 99 and following; DAWIDOWICZ, The Obligation of Non-Recognition of an Unlawful Situation, in *The Law of International Responsibility*, cit., P. 677 ff. On the prohibition of assistance, cf. instead JØRGENSEN, The Obligation of Non-Assistance to the Responsible State, *ibid.*, p. 687 and following TALMON, The Duty, cit., Pp. 103, 117 ff. ; DAWIDOWICZ, The Obligation of Non-Recognition, cit., Pp. 683-684; PICONE, The role, cit., P. 968, par. 8 of the comment on art. 41, UN Doc. A / 56/10, p. 289. Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), opinion of 21 June 1971, in I.C.J. Reports, 1971, p. 16 ff., Pp. 55-56, par. 122 ff. *Ibid.*, P. 56, par. 125: "the non-recognition of South Africa's administration of the Territory should not result in depriving the people of Namibia of any advantages derived from international co-operation. In particular, while official acts performed by the Government of South Africa on behalf of or concerning Namibia after the termination of the Mandate are illegal and invalid, this invalidity cannot be extended to those acts, such as, for instance, the registration of births, deaths and marriages, the effects of which can be ignored only to the detriment of the inhabitants of the Territory ". On the interpretative problems raised by this passage, see. CRAWFORD, Third Party Obligations, cit., Par. 49 ff. CHRISTAKIS, op. cit., p. 144 and following; TALMON, The Duty, cit., P. 112; DE BRABANDERE, VAN DEN HERIK, Les obligations des États tiers et des acteurs non étatiques relatives au commerce des produits en provenance du Territoire palestinien occupé, in *Revue belge de droit international*, 2012, p. 147 ff., P. 150 and following This broad meaning is also derived from par. 5 of the comment on art. 41: for the Commission, the obligation of non-recognition entails the duty for States to refrain from any act that may even implicitly entail the recognition of the lawfulness of the situation created by the offense (UN Doc. A / 56/10, p. 287). Decision 2000/384 / EC, ECSC of the Council and of the Commission, of 19 April 2000, concerning the conclusion of a Euro-Mediterranean agreement establishing an association between the European Communities and their Member States, on the one hand, and the State of Israel, by other, in GUCE L 147 of 21 June 2000, p. 1 ss. The agreement, in defining its territorial scope, limits itself to referring generically to the territory of the State of Israel. On the subject, cf. HAUSWALDT, Problems under the EC-Israel Association Agreement: The

Sede del Governo: Palazzo Ducale -Venezia

Sede Operativa – Via Strada per Fratta, 35 – 33077 Sacile (PN) – Territori Veneti Occupati

segreteria@clnveneto.net – www.clnveneto.net



Export of Goods Produced in the West Bank and the Gaza Strip under the EC-Israel Association Agreement, in European Journal of International Law, 2003, p. 591 et seq., As well as the considerations of CRAWFORD, Third Party Obligations, cit., Par. 50-51 and DE BRABANDERE, VAN DEN HERIK, op. cit., pp. 156-157. REBASTI, Beyond the policy of conditionality: the external action of the European Union and compliance with the mandatory rules of international law, in CALIGIURI, CATALDI, NAPOLETANO (edited by), The protection of human rights in Europe: between state sovereignty and legal systems supranationals, Padua, 2010, p. 173 ff., P. 199 ff. See, in the same line, lastly, par. 9 of the European Parliament resolution of 5 July 2012 on EU policy in the West Bank and East Jerusalem (2012/2694 (RSP)), in which Parliament calls for "full and effective implementation of existing Union legislation and bilateral agreements EU-Israel to ensure that the EU control mechanism, ie the "technical agreements", does not allow products from Israeli settlements to be imported into the European market under the preferential conditions provided for in the EU Israel Association Agreement ". According to the Court, "art. 83 of the EC-Israel Association Agreement must be interpreted as meaning that products originating in the West Bank do not fall within the territorial scope of that agreement and therefore cannot benefit from the preferential regime established by the same ": Court of Justice, judgment of 25 February 2010, Case C-386/08, Firma Brita GmbH v. Hauptzollamt Hamburg-Hafen, in Col-

lection, 2010, p. I-1289, paragraph 53. On the judgment v. comments by HARPAZ, RUBINSON, The Interface Between Trade, Law, Politics and the Erosion of Normative Power Europe: Comment on Brita, in European Law Review, 2010, p. 551 ff. and MARTINES, Rules on the origin of products and territorial application of the Association Agreement with Israel under review by the Court of Justice, in Studies on European integration, 2010, p. 691 ff. Thus KATTAN, The Wall, Obligations Erga Omnes and Human Rights: The Case for Withdrawing the European Community's Terms of Preferential Trade with Israel, in The Palestine Yearbook of International Law, 2004-2005, p. 71 ff., Pp. 88-89. The Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco (see Council Regulation (EC) No 764/2006 of 22 May 2006 on the conclusion of a partnership agreement in the field of fishing between the European Community and the Kingdom of Morocco, in OJEU L 141 of 29 May 2006, p. 1 et seq.), which entered into force on 28 February 2007, confers on vessels flying the flag of Member States of the Union fishing rights in exchange financial compensation (both established in the attached protocol), in the waters subject to the sovereignty and jurisdiction of Morocco (very general and unusual formula in other treaties of the same type). The spatial scope does not therefore expressly include the waters off the Western Sahara, so the question of the compatibility of the agreement with art. 41, par. 2, of the draft of the International Law Commission, has an essentially interpretative nature. Upon expiry of the first protocol, the European Parliament initially decided not to approve the conclusion of a new protocol by the Council, which however did not substantially alter the terms of the previous one. However, it was a momentary paralysis: v. Council Decision 2013/720 / EU of 15 November 2013 concerning the signing, on behalf of the European Union, of the protocol between the European Union and the Kingdom of Morocco establishing the fishing opportunities and the financial contribution provided for by the partnership agreement in the fisheries sector between the European Union and the Kingdom of Morocco, in the OJEU L 328 of 7 December 2013, p. 1 ss. (for a comment see MILAN, The new fisheries protocol between the European Union and Morocco and the rights of the Sahrawi people on natural resources, in Human rights and international law, 2014, p. 505 et seq.). On the subject v. MILAN, The New Fisheries Partnership Agreement between the European Community and the Kingdom of Morocco: Fishing Too Far South, in Anuario Español de Derecho Internacional, vol. XXII, 2006, p. 413 and following; CHAPAUX, La question de l'accord de pêche conclu entre the European Communautés et le Maroc, in CHAPAUX, ARTS, LEITE (dirs.), Le droit international et la question du Sahara occidental, Porto, 2009, p. 217 and following;



ETIENNE, The accord de pêche CE-Maroc: quels remèdes juridictionnels européens à those illicéité internationale ?, in *Revue belge de droit international*, 2010, p. 77 ff. ; REBASTI, Beyond the policy of conditionality, cit., Especially p. 198 ff. The situation appears even more critical with regard to the implementation of the prohibition on providing assistance in the maintenance of situations created by serious erga omnes offenses (which for the International Law Commission has as its object those behaviors that ex post facto contribute to preserving the situation produced by illicit), a prohibition that requires States not to offer technical, economic or financial assistance. In his 2012 report, Richard Falk, special rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, highlighted numerous cases of foreign companies operating in the illegal settlements of Israel, with their activities profiting from the occupation and contribute to the expansion of settlements in the Palestinian territories (UN Doc. A / 67/379, 19 September 2012, par. 38 et seq.). Hence the call to civil society to carry out a boycott against these companies (ibid., Par. 99). In March 2013, a fact-finding mission set up by the United Nations Human Rights Council concluded that "business enterprises have enabled, facilitated and profited, directly and indirectly, from the construction and growth of the settlements", and urged governments "To take appropriate measures to ensure that business enterprises domiciled in their territory and / or under their jurisdiction, including those owned or controlled by

them, that conduct activities in or related to the settlements respect human rights throughout their operations" (Report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, UN Doc. A / HRC / 22/63, 7 February 2013, paragraphs 96 and 117 respectively). Finally, see the resolution of the Human Rights Council entitled "Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem and in the occupied Syrian Golan", A / HRC / 25 / L.37 / Rev.1 , March 27, 2014, in which, among other things, the States are urged to "take appropriate measures to encourage businesses domiciled in their territory and / or under their jurisdiction, including those owned or controlled by them, to refrain from committing or contributing to gross human rights abuses of Palestinians "(par. 11). the Declaration on Palestine of the XIV Ministerial Conference of the Movement of Non-Aligned Countries, held in Durban from 17 to 19 August 2004, in particular lett. b) of par. 5, in which ministers recommend to member states "to undertake measures, including by means of legislation, collectively, regionally and individually, to prevent any products of the illegal Israeli settlements from entering their markets [...], to decline entry to Israeli settlers and to impose sanctions against companies and entities involved in the construction of the wall and other illegal activities in the Occupied Palestinian Territory "(recommendation subsequently renewed several times by the Movement). On the non-fulfillment by the EU and its members of the prohibition of assistance in maintaining the situation resulting from the serious violations of the right of self-determination of the Palestinian people committed by Israel, cf. CRAWFORD, Third Party Obligations, cit., Paragraphs 84-85, 138, and DUBUISSON, op. cit., p. 42 ff. See widely PICONE, Obligations erga omnes, cit., P. 951 and following; ID., The role of the injured State, cit., P. 970 and following and in adherence to ALAIMO, International Responsibility of States, in *Legal Encyclopedia. Update*, vol. XVI, Rome, 2008, p. 10, according to which art. 41, par. 3 together with art. 54 "give the evolving general international law a central role in the discipline of international responsibility". GRADE, op. cit., pp. 137 ff., 193 ff., Which speaks of a reversal of the typical relations between third States and warring parties, complete with regard to conflicts related to colonial dominations, racist or foreign and still partial with regard to those related to the internal aspects of principle. RONZITTI, The wars of national liberation,



Pisa, 1974; IOVANE, The protection of fundamental values in international law, Naples, 2000, p. 359. Various resolutions of the General Assembly can be cited confirming the legitimacy of the assistance of third states to national liberation movements fighting for self-determination. See the Declaration on Friendly Relations Between States, UN Doc. A / RES / 25/2625, 24 October 1970 ("peoples are entitled to seek and to receive support in accordance with the purposes and principles of the Charter") or res. 3070 (1973) of 30 November 1973 (in which the Assembly, in paragraph 3, invited the States to give "moral, material and any other assistance to all peoples struggling for the full exercise of their inalienable right to self-determination"), or the res. 35/227 of 6 March 1981, relating to the situation in Namibia (in which par. 6 was asked "increased and sustained support and material, financial, military and other assistance" for the People's Organization of South-West Africa (South West African People's Organization - SWAPO) in its struggle for self-determination. See also art. 20 of the African Charter of Human and Peoples' Rights, which, after having proclaimed in paragraph 1 that "all peoples shall have [...] the unquestionable and inalienable right to self-determination ", provides in paragraph 3 that " all peoples shall have the right to the assistance of the State Parties to the present Charter in their liberation struggle against foreign domination, be it political, economic or cultural. "According to CASSESE, Le droit international et la question de assistance aux mouvements de libération nationale, in Revue belge de droit international, 1986, p. 307 ff., p. 323, humanitarian assistance would indeed constitute the 'object of an obligation for third States. CASSESE, op. ult. cit., p. 324 ff. (according to which, how-

ever, the admissibility of this form of aid would still be subject to two conditions: that the beneficiaries "ne se livrent pas à des actes de terrorisme" and respect the fundamental principles of humanitarian law); GRADE, op. cit., p. 141 and following; PALMISANO, op. cit., p. 126 ff. On the other hand, it does not make much sense to include among the special guarantees for the implementation of the principle of self-determination the prohibition, for third States, of providing armed support, both direct and indirect, to the State that violently represses the self-determination of the people subject to its control. (see for this thesis GRADO, op. cit., p. 130 ss.). This prohibition, in fact, derives from the same primary rule that requires States to respect the self-determination of all peoples, both those subject to their own control and those subject to the control of others: so for example LATTANZI, Self-determination of peoples, in Digest of Disciplines Publications, vol. II, Turin, 1987, p. 4 et seq., Pp. 24-25. See in this sense par. 3 of art. 1 common to the United Nations Covenants, as interpreted by the United Nations Human Rights Committee in General Comment no. 12: "[p] aragraph 3, in the Committee's opinion, is particularly important in that it imposes specific obligations on States parties, not only in relation to their own peoples but vis-à-vis all peoples which have not been able to exercise or have been deprived of the possibility of exercising their right to self-determination "(Human Rights Committee, General comment No. 12: Article 1 (Right to self-determination), March 13, 1984, in Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, UN Doc. HRI / GEN / 1 / Rev.9 (Vol. I), 27 May 2008, pp. 123-124). V. RONZITTI, op. cit., p. 116 and following; CASSESE, Self-Determination, cit., Pp. 184, 199 ff .; GRADE, op. cit., p. 133 and following; CORTEN, The applicability problématique du droit de légitime défense au sens de l'article 51 de la Charte des Nations Unies aux relations entre la Palestine et Israël, in Revue belge de droit international, 2012, p. 67 ff., P. 72 and following; FABBRICOTTI, Legitimate defense and self-determination of peoples, in TANZI, LANCIOTTI (edited by), Use of force and legitimate defense in contemporary international law, Naples, 2012, p. 255 and following; PALMISANO, op. cit., p. 129. On the story see, for all, TANCREDI, The Russian Annexation of the Crimea: Questions Relating to the Use of Force, in Questions of International Law, 2014, Zoom-out I, www.qil-qdi.org. For a framing of the Arab Spring uprisings within the scope of the right of self-determination of populations oppressed by authoritarian regimes, see for example the speech by the President of the United States,



Barack Obama, to the State Department of May 9, 2011 (Remarks by the President on the Middle East and North Africa, www.whitehouse.gov/the-press-office/2011/05/19/remarks-president-middle-east-and-north-africa%20); and, in doctrine, PAUST, International Law, Dignity, Democracy, and the Arab Spring, in Cornell International Law Journal, 2013, p. 1 ss. On the subject v. extensively PICONE, Considerations on the nature of the Security Council resolution in favor of a "humanitarian" intervention in Libya, in Human rights and international law, 2011, p. 213 ff. For this notation see AKANDE, Self Determination and the Syrian Conflict - Recognition of Syrian Opposition as Sole Legitimate Representative of the Syrian People: What Does This Mean and What Implications Does It Have, in EJIL: Talk !, December 6, 2012. See AKANDE, Which Entity is the Government of Libya and Why Does It Matter ?, in EJIL: Talk !, June 16, 2011; ID., Self Determination and the Syrian Conflict, cit .; TALMON, Recognition of Opposition Groups as the Legitimate Representative of a People, in Chinese Journal of International Law, 2013, p. 219 ff. Thus AKANDE, Would It Be Lawful For European (or other) States to Provide Arms to the Syrian Opposition, in EJIL: Talk !, January 17, 2013. According to AMOROSO, The role of insurgent recognition in promoting the principle of internal self-determination: considerations in the light of the "Arab Spring", in Federalismi.it, 21/2013, p. 38, the premature recognition of the insurgents, in these cases, would constitute "a collective reaction of the international community to the violation of the right to (internal) self-determination of the peoples of Libya and Syria". On this point, see widely RUYSS, Of Arms, Funding and "Nonlethal Assistance" - Issues Surrounding Third-State

Intervention in the Syrian Civil War, in Chinese Journal of International Law, 2014, p. 13 et seq., Pp. 48 ff., 52. With regard to the conflict in Libya cf. for example SPENCER, France Supplying Weapons to Libyan Rebels, in The Telegraph, 29 June 2011, www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8606541/France-supplying-weapons-to-Libyan-rebels.html. In favor of the supply of weapons to the Syrian rebels, v. instead the statement of the British Foreign Minister to Parliament of 10 January 2013, www.gov.uk/government/speeches/foreignsecretary-updates-parliament-on-syria; as well as, for the United States, the statements of the White House Deputy National Security Advisor, Ben Rhodes, of June 13, 2013 www.whitehouse.gov/the-press-office/2013/06/13/statement-deputy-national-security-advisor-strategic-communicationsben. For further references, see. also HENDERSON, The Provision of Arms and "Non-lethal" Assistance to Governmental and Opposition Forces, in University of New South Wales Law Journal, 2013, p. 642 ff., P. 657 ff. See Council Decision 2013/255 / CFSP of 31 May 2013 concerning restrictive measures against Syria, in the Official Gazette and L 147 of 1 June 2013, p. 14 et seq., And point 2 of the Foreign Affairs Council declaration on Syria adopted on 27 May 2013 (www.consilium.europa.eu/ue_docs/cms_data/docs/pressdata/EN/foraff/137315.pdf).

The principle of self-determination of peoples as a source of erga omnes obligations, represents one of the essential principles of contemporary international law, protects a collective interest of the international community as a whole, establishes erga omnes obligations, that is, obligations payable by all States. Confirmed by the jurisprudence of the International Court of Justice and by the codification work of the International Law Commission on the liability of States. The provision for the protection of fundamental interests - rectius: of an erga omnes obligation - ipsius animi promptitudinem is configured for the institutive-constitutive codified law of the Rome Statute, United Nations Statute, Council of Europe Statute, Inter-American Court of Human Rights , African Court of Human and Peoples' Rights.

The States Parties to this Statute,



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



aware that all peoples are united by close ties and that their cultures form a heritage shared by all, a delicate mosaic that risks being destroyed at any moment; mindful that in the course of this century, millions of children, women and men have been victims of unimaginable atrocities that deeply disturb the conscience of humanity; recognizing that crimes of this gravity threaten the peace, security and well-being of the world; affirming that the most serious crimes affecting the international community as a whole cannot go unpunished and that their repression must be effectively guaranteed through measures adopted at national level and through the strengthening of international cooperation; determined to end the impunity of the perpetrators of such crimes, thereby contributing to the prevention of new crimes; recalling that it is the duty of each State to exercise its criminal jurisdiction against those responsible for international crimes; reaffirming the purposes and principles of the Charter of the United Nations³ and in particular the duty of all States to refrain from resorting to the use of threat or force against the territorial integrity or political independence of other States or in conflict, in any other way, for the purposes of the United Nations; emphasizing in this respect that no provision of this Statute may be construed as authorizing a State Party to intervene in an armed conflict or in the internal affairs of another State; determined to establish, for these purposes and in the interest of present and future generations, a permanent and independent International Criminal Court, connected with the United Nations system competent to judge the most serious crimes, a cause for alarm for the entire international community; highlighting that the International Criminal Court established under this Statute is complementary to national criminal jurisdictions; resolved to ensure the respect and application of international justice on a lasting basis ...

In the Charter of the United Nations:

We, the peoples of the United Nations, determined to save future generations from the scourge of war, which twice in the course of this generation has brought unspeakable afflictions to humanity, to reaffirm our faith in fundamental human rights, dignity and value of the human person, in the equality of rights of men and women and of nations large and small, to create the conditions in which justice and respect for the obligations deriving from treaties and other sources of international law can be maintained, to promote social progress and a higher standard of living in greater freedom, and for these purposes to practice tolerance and to live in peace with one another in good neighborly relations, to join forces to maintain the peace and international security, to ensure, through the acceptance of principles and the establishment of systems, that force of arms will not be used, except in the common interest, to employ international instruments to promote the economic and social progress of all peoples, we have resolved to join our efforts to achieve these ends. Accordingly, our respective Governments, through their representatives gathered in the city of San Francisco and endowed with full powers recognized in good and due form, have agreed to this Charter of the United Nations and thereby establish an international organization which will be called the United Nations ...

In the Statute of the Council of Europe:

The Governments of the Kingdom of Belgium, the Kingdom of Denmark, the French Republic, the Irish Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Kingdom of Norway, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland; convinced that the strengthening of peace in justice and international cooperation is of vital interest in the defense of human society and civilization;



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



irremovably linked to the spiritual and moral values, which are the common heritage of their peoples and the foundation of the principles of personal freedom, political freedom and the rule of law, on which every true democracy depends; convinced that in order to protect and progressively make this ideal triumph and to promote social and economic progress, a close union is necessary between European countries which are animated by the same sentiments; considering that to meet this need and the manifest aspirations of their peoples it is already necessary to establish an organization that unites the European states in a closer association; have resolved to set up a Council of Europe, composed of a Committee of government representatives and a Consultative Assembly and to this end ...

In the declaration of San José: Signed in San José, Costa Rica on the 18th of July 2018. Joint declaration of the presidents of the African Court of Human and Peoples' Rights, the European Court of Human Rights and the Inter-American Court of Human Rights.

From the Organization for Economic Co-operation and Development (OECD). The OECD is bound by the principles and objectives defined by the Helsinki Act of 1975 and the Paris Charter of 1990. "Decalogue of Helsinki".

I. Sovereign equality, respect for rights inherent to sovereignty;

II. Not resorting to threats or the use of force;

III. Inviolability of borders;

IV. Territorial integrity of states;

V. Peaceful settlement of disputes;

YOU. Non-intervention in Internal Affairs;

VII. Respect for human rights and fundamental freedoms, including freedom of thought, conscience, religion or belief;

VIII. Equality of rights and self-determination of peoples;

IX. Cooperation between States;

X. Good Faith Performance of International Law Obligations.

Paris Charter for a New Europe, signed on November 21, 1990:

"Europe is freeing itself from the legacy of the past. The courage of men and women, the power of the will of the peoples and the strength of the ideas of the Helsinki Final Act have ushered in a new era of democracy, peace and unity in Europe. "

The mission of the Veneto National Liberation Committee is to promote universal and effective respect for the fundamental rights of peoples, determining whether these rights are violated, examining the causes of such violations and denouncing their perpetrators to world public opinion. The Veneto National Liberation Committee applies the international principles of *JUS COGENS* as an expression of universal legal awareness, in particular of the Nuremberg



COMITATO LIBERAZIONE NAZIONALE VENETO

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



principles; adopts the Algiers Declaration on the Fundamental Rights of Peoples and applies the fundamental legal instruments of the United Nations, in particular the Universal Declaration and the international pacts on human rights, the declaration on friendly relations between States, the resolutions of the assembly General on decolonization and the new international economic order, the Charter of Economic Rights and Duties of States as well as the Convention on the Prevention and Suppression of the Crime of Genocide. The Veneto National Liberation Committee also applies any other international, universal or regional legal instrument aimed at developing, updating or broadening the meaning and contents of the texts that refer to the rights of peoples.

International legal norms recognize that every human being has innate rights, therefore inviolable, inalienable and imprescriptible, which therefore pre-exist the written law. The individual is the original subject of sovereignty and comes before the state and the system of states. By virtue of the rights that are equally inherent in each of its members, the universal human family is also an original collective subject that comes before the system of states and the individual state. Some innate rights (to existence, identity, self-determination) are also recognized to human communities that have the character of people. According to resolution 18/6, a democratic and equitable international order requires the realization, inter alia, of the following: a. The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development; b. The right of peoples and nations to permanent sovereignty over their natural wealth and resources; c. The right of every human person and of all peoples to development; d. The right of all peoples to peace and the right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation between all States; f. International solidarity, as a right of persons and individuals; g. The promotion and consolidation of transparent, democratic, just and responsible international institutions in all areas of cooperation, in

particular through the implementation of the principle of full and equal participation in the respective decision-making mechanisms; h. The right to an equal participation of all, without any discrimination, in the national and global decision-making process; the. The principle of equal regional and gender representation in the composition of the staff of the United Nations system; j. The promotion of a free, fair, effective and balanced international order of information and communication, based on international cooperation to establish a new balance and greater reciprocity in the international flow of information, in particular by correcting inequalities in the flow of information to and from countries developing; k. Respect for cultural diversity and the cultural rights of all, as it increases cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural contexts, promotes the application and enjoyment of universally accepted human rights throughout the world and promotes stable and friendly relationships among peoples and nations all over the world; l. The right of every person and of all peoples to a healthy environment and enhanced international cooperation that effectively responds to the assistance needs of national climate change adaptation efforts, particularly in developing countries, and that promotes compliance international agreements in the field of mitigation; m. Promoting equal access to the benefits of the international distribution of wealth through enhanced international cooperation, particularly in international economic, trade and financial relations; n. The enjoyment by all of the ownership of the common heritage of humanity in relation to the public right of access to culture; o. The shared responsibility of the nations of the world for managing world economic and social development, as well as threats to international peace and security, should be exercised at the multilateral level. We



are in presence of an important achievement of juridical civilization: the Self-determination of Peoples from a "principle" of politics becomes a "fundamental right" expressly recognized by the universal (written) law of human rights. Universal human rights are not divorced from the right of peoples to self-determination. Equality of rights and self-determination of peoples. The participating States respect the equality of rights of peoples and their right to self-determination. By virtue of the principle of equal rights and self-determination of peoples, all peoples always have the right, in full freedom, to establish when and how they wish their internal and external political regime, without external interference and to pursue as they wish, their political, economic, social and cultural development. The human right to development also implies the full realization of the right of peoples to self-determination which includes, on the basis of the provisions of both international human rights pacts, the exercise of their inalienable right to full sovereignty over all their wealth and natural resources. Convinced that effective respect for human rights implies respect for the rights of peoples, we have adopted the Universal Declaration of Peoples' Rights.

RIGHT TO EXISTENCE

Article 1

Every people has the right to exist.

Article 2

Every people has the right to respect for their national and cultural identity.

Article 3

Every people has the right to keep their territory peacefully and to return to it in case of expulsion.

Article 4

No one, for reasons of national or cultural identity, can be subjected to massacre, torture, persecution, deportation, expulsion or be subjected to living conditions that compromise the identity or integrity of the people to which he belongs.

RIGHT TO POLITICAL SELF-DETERMINATION

Article 5

Every people has the inalienable and imprescriptible right to self-determination. It decides its political status in full freedom and without any external interference.

Article 6

Every people has the right to free themselves from any direct or indirect colonial or foreign domination and from any racist regime.

Article 7



Every people has the right to a democratic government that represents all citizens, without distinction of race, sex, belief or color and capable of ensuring effective respect for human rights and fundamental freedoms for all.

ECONOMIC RIGHTS OF PEOPLES

Article 8

Each people has the exclusive right to their natural wealth and resources. It has the right to repossess it if it has been stripped of it and to recover the compensation paid unjustly.

Article 9

Since scientific and technical progress is part of the common heritage of humanity, every people has the right to participate in it.

Article 10

Every people has the right to have their work evaluated fairly and that international exchanges take place on equal and fair conditions.

Article 11

Every people has the right to give itself the economic and social system it has chosen itself and to pursue its own path of economic development in full freedom and without external interference.

Article 12

The economic rights set out above must be exercised in a spirit of solidarity between the peoples of the world and considering their respective interests.

RIGHT TO CULTURE

Article 13

Each people has the right to speak their own language, to preserve and develop their own culture, thus contributing to the enrichment of the culture of humanity.

Article 14

Each people has the right to their own artistic, historical and cultural riches.

Article 15

Every people has the right not to have a culture that is foreign to it imposed on it.

RIGHT TO THE ENVIRONMENT AND COMMON RESOURCES

Article 16



Every people has the right to the conservation, protection and improvement of their environment.

Article 17

Every people has the right to use the common heritage of humanity such as the high seas, the bottom of the seas, the outer space.

Article 18

In exercising the rights listed above, each people must consider the need to coordinate, the needs of their own economic development and those of solidarity among all the peoples of the world.

We, People of Veneto consider that the recognition of the dignity inherent in all members of the human family and of their rights, equal and inalienable, constitutes the foundation of freedom, justice and peace in the world; we consider that the disregard 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 want 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 man being 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, their faith in fundamental human rights, in the dignity and worth of the human person, in the equality of rights of men and women and have decided to promote progress social and a better standard of living in greater freedom; we consider 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 also 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 Liberation Committee, in compliance with the provisions contained in Art. 96.3 of the Additional Protocol of 1977, to the Geneva Conventions of 1949, art. 96.3 of the First Geneva Proto

col of 1977 on Liberation Movements, in order to relate to third States, the institutional apparatus of Government has been issued: the National Council of the Veneto People.

The Veneto National Liberation Committee has international legal personality, by virtue of which it can be considered a subject of autonomous legal imputation; is an international organization. It has ownership of rights and obligations within the international system and can act independently of the States. In the concrete manifestation of international subjectivity, it can also include immunity and privileges. The founding act determines the structure and objectives of the Organization for the Liberation of the Venetian Territories and lists the powers attributed to achieve the intended purposes. With the effective use of these powers, in acting concretely on the international level, to make it an actor of the international community, it is therefore suitable to be the holder of legal personality, in full real capacity to exercise all the functions of the principle of effectiveness. The principle of effectiveness in law is the principle that provides for the concrete execution of what is established by substantive law, or by the rules that are part of the legal system. This is the principle on which the protection of rights is based when it becomes effective in the individual concrete case. It arose from Common law and passed into international law through the theory of



implicit powers: but it is thanks to supranational legal systems that it has established itself as a means of enforcing the judgments made by the Jurisdiction. Precisely because of this suitability to guarantee the effectiveness of the rules of law within a legal system, it can be considered a parameter for assessing the validity of a given legislative system. The principle of effectiveness was already affirmed when it was in the Community context, following a slow jurisprudential evolution, not being expressly codified by any norm of the treaty.

The rules that the Court of Justice has used as a legal basis are mainly two: Article 10 of the TEC, which establishes the obligation for member states to adopt all appropriate measures to make effective the application of Community law, omitting all those behaviors that may be an obstacle; and art 2 T.U.E. which, after having listed all the objectives of the E.U., in the last paragraph declares that the E.U. undertakes to achieve these objectives in compliance with the principle of subsidiarity, that is to say the principle according to which the intervention of the E.U. it is subordinated to the impossibility of member states to intervene, by means of their national instruments. The promotion of peace and human rights figure among the political priorities of the Veneto National Liberation Committee. The protection of individuals and their dignity is therefore central.

In the implementation of acts having the force of law:

On 22 July 2010, the International Court of Justice ruled that the declaration of independence does not violate international law: The substantial autonomy of the Italian state is by no means guaranteed at the constitutional level. The Constitution delegates almost every important aspect of this autonomy to the legislator. It is clear that ordinary law can limit the autonomy of the regions and whether the self-government of the Veneto people will be achieved or not. UN Security Council Resolution 1244 in 1999. Helsinki Final Act of the Conference on Security and Cooperation in Europe (CSCE). 1 August 1975 I. VII and VIII.

The Veneto National Liberation Committee (International legal personality) joined the Vienna Convention on the law of treaties, which was concluded in Vienna on May 23, 1969, by means of an instrument of accession. Section 1, Respect for treaties. Art. 26 Pacta sunt servanda. Each treaty in force is binding on the parties and they must execute it in good faith. Art. 27 A party may not invoke the provisions of

its domestic law to justify the non-execution of a treaty. This rule does not in any way affect the provisions of Article 46. Art. 38 Rules of a treaty that become mandatory for third States following the creation of an international custom. None of the provisions contained in Articles 34 to 37 prohibits a rule enshrined in a treaty from becoming mandatory for a third State, as a customary rule of international law recognized as such. Nullity, termination and suspension of the application of the treaties. General provisions. Art. 42 Validity and maintenance in force of the treaties. 1. The validity of a treaty or the consent of a State to be bound by a treaty can be contested only in application of this Convention. 2. The termination of a treaty, its denunciation or the withdrawal of a party can only take place in application of the provisions of the treaty or of this convention. The same rule applies to the suspension of the application of a treaty. Art. 43. Obligations imposed by international law regardless of the treaties. The nullity, termination or denunciation of a treaty, the withdrawal of one of the parties or the suspension of the application of the treaty, when due to the application of this Convention or to the provisions of the treaty, shall in no way prejudice the duty a State to fulfill any obligation that is set out in the treaty, to which it is subject under international law regardless of the treaty itself. The Veneto people for the universalization of human rights expressed absolute, Erga Omnes, inalienable,



imprescriptible. Human rights represent the most relevant and common system of values of the last two centuries. Law of peoples Regulatory idea, connected to the concept of justice, which must inform the principles and norms of international law and its concrete applications, in order to guarantee a common basis for coexistence on a planetary level between free subjects (states and individuals) and equal. In this sense, it imposes restrictions on the sovereignty of states and on their right to act without external conditioning towards the people who live within their borders and towards other state organizations. The law of peoples as an extension of the fundamental concepts of his conception of justice as fairness to the sphere of international society, understood as a political society. The law of peoples, in fact, identifies one family of political concepts informed by principles of justice and the common good that specify the content of a conception of the just, which operates as a normative argument around the justification and evaluation of the public sphere starting from universalistic premises, formulated in such a way that it can be applied to the system of international relations Self-determination is the right of the Veneto people to define the freedom of choice of the political, economic, social regime; it is the principle of Venetian nationality, of accessing independence as a separate state.

The "Venetian people" is a thousand-year historical reality, alive and current, already juridically organized in a sovereign way, in a precise territorial context where even today the same language is spoken, the same culture is increased, the same traditions are valued, the same collective habits, the high values of the family community, the nation, attachment to work and solidarity, legality and justice in freedom are defended. The "Venetian people" is legally recognized as such also by the current positive Italian system which, with the law of 22 May 1971, n. 340, in article 2 explicitly recognizes its right that: "The self-government of the Venetian people takes place in forms that correspond to the characteristics and traditions of its history". It is in the faculty of the "Venetian people" to invoke and claim the right to referendum verification (confirmation or denial) - in legal and democratic ways and forms (also governed by internationally conceived and signed acts or pacts) - of the act of accession of Veneto to the Italian state law of 1866, repealed by state legislative provisions, pursuant to article 14, paragraph 14-quater, of law no. 246. (10G0236) (GU n.292 of 15-12-2010 - Ordinary Suppl. N. 276). Precisely Article 10 of the Italian Constitution provides that the legal system of the State conforms to the generally recognized rules of international law. The accession of the Venetian territories to the Kingdom of Italy with the referendum of 21 and 22 October 1866 was achieved with a direct consultation tool. To-

day the people of Veneto intend to peacefully, legally and democratically claim the same right to referendum on the same substantive question. The aspiration to exercise this right of direct and official consultation of the Venetian people rests among other things on numerous norms of international law, which provide for and reaffirm the right to self-determination of peoples, a natural right and as such intangible, inalienable and imprescriptible of every free people. Self-determination is synonymous with democracy since it means the power of peoples, of each people, to freely choose both the political-institutional form with which to place themselves in the system of international relations, and the political and economic regime within their own state. In the first case we speak of external self-determination, in the second of internal self-determination. In principle, therefore, denying or ignoring the self-determination of peoples is equivalent to denying or ignoring democratic ethics. By virtue of the principles that characterize the rule of law on the judicial protection of peoples in self-determination, 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
- Declaration of Human Rights 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 for 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 way incompatible with 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 unan-
imously on November 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 - I.C.C.
- 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 (UNGPs).
- 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.
- Declaration by the High Representative of the European Union for Foreign Affairs and Security Policy, Catherine Ashton, who on 20 November 2012 reiterated that the EU recognized the National Coalition of Syrian Revolution and Opposition Forces as a legitimate representative of aspirations of the Syrian people.

In order to create a legal reference for the activities of the E.U. on the subject of human rights and democracy, the Council on 29 April 1999 adopted regulations 975/1999 and 976/1999 on the development and strengthening of democracy and the rule of law and respect for human rights.

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

Finally, we reaffirm our firm commitment to implementing the 2030 Agenda for Sustainable Development with a ratification instrument, using it fully to transform our world for the better between now and 2030, the principles of the World Code of Ethics for Tourism and the "The Ten Principles of the UN Global Compact".

Under international human rights law, the subject with the right to self-determination is the people as a subject distinct from the state. The content of the principle of self-determination of peoples consists in obligations for the States of the international community not to prevent or even hinder the self-determination of peoples, understood as their freedom to self-determine their own constitutional order.

Affirmed in the Atlantic Charter (14 August 1941) and in the Charter of the United Nations (26 June 1945; art.1, paragraphs 2 and 55), the principle of self-determination of peoples is reaffirmed in the Declaration of the General



COMITATO LIBERAZIONE NAZIONALE VENETO
(Art. 96.3 I° Protocollo Convenzione di Ginevra 1977 – legge n.762 del 11 dicembre 1985)



Assembly on the independence of colonial peoples (1960); in the Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights (1966); in the Declaration of Principles on Friendly Relations between States, adopted by the General Assembly in 1970, which recommends that UN member states refrain from forceful actions aimed at opposing the realization of the principle of self-determination and recognizes the right of peoples to resist, also with the support of other States and the United Nations, to acts of violence that could preclude their implementation. The International Court of Justice has admitted that the principle of self-determination of peoples has a customary nature. In 1969, with the Vienna Convention, the States accepted the concept of jus cogens but on condition that the State invoking the imperative character of this international norm was ready to accept the mandatory jurisdiction of the International Court of Justice (CIG) in this matter.

Jus cogens (II) Consequences:

- a treaty that conflicts with a norm of jus cogens is invalid (or is extinguished if the norm of jus cogens is formed after the stipulation of the treaty);
- the violation of the mandatory rule can never be justified or excused;
- the violation of the mandatory rule can give rise to more serious consequences than those of an ordinary international offense.

The Italian State with leg.ve decr. 212 of 31.12.2010 repealed the R.D. 3300 of 04.11.1866, validated in Law 3841 of 18.07.1867 which declared the provinces of Venice and Mantua to be an integral part of the Kingdom of Italy. On the initiative of the Italian State, the Venetian Territories are therefore returned to their original condition of freedom, independence and sovereignty. With effect from 31.12.2010, the Italian State has ceased without reservations the jurisdiction of law over the Venetian Territories and remains on them as an untitled occupying State. The current Italian de facto occupation of the Venetian Territories ceases with the adoption of its own legal system by the same Venetian Territories and with the consequent creation of the related state structures, starting with the establishment of its own Authority. The Venetian Territories, in the continuity of their institutional history with their own distinct Constitutions, each declare their own freedom, sovereignty and independence and, in turn, constitute

the Confederation of Territories of the Veneto State with the adoption of a compliant confederal Constitution. Pursuant to international human rights law, the holder of the right to self-determination is the People of Veneto as a subject distinct from the Italian state. Marrying the cause of the rule of law does not mean stopping only at a legal operation, but also acting to safeguard the related freedoms. Hence, the discussion on the rule of law cannot ignore that on the "right to know" which, after the "right to truth", consists of the right to know how and for what reason governments take certain decisions that affect human rights, civil liberties and international policy choices.

The Veneto National Liberation Committee is qualified to assume ownership of subjective legal situations created by norms of international law, whose international personality is identified with being recipients of said norms, having to be considered persons-subjects, international entities to which activities consisting in the exercise of rights, faculties and powers are usually attributed. In order to perfect our Union, guarantee justice, ensure tranquility within, provide for the common defense, promote general well-being, safeguard for us and for our posterity the good of



freedom, the Government of the Veneto National Council, on favorable opinion of the Veneto National Liberation Committee,

solemnly adopted with instrument of accession, acceptance, ratification, unanimously:

Accession to the United Nations of 18 September 2018

- Vienna Convention on the Law of Treaties
- United Nations Charter San Francisco on June 26, 1945
- International Covenant on Civil and Political Rights
- Additional Protocol relating to the protection of victims of international armed conflicts
- Agreement on the Privileges and Immunities of the International Criminal Court
- Agreement Relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982.
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.
- Cartagena Protocol on Biosafety to the Convention on Biological Diversity
- Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment
- Convention on Biological Diversity
- Convention on Cluster Munitions
- Convention on Elimination of All Forms of Discrimination against Women
- Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be excessively injurious or to have indiscriminate effects (with Protocols I, II and III)
- Convention on the Law of the Non-Navigational Uses of International Watercourses
- Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity
- Convention on the Political Rights of Women
- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents
- Convention on the Prevention and Punishment of the Crime of Genocide
- Convention on the Recognition and Enforcement of Foreign Arbitral Awards



- Convention on the Rights of Persons with Disabilities
- Convention on the Rights of the Child
- Convention on the Safety of United Nations and Associated Personnel
- Declaration 12 (3) granting retroactive jurisdiction to the ICC (since 13 June 2014)
- Geneva Convention (I) on Wounded and Sick in Armed Forces in the Field, 1949
- Geneva Convention (II) on the Wounded, Sick and Shipwrecked of Armed Forces at Sea, 1949
- Geneva Convention (III) on Prisoners of War, 1949
- Geneva Convention (IV) on Civilians, 1949
- International Convention on the Elimination of All Forms of Racial Discrimination
- International Convention on the Suppression and Punishment of the Crime of Apartheid
- International Covenant on Economic, Social and Cultural Rights
- Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel
- Paris Agreement
- Paris 16.11.1972 UNESCO
- Additional Protocol to the Geneva Conventions of 12 August 1949 and relating to the Adoption of an Additional Distinctive Emblem
- Additional Protocol to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of Non-International Armed Conflicts
- Protocol on Non-Detectable Fragments (Protocol I) to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons
- Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III) to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons
- Rome Statute of the International Criminal Court
- The Hague Convention (IV) Respecting the Laws and Customs of War on Land and its Annex: Regulations concerning the Laws and Customs of War on Land
- The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
- Treaty on the Non-Proliferation of Nuclear Weapons



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



- United Nations Convention against Corruption
- United Nations Convention against Transnational Organized Crime
- United Nations Convention on the Law of the Sea
- United Nations Framework Convention on Climate Change
- Vienna Convention on Consular Relations
- Vienna Convention on Diplomatic Relations
- Vienna Convention on the Law of Treaties
- Berne Convention (1979)
- Berne Convention (1886)
- Ratifies the principles of the World Code of Ethics for Tourism
- Ratification of The Ten Principles of the UN Global Compact
- Indigenous and Tribal Peoples Convention, 1989
- Convention on Jurisdictional Immunities. 2004
- Convention on the law applicable to certain rights in financial instruments held with an intermediary. The human right to development also implies the full realization of the right of peoples to self-determination which includes, on the basis of the provisions of both international human rights pacts, the exercise of their inalienable right to full sovereignty over all their wealth and natural resources.

Resolution 61/178 of 20 December 2006

Resolution 61/295 of 13 September 2007

April 14, 1952 - Commission on Human Rights, United Nations, New York. Resolution of the General Assembly of Nations 1803 (XVII) on "Permanent sovereignty over natural resources"

Declaration on the right to development

United Nations General Assembly Resolution 41/128 of 4 December 1986

United Nations General Assembly Resolution A / 64 / L.63 / Rev.1

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

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 for 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 way incompatible with 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 - UNO 04.12.1986

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

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 - I.C.C.

Binding Judgments and 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

A. Human Rights Council, "Resolution 8/7

Resolution 18/6



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



Resolution adopted by the General Assembly on 22 June 2017 (A / 71 / L.73 and Add.1)] 71/292. General Assembly: reiterates 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.

Statement by the High Representative of the European Union for Foreign Affairs and Security Policy, Catherine Ashton, who on 20 November 2012 reiterated that the EU recognized the National Coalition of Syrian Revolution and Opposition Forces as a legitimate representative of aspirations of the Syrian people, The Hague diary on 5 July 2006. Instrument entered into force for the Venetian Nation on 18 September 2018. Declaration of acceptance of obligations with full and complete execution of the instrument of ratification, by the transitional government of the National People's Council Veneto, in compliance with international law. In compliance with the principle referred to in Article 10 and Article 11 of the Italian Constitution and in implementation of the devices enunciated by all legal, civil, political, economic, social and cultural representatives, in the implementation of the requests for civil and political development, economic, social and cultural of the Veneto State, sign with signature at the bottom:

International Public Legal Acts of erga omnes obligations.

Annex 1 Foundation deed

Annex 2 Accession to the Rome Statute, International Criminal Court

Annex 3 Accession to the United Nations as a neutral non-observer member state

Annex 4 International public legal act to the President of the European Central Bank

Annex 6 Advisory opinion of the International Court of Justice

Annex 7 "Butterfly Effect" Treaty: declaration of belligerence to the organization sui generis European Union with official communication to the presidents of the parliaments of the states adhering to the organization

Annex 8 Transitional adoption of the Swiss Constitution



Annex 9 Law 10 Extinction of debt

Annex 11 Law 11 right of citizenship

Annex 12 Adhesion to the World Tourism Ethics

Annex 13 International Public Constitutive Legal Act of the International Organization sui generis of the Union of the Peoples of Europe. All the rights of self-determination of the peoples of Europe with direct democracy: natural persons, legal persons, States and international organizations

Annex 14 Tax system

Attachment 15 Property register of the self-determined Veneto people, put in place to protect international law

Annex 16 Public National Bank of the Veneto people self-determined

Annex 17 Automobile Property Tax Treaty

Annex 18 Establishing-Constitutive Treaty of the International Organization sui generis of the peoples of Europe

Annex 19 Civil Protection

Annex 20 Venice Commission

Annex 21 Approved the law of the first parliament in self-determination, in self-candidacy for direct democracy.

The right of self-determination of peoples as a rule of ius cogens: one country two systems, to perform the protection of the fundamental rights of the Veneto people. In compliance with the obligations, rights and duties of international law, the Veneto National Liberation Committee of Europe is available for the full democratic enforceability of the rights set forth in bilateral and multilateral agreements. Executable rights of self-determination, self-declared in self-decision, to direct democracy of the Veneto people and the peoples of Europe, in the defense of human rights and the essential principles of contemporary international law, implemented by digital technologies of the Veneto globalization 4.0 of the world, to the inalienable right of full sovereignty over all its wealth and natural resources.

International organization sui generis of the Union of the Peoples of Europe

We peoples of Europe,

aware that all peoples are united by close ties and that their cultures form a heritage shared by all, a delicate mosaic that risks being destroyed at any moment; mindful that during this century, millions of children, women and men have been victims of unimaginable atrocities that deeply disturb the conscience of humanity; recognizing that crimes of this gravity threaten the peace, security and well-being of the world; affirming that the most serious crimes affecting the international community as a whole



COMITATO LIBERAZIONE NAZIONALE VENETO

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



cannot go unpunished and that their repression must be effectively guaranteed through measures adopted at national level and through the strengthening of international cooperation; determined to end the impunity of the perpetrators of such crimes, thereby contributing to the prevention of new crimes; recalling that it is the duty of each State to exercise its criminal jurisdiction against those responsible for international crimes; Reaffirming the purposes and principles of the Charter of the United Nations and in particular the duty of all States to refrain from resorting to the use of threat or force against the territorial integrity or political independence of other States or in conflict, in any other way for the purposes of the United Nations; emphasizing in this respect that no provision of this Statute may be construed as authorizing a State Party to intervene in an armed conflict or in the internal affairs of another State; determined to establish, for these purposes and in the interest of present and future generations, a permanent and independent International Criminal Court, connected with the United Nations system competent to judge the most serious crimes, a cause for alarm for the entire international community; highlighting that the International Criminal Court, established under this Statute, is complementary to national criminal courts; resolved to ensure in a lasting way the respect and application of international justice for jurisdictional competences, admissibility and applicable legislation to this international public complaint for human rights violations committed.

Venice Doge's Palace, 20 July 2021

President of the Government
Amedeo Casasola

President of CLNV
Franco Paluan

Responsible for legal affairs Paolo Pin