

Foundation of “State Succession to Obligations Arising from the Commission of Internationally Wrongful Acts”: Legal Doctrines and International Judicial Decisions in Passing the Ages

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Abstract

Succession of states in respect of international responsibility is considered as a consequence of succession, which is referring to obligations arising from the commission of internationally wrongful acts. In traditional thoughts, non-succession to such obligations has been recognized as a rule that its strict and functional result is the lack of responsibility for successor state. Comparative study of subsidiary sources of international law (legal doctrines and judicial decisions) as the means for the determination of main sources, the present paper figured out its conceptual evolution, during the ages and showed that modern thoughts against the classic one has been raised and that is the rule of succession to such obligations. The classic attitude is based on the “reality” and the other is affected by the “truth”, more. Facing the mentioned thesis and anti-thesis, this paper considers the synthesis makes it possible to avoid any disadvantages; The sober attitude far away from absoluteness and entirety

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