

Annotation of the materials concerning the participation in the competition and self-assessment

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1. Armed Humanitarian Intervention: International Legal Aspects. Plovdiv, Makros, 2019, 236 pp., ISBN 978-954-561-478-1.

Annotation: This monograph is a thorough study of the armed humanitarian intervention and its place in the contemporary positive international law. Part I centers around a general overlook of the international legal regime of the use of force before and after the adoption of the UN Charter. The second part concentrates on the existence of a positive right of armed humanitarian intervention that is to be found in either the UN Charter or the international customary law. The main conclusion is that the armed humanitarian intervention is not in accordance with international law *de lege lata*.

Self-assessment: The main input of the monograph is that it represents the first thorough study in the Bulgarian legal doctrine of the question relating to the armed humanitarian intervention's place in the positive international law. A contribution is the analysis of article 2 (4) of the UN Charter and its possible interpretation as allowing it as an exception of the prohibition on the use of force. An important contribution is the detailed study of state practice in order to establish the right of humanitarian intervention as international customary rule. I consider as an input also the attempt at reappraising the notion that the prohibition on the use of force is a *ius cogens* norm.

2. Kosovo: The International Legal Status Problem. Plovdiv, Makros, 2019, 413 pp., ISBN 978-954-561-479-8.

Annotation: This work is based on the author's PhD dissertation. It is the first overall study in the Bulgarian legal literature of the problem of Kosovo's international status. It examines the questions of Kosovo's statehood as an effective entity, the legality of its secession from Serbia, the peculiarities of its recognition and the problem of its accession to the big international organizations.

Self-assessment: A contribution to the Bulgarian legal doctrine is the analysis of the character and content of the traditional criteria for statehood based on the principle of effectiveness as well as their application to Kosovo. Original and new is the attempt at establishing the existence in international customary law of a right of remedial secession and identifying the different criteria for permissibility of such a right. A wholly new moment is the analysis of the problems and perspective of Kosovo's membership in UN and some of the big regional international organizations, as well as the consequences for Kosovo's status that derive from such membership.

3. The *Uti possidetis* principle and its place in the contemporary Public international law, *Studia Iuris* magazine, issue № 2, December 2017, ISSN 2367-5314.

Annotation: This article analyses the principle of *uti possidetis iuris* and seeks to show its content and meaning in the contemporary international law. The article examines its historical development from a principle of Roman private law to a general principle of international law which was widely applied in the processes of decolonization of Latin America in the XIX century and in Africa and Asia in the XX century. With the application of this principle the former administrative boundaries, established during the colonial times, are transformed into international frontiers. The main problems, sought to be resolved in the article, are whether *uti possidetis iuris* can be invoked also in cases of new state creations outside the colonial context and whether it is an international customary legal rule or it is simply a political principle.

Self-assessment: This article's main contribution is the attempt at establishing the applicability of the principle of *uti possidetis* not only in the decolonization process in South America and Africa but also in achieving independence in post-colonial context, especially during the break-up of the socialist federations of Central and Eastern Europe in the 1990s.

4. European Union's Commitment Towards the Peace in the Western Balkans, *Collection of legal studies of the State and law institute, BAS*, vol. XVI, Sofia, 2017, 307-325, ISSN 1314-6459.

Annotation: This article analyzes the intervention of the European Union in the states of Former Yugoslavia with the purpose of protecting the peace and establishing the rule of law through the work of the Badinter Commission and the still present in Kosovo EULEX mission.

Self-assessment: This article's input is the overall review of the efforts that the European Community, and later the European Union, has made in order to protect the peace and security in the region, of which important part is the examination of the Badinter Commission's work.

5. The Traditional Statehood Criteria, *Legal Thought* magazine, issue № 1, 2018, 41-58, ISSN 1310-7348.

Annotation: The article examines the so called traditional (classic) criteria of statehood, based on the principle of effectiveness – permanent population, defined territory, effective government, ability to enter into relations with other states and independence. Its purpose is to clarify their nature and scope and their place in the contemporary international law.

Self-assessment: The article's main contribution is the thorough study of the traditional statehood criteria, as well as the conclusion that although they are not any more the only

statehood criteria, they continue to be of great importance in the contemporary international law.

6. EULEX at the Age of 10 and Its Struggle to Establish the Rule of Law in Kosovo, Conference proceedings of the International scientific conference „Towards a Better Future: the Rule of Law, Democracy and Polycentric Development”, Faculty of Law – Kicevo, „St. Kliment Ohridski” University – Bitola, vol. I, 2018, 326-336, ISBN 978-608-4670-00-1.

Annotation: EULEX was established by the Council of the EU on 4 February 2008, just a few days before Kosovo declared its independence from Serbia with the task to monitor, mentor and advise the competent Kosovo institutions on all areas related to the rule of law and to ensure the maintenance and promotion of the rule of law in Kosovo. The main questions this article aims to answer are what the current situation regarding the rule of law in Kosovo is after 10 years of functioning of EULEX and what part of any progress made (if such is made) is owed to the work of EULEX.

Self-assessment: The article reviews the work of EULEX between 2008 and 2018 and reveals the serious problems its employees meet during the fulfillment of their duties. It remarks the positives from EULEX work in raising the level of the rule of law in Kosovo as well as the necessity of extending of its mandate.

7. Bulgaria and Operation “Allied Force”: International legal aspects of Bulgaria’s assistance to the NATO forces, Collection “Law – traditions and perspectives” from the scientific conference dedicated to the 25th anniversary of Plovdiv University’s Law Faculty creation, June 2018, 889-905, ISBN 978-954-28-2625-5.

Annotation: In the first place, this article aims to answer whether the use of force by NATO against FR Yugoslavia in 1999 was in accordance with international law. The second task is to find out, if this was not the case, whether the assistance that Bulgaria provided to NATO forces is contrary to international law and an internationally wrongful act vis-à-vis FR Yugoslavia.

Self-assessment: This article is the first study in the Bulgarian legal doctrine of the legality of Bulgaria’s support for operation “Allied force” in the light of international law, even if it is considered that the use of force of NATO against FR Yugoslavia was not in accordance with article 2 (4) of the UN Charter.

8. The Right of Self-Defense According to Article 51 of the UN Charter: Interpreting the Notion of “Armed Attack”, Collection of papers from the annual university scientific conference, National military university “Vasil Levski”, vol. 8, Veliko Tarnovo, 14-15 June 2018, 58-68, 69-79, ISSN 1314-1937.

Annotation: The right of self-defense against an armed attack, embodied in article 51 of the UN Charter, is a major exception from the general prohibition on the use of force by states in their relations. This article aims to clarify the meaning of “armed attack” for the purposes of International law.

Self-assessment: This article main input is the clarification of the meaning of “armed attack” as embodied in article 51 of the UN Charter and which is not legally defined in the latter.

9. The Right of Self-Defense according to Article 51 of the UN Charter and International Terrorism, Collection of papers from the annual university scientific conference, National military university “Vasil Levski”, vol. 8, Veliko Tarnovo, 14-15 June 2018, ISSN 1314-1937.

Annotation: This article focuses on the impact that the international terrorism has on the scope and nature of the inherent right of self-defense, embodied in article 51 of the UN Charter, and the permissibility to use force in self-defense against States that are considered to harbor terrorists.

Self-assessment: This article’s contribution is based on the assessment of the admissibility of the use of force in self-defense against non-state actors and whether international law allows armed force to be used against a state which is the base of the terrorists, irrespective of the fact that this state has not itself carried out the armed attack.

10. Kosovo: *Sui generis* Case or “A Dangerous Precedent”?, International Politics magazine, Year XIV, Issue 1-2, Blagoevgrad, 2018, 91-107, ISSN 2367-5373.

Annotation: This article examines the two opposite arguments used by some of the states that support and by some of the states that oppose the 2008 declaration of independence of Kosovo from Serbia. The main argument of some of those who recognized Kosovo was that it represented a special case that cannot be used as a model for other secessionist groups around the world. On the other hand, the opponents of Kosovo’s independence put forward the argument that the unilateral secession of Kosovo shouldn’t be recognized because it will create a ‘dangerous precedent’ that will provoke an increase of secession attempts worldwide.

Self-assessment: This article’s main contribution consists of the successful arguing against the two opposite understandings of the character of Kosovo’s secession. After a close scrutiny the author rejects both the argument that Kosovo is a *sui generis* case and the argument that it represents a precedent from which a positive right of secession is created for people seeking self-determination.

11. The Prohibition on the Use of Force Between States as a *Ius Cogens* Norm: Reassessment of an International Dogma, Collection of papers from the annual university

scientific conference, National military university “Vasil Levski”, vol. 5, Veliko Tarnovo, 27-28 June 2019, 175-186, ISSN 1314-1937.

Annotation: The prohibition on the use of force between states, embodied in article 2 (4) of the UN Charter, is generally considered a *ius cogens* norm from which no derogation is permitted. It is the present article’s goal to reexamine this often unquestioned view.

Self-assessment: This article’s undisputed input is the successful, in my opinion, casting of doubt over the often unquestioned view that the prohibition on the use of force is a peremptory norm of general international law from which no derogation is permitted. The article emphasizes on the peculiarities of the norm that make it different from other international legal rules whose *ius cogens* status is undisputable and on the weaknesses of arguments of those who try to reconcile the *ius cogens* character of the prohibition with its exceptions embodied in the UN Charter and in international customary law.

12. The Right of Self-Defense According to Article 51 of the EU Charter: the Criteria of Necessity and Proportionality, Collection of papers from the annual university scientific conference, National military university “Vasil Levski”, vol. 5, Veliko Tarnovo, 27-28 June 2019, 187-197, ISSN 1314-1937.

Annotation: The right of self-defense against an armed attack, embodied in article 51 of the UN Charter, is a major exception from the general prohibition on the use of force by states in their relations. This article seeks to clarify its scope limited by the customary rules of necessity and proportionality.

Self-assessment: A substantial contribution of this article is the clarification of the requirements of necessity and proportionality of the use of force in self-defense in an attempt to reveal their actual content through examination of state practice and the ICJ case-law.

13. Armed Intervention of Third States in Civil Wars and Other Internal Conflicts. International Legal Aspects, Collection of papers from the annual university scientific conference, National military university “Vasil Levski”, vol. 5, Veliko Tarnovo, 27-28 June 2019, 88-99, ISSN 1314-1937.

Annotation: In principle civil wars and other internal conflicts are not governed by international law, unless a third state intervenes, including by force, in such a conflict. This article examines the main controversies surrounding the legal regime of third states’ intervention in civil wars and other internal conflicts.

Self-assessment: This article’s main contribution is the clarification of the international legal regime of third state intervention in internal conflicts and civil wars. It has revealed whether this regime has changed compared to its initial content in the first year after the adoption of the UN Charter.