



Universiteit  
Leiden  
The Netherlands

## **Mensenrechten en staatsveiligheid: verenigbare grootheden? : Opschorting en beperking van mensenrechtenbescherming**

Loof, J.P.

### **Citation**

Loof, J. P. (2005, November 10). *Mensenrechten en staatsveiligheid: verenigbare grootheden? : Opschorting en beperking van mensenrechtenbescherming*. Wolf Legal Publishers, Nijmegen. Retrieved from <https://hdl.handle.net/1887/4467>

Version: Corrected Publisher's Version

License: [Licence agreement concerning inclusion of doctoral thesis in the Institutional Repository of the University of Leiden](#)

Downloaded from: <https://hdl.handle.net/1887/4467>

**Note:** To cite this publication please use the final published version (if applicable).

## Lijst van aangehaalde literatuur

Alen 1995

A. Alen (m.m.v. J. Clement, G. van Haegendoren & J. van Nieuwenhove), *Handboek van het Belgisch Staatsrecht*, Deurne: Kluwer rechtswetenschappen België 1995.

Alexander 1984

G.J. Alexander, 'The illusory protection of human rights by national courts during periods of emergency', *Human Rights Law Journal* 1984, p. 1-65.

Alink 2004

M. Alink (m.m.v. Q. Eijkman & K. Freeke), 'AIVD-informatie als bewijs in het strafproces. Een Straatsburgs perspectief', in: P.D. Duyx & P.D.J. van Zeven (red.), *Via Straatsburg* (Myjer-bundel), Nijmegen: Wolf Legal Publishers 2004, p. 155-179.

Alkema 1969

E.A. Alkema, 'Griekenland en de mensenrechten III', *Nederlands Juristenblad* 1969, p. 465-475.

Alkema 1974

E.A. Alkema, 'West-Europa en de rechten van de mens', *Civis Mundi* 1974, p. 111-122.

Alkema 1975

E.A. Alkema, 'De groeiende betekenis van de Europese vrijheidsrechten (I)', *Civis Mundi* 1975, p. 222-228.

Alkema 1976(a)

E.A. Alkema, 'De groeiende betekenis van de Europese vrijheidsrechten (II)', *Civis Mundi* 1976, p. 20-29.

Alkema 1976(b)

E.A. Alkema, 'De Europese Conventie en het Nederlandse recht' (preadvies), *Mededelingen Nederlandse Vereniging voor Internationaal Recht* (Nr. 73) 1976.

Alkema 1978

E.A. Alkema, *Studies over Europese grondrechten. De invloed van de Europese Conventie op het Nederlandse recht* (diss. Leiden), Deventer: Kluwer 1978.

Alkema 1985

E.A. Alkema, *Toepassing van de Europese Conventie voor de Rechten van de Mens in Nederland* (preadvies Vereniging voor de vergelijkende studie van het recht van België en Nederland), Zwolle: W.E.J. Tjeenk Willink 1985.

Alkema 1995

E.A. Alkema, 'De reikwijdte van fundamentele rechten – de nationale en internationale dimensies' (preadvies), *Handelingen NJV* 1995-I, Zwolle: Tjeenk Willink 1995.

Alkema 1999

E.A. Alkema, 'Contractvrijheid als grondrecht; de vrijheid om over grond- of mensenrechten te contracteren of er afstand van te doen', in: T. Hartlief & C.J.J.M. Stolker (red.), *Contractvrijheid*, Deventer: Kluwer 1999, p. 33-46.

- Alston 1981  
Ph. Alston, 'Development and the Rule of Law: Prevention versus Cure as a Human Rights Strategy', in: *Development, Human Rights and the Rule of Law*, Report of a Conference held in The Hague on 27 April-1 May 1981 convened by the International Commission of Jurists, Oxford-New York: Pergamon Press 1981, p. 31-108.
- Alston & Quinn 1987  
Ph. Alston & G. Quinn, 'The Nature and Scope of States Parties' Obligations under the International Covenant on Economic, Social and Cultural Rights', *Human Rights Quarterly* 1987, p. 156-229.
- Alston 1987  
Ph. Alston, 'Out of the Abyss: The Challenges Confronting the New U.N. Committee on Economic, Social and Cultural Rights', *Human Rights Quarterly* 1987, p. 332-381.
- Akkermans 1987  
P.W.C. Akkermans (red.), *De Grondwet; een artikelsgewijs commentaar*, Zwolle: W.E.J. Tjeenk Willink, 1987.
- Amann 2004  
D.M. Amann, 'Guantanamo', *Columbia Journal of Transnational Law* 2004, p. 263-348.
- Anselme 1910  
P. Anselme, 'Du respect de la légalité en cas de péril national', *Revue critique de législation* 1910, p. 521 e.v.
- Arambulo 1999  
K Arambulo, *Strengthening the Supervision of the International Covenant on Economic, Social and Cultural Rights – Theoretical and Procedural Aspects* (diss. Utrecht), Antwerpen-Groningen-Oxford: Hart-Intersentia 1999.
- Arndt 1973  
G. Arndt, 'Die Verfassungstreuepflicht im öffentlichen Dienstrecht und das Grundgesetz', *Die Öffentliche Verwaltung* 1973, p. 584 e.v.
- Aust 2000.  
A. Aust, *Modern Treaty Law and Practice*, Cambridge: Cambridge University Press 2000.
- Baehr 1986  
P.R. Baehr, *Mensenrechten en buitenlands beleid: verenigbare grootheden?* (oratie Leiden), Leiden: Brill 1986.
- Barboza 1984  
J. Barboza, 'Necessity (revisited) in International Law', in: J. Makarczyk (ed.), *Essays in International Law in Honour of Judge Manfred Lachs*, The Hague-Boston-Lancaster: Martinus Nijhoff 1984, p. 27-43.
- Barkhuysen 1994  
T. Barkhuysen, 'Artikel 8 juncto 13 EVRM: De sleutel die past op het slot van de BVD-dossierkast?', *NJCM-Bulletin* 1994, p. 966-980.
- Barkhuysen 1998  
T. Barkhuysen, *Artikel 13 EVRM: effectieve nationale rechtsbescherming bij schending van mensenrechten* (diss. Leiden), Lelystad: Vermande 1998.
- Baroch 2003  
R. Baroch, 'Artikel 16 EVRM: Vormen de mensenrechten een beletsel om de politieke activiteiten van vreemdelingen te beperken?', *NJCM-Bulletin* 2003, p. 860-873.

- Bassiouni 1996  
M. Cherif Bassiouni, 'States of emergency and states of exception: human rights abuses and impunity under color of law', in: D. Premont, Chr. Stenersen & I. Oseredczuk (eds.), *Droits intangibles et états d'exception/Non-derogable rights and states of emergency*, Bruxelles: Bruylant 1996, p. 125-139.
- Baxter 1975  
R.R. Baxter, 'Humanitarian law or humanitarian politics? The 1974 diplomatic conference on humanitarian law', *Harvard International Law Journal* 1975, p. 1-44.
- Beard 2002  
J.M. Beard, 'America's New War on Terror: The Case for Self-Defense under International Law', *Harvard Journal of Law and Public Policy*, p. 559-590.
- Bedri Eryilmaz 1999  
M. Bedri Eryilmaz, *Arrest and Detention Powers in English and Turkish Law and Practice in the Light of the European Convention on Human Rights*, The Hague-Boston-London: Martinus Nijhoff 1999.
- Bellekom 1987  
Th.L. Bellekom, '*Verfassungsfeinde' en openbare dienst* (diss. Leiden), Leiden: NJCM Boekerij 1987.
- Bellekom 1990  
Th.L. Bellekom, 'Het Hof voor de Rechten van de Mens en de beperkingsclausules van het EVRM', in: A.W. Heringa, J.G.C. Schokkenbroek & J. van der Velde (red.), *40 Jaar Europees Verdrag voor de Rechten van de Mens*, bijz. nummer NJCM-Bulletin 1990, p. 59-74.
- Van den Bergh 1946  
G. van den Bergh, 'Staatsnoodrecht en toetsingsrecht', *Weekblad voor gemeentebelangen* 1946, p. 221-223; ook opgenomen in: *Verzamelde staatsrechtelijke opstellen*, Alphen aan den Rijn: Samson 1949, p. 22-27.
- Van den Bergh 1947  
G. van den Bergh, 'Staatsnoodrecht, Hoge Raad en Bijzondere raad van Cassatie', *Nederlands Juristenblad* 1947, p. 57-58; ook opgenomen in: *Verzamelde staatsrechtelijke opstellen*, Alphen aan den Rijn: Samson 1949, p. 34-36.
- Van den Bergh 1959  
G. van den Bergh, 'Staatsnoodrecht', in: H. Meijers, *Repertorium van de Sociale Wetenschappen*, Deel II: rechtswetenschappen, Amsterdam-Brussel: Elsevier 1959, p. 373-376.
- Van den Bergh 1988  
G.C.J.J. van den Bergh, *Eigendom. Grepen uit de geschiedenis van een omstreden begrip*, Deventer: Kluwer 1988.
- Bernhardt 1983  
R. Bernhardt, 'Internationaler Menschenrechtsschutz und nationaler Gestaltungsspielraum', in: R. Bernhardt e.a. (eds.), *Völkerrecht als Rechtsordnung – Internationale Gerichtsbarkeit – Menschenrechte* (Festschrift für Hermann Mosler), Berlin-Heidelberg-New York: Springer 1983, p. 75-88.
- Bernhardt 2000  
R. Bernhardt, 'Treaties', in: R. Bernhardt (ed.), *Encyclopedia of Public International Law* (vol. IV), Amsterdam: North-Holland-Elsevier 2000, p. 926-932.

- Birtles 1976  
W. Birtles e.a., *Die Zulässigkeit des Einsatzes staatlicher Gewalt in Ausnahmesituationen*, Karlsruhe-Heidelberg: Müller 1976.
- Bischof 1860  
H. Bischof, *Das Nothrecht der Staatsgewalt in Gesetzgebung und Regierung historisch und dogmatisch nach allgemeinem und Deutschem Rechte erörtert*, Giessen 1860.
- Blanco 1989  
E. Blanco, 'Torture in emergency situations', *Leiden Journal of International Law* 1989, p. 209-228.
- Bloed 1993  
A. Bloed (ed.), *The conference on security and co-operation in Europe: analysis and basic documents, 1972-1993*, Dordrecht: Kluwer Law International 1993
- Boerefijn 1999  
I. Boerefijn, *The Reporting Procedure under the Covenant on Civil and Political Rights: Practice and Procedures of the Human Rights Committee* (diss. Utrecht), Antwerpen-Oxford: Intersentia-Hart 1999.
- Böhm 1963  
J.K. Böhm, *Staatsnotstand und Bundesverfassungsgericht* (diss. Würzburg), Würzburg 1963.
- Boisson de Chazournes 1996  
L. Boisson de Chazournes, 'Non-derogable rights and the need to protect the environment', in: D. Premont, Chr. Stenersen & I. Oseredczuk (eds.), *Droits intangibles et états d'exception/Non-derogable rights and states of emergency*, Bruxelles: Bruylant 1996, p. 463-476.
- Bokma 1980  
J. Bokma, '(Nood)maatregelen bij een dreigende energiecrisis', *Ars Aequi* 1980, p. 721-728.
- Bond 1974  
J.E. Bond, *The rules of riot. Internal conflict and the law of war*, Princeton: Princeton University Press 1974.
- Bossuyt 1987  
M.J. Bossuyt, *Guide to the 'Travaux préparatoires' of the international Covenant on Civil and Political Rights*, Dordrecht: Martinus Nijhoff 1987.
- Bothe 2003  
M. Bothe, 'Terrorism and the Legality of Pre-emptive Force', *European Journal of International Law* 2003, p. 227 e.v.
- Van Boven 1967  
Th.C. van Boven, *De volkenrechtelijke bescherming van de godsdienstvrijheid* (diss. Leiden), Assen: Van Gorcum 1967.
- Van Boven 1982  
Th.C. van Boven, 'Distinguishing Criteria of Human Rights', in: K. Vasak (ed.), *The International Dimensions of Human Rights*, Vol. I, Westport: UNESCO-Greenwood Press, p. 43-59.
- Van Boven 1995  
Th.C. van Boven, 'General course on human rights', *Receuil des Cours de l'Académie internationale des droits de l'homme*, 1995, p. 43-80.

- Bowett 1991  
D.W. Bowett, 'Treaties and State Responsibility', in: *Le droit international au service de la paix, de la justice et du développement* (Mélanges Michel Virally), Paris: Pedone 1991, p. 137-145.
- Boyle 1982(a)  
K. Boyle, 'Human Rights and Political Resolution in Northern Ireland', *Yale Journal of World Public Order* 1982, p. 156-177.
- Boyle 1982(b)  
K. Boyle, 'Human Rights and the Northern Ireland Emergency', in: J.A. Andrews (ed.), *Human Rights in Criminal Procedure*, The Hague: Martinus Nijhoff 1982, p. 144-164.
- O'Boyle 1975  
M. O'Boyle, *Inter Arma Legens Silent? Emergency Government and European Human Rights Law: A Case Study of Northern Ireland* (Diss. Harvard Law School), Boston: Harvard Law School 1975.
- O'Boyle 1977  
M. O'Boyle, 'Torture and emergency powers under the European Convention on human rights: Ireland v. the United Kingdom', *American Journal of International Law* 1977, p. 674-706.
- Bozeman 1982  
A.B. Bozeman, 'Human Rights and National Security', *Yale Journal of World Public Order* 1982, p. 40-77.
- Brainich von Brainich Felth 1993  
E.T. Brainich von Brainich Felth, *Staatsnoodrecht* (diss. Leiden), Zwolle: W.E.J. Tjeenk Willink 1993.
- Van den Brandhof 1986  
J.C.E. van den Brandhof, *De besluitenwetgeving van de kabinetten De Geer en Gerbrandy* (diss. Amsterdam), Deventer: Kluwer 1986.
- Brennan 1988  
W.J. Brennan Jr., 'The Quest to Develop a Jurisprudence of Civil Liberties in Times of Security Crises', *Israel Yearbook on Human Rights* 1988, p. 11-21.
- Brown 2003  
D. Brown, 'Use of Force Against Terrorism After September 11: State Responsibility, Self-Defense and Other Responses', *Cardozo Journal of International And Comparative Law* 2003, p. 1-52.
- Brownlie 1990  
I. Brownlie, *Principles of Public International Law*, Oxford: Clarendon, 1990 (vierde druk).
- Broms 1991  
B. Broms, 'States', in: M. Bedjaoui (ed.), *International Law: Achievements and Prospects*, Paris-Dordrecht: UNESCO-Martinus Nijhoff 1991, p. 41-66.
- Brongersma 1945  
E. Brongersma, 'De grens van het noodrecht', *NJB* 1945, p. 361-369.
- Brongersma 1947  
E. Brongersma, 'Staatsnoodrecht en democratie', *NJB* 1947, p. 601-610.
- Brudner 1987  
A. Brudner, 'A Theory of Necessity', *Oxford Journal of Legal Studies* 1987, p. 339-368.

- Van Bruinessen 1990  
M. van Bruinessen, 'The Kurds in Turkey: Further restrictions of basic rights', *ICJ-Review* (No. 45) 1990, p. 46-52.
- Bruin & Wouters 2003  
R. Bruin & K. Wouters, 'Terrorism and the Non-derogability of *Non-refoulement*', *International Journal of Refugee Law* 2003, p. 5-29.
- Buergenthal 1965  
Th. Buergenthal, 'The effect of the European Convention on Human Rights on the internal law of member states', *International Comparative Law Review*, suppl. publ. no. 11: The European Convention on Human Rights, London: Stevens 1965, p. 79-106.
- Buergenthal 1968  
Th. Buergenthal, 'Proceeding against Greece under the European Convention on Human Rights', *American Journal of International Law* 1968, p. 441-450.
- Buergenthal 1981  
Th. Buergenthal, 'To Respect and to Ensure: State Obligations and Permissible Derogations', in: L. Henkin (ed.), *The International Bill of Rights. The Covenant on Civil and Political Rights*, New York: Columbia University Press 1981, p. 72-91.
- Buergenthal, Norris & Shelton 1982  
Th. Buergenthal, R. Norris & D. Shelton, *Protecting Human Rights in the Americas; Selected Problems*, Strasbourg-Kehl am Rhein: Engel 1982.
- Buergenthal 1984  
Th. Buergenthal, 'The Inter-American system for the protection of human rights', in: T. Meron (ed.), *Human Rights in International Law: Legal and Policy Issues*, Oxford: Clarendon 1984, p. 439-494.
- Van der Burg & Pierik 2003  
W. van der Burg & R. Pierik, 'John Rawls: de filosoof van de liberaal-democratische rechtsstaat', *Nederlands Juristenblad* 2003, p. 914-919.
- Burkens 1971  
M.C. Burkens, *Beperking van grondrechten* (diss. Utrecht), Deventer: Kluwer 1971.
- Burkens 1982  
M.C. Burkens, 'De noodverordeningsbevoegdheid van de burgemeester', *Tijdschrift voor Overheidsadministratie* 1982, p. 623-627.
- Byers 2002  
M. Byers, 'Terrorism, 'The Use of Force and International Law After 11 September'', *International & Comparative Law Quarterly* 2002, p. 401-414.
- Cameron 2000  
I. Cameron, *National Security and the European Convention on Human Rights*, Den Haag-London-Boston: Kluwer Law International 2000.
- Camp Keith & Poe 2004  
L. Camp Keith & S.C. Poe, 'Are Constitutional State of Emergency Clauses Effective? An Empirical Exploration', *Human Rights Quarterly* 2004, p. 1071-1097.
- Camus 1965  
G. Camus, *L'état de nécessité en démocratie* (diss. Caen), Paris: Pichon et Durand-Auzias 1965.

- Cançado Trindade 1996  
A.A. Cançado Trindade, 'The case law of the international court of justice on non-derogable rights', in: D. Premont, Chr. Stenersen & I. Oseredczuk (eds.), *Droits intangibles et états d'exception/Non-derogable rights and states of emergency*, Bruxelles: Bruylant 1996, p. 73-89.
- Carney 1964  
F.S. Carney (transl.), *The Politics of Johannes Althusius* (An abridged Translation of the Third Edition of *Politica Methodice Digesta*), London: Eyre & Spottiswoode 1964.
- Carr 1940  
C.T. Carr, 'Crisis Legislation in Great Britain', *Columbia Law Review* 1940, p. 1324 e.v.
- Carty 1986  
A. Carty, 'Human Rights in a State of Exception: the ILA and the Third World', in: T. Campbell e.a. (eds.), *Human Rights: from rhetoric to reality*, Oxford-New York: Blackwell 1986.
- Cassese 2001  
A. Cassese, 'Terrorism is Also Disrupting Some Crucial Legal Categories of International Law', *American Journal of International Law* 2001, p. 835 e.v.
- Castberg 1974  
F. Castberg, *The European Convention on Human Rights*, Leiden: Sythoff 1974.
- Cataldi 1983  
G. Cataldi, 'La clausola di deroga della convenzione europea dei diritti dell'uomo', *Rivista di diritto europeo* 1986, p. 3-22.
- Cerna 1992  
Chr.M. Cerna, 'The Structure and Functioning of the Inter-American Court of Human Rights (1979-1992)', *British Yearbook of International Law* 1992, p. 135-229.
- Chowdury 1989  
S.R. Chowdury, *Rule of Law in a State of Emergency. The Paris Minimum Standards of Human Rights Norms in a State of Emergency*, London: Pinter 1989.
- Clarenbeek 1978  
Th.J. Clarenbeek, *De Oorlogswet voor Nederland* (diss. Amsterdam), Alphen aan den Rijn: Samson 1978.
- Clarenbeek 1979  
Th.J. Clarenbeek, 'Uitzonderingstoestanden in de nieuwe Grondwet', *Nederlands Juristenblad* 1979, p. 1014-1019.
- Clarenbeek 1983  
Th.J. Clarenbeek, 'Uitzonderingstoestanden onder de nieuwe Grondwet', *Nederlands Juristenblad* 1983, p. 250-252.
- Clarenbeek 1988  
Th.J. Clarenbeek, 'Uitvoering door de wetgever van artikel 103 van de Grondwet inzake uitzonderingstoestanden', *Militair Rechtelijk Tijdschrift* 1988, p. 1-4.
- Clarenbeek 1990  
Th.J. Clarenbeek, 'Situations of emergency in constitutional law', in: E.H. Hondius & G.J.W. Steenhoff (ed.), *Netherlands reports to the thirteenth international congress of comparative law* (Montreal 1990), Den Haag: T.M.C. Asser Instituut 1990, p. 329-348.



## Cleveringa 1884

R. Cleveringa, *Staat van Oorlog en Beleg* (diss. Groningen), Groningen: Wolters 1884.

## Cliteur 1999

P.B. Cliteur, *De filosofie van de mensenrechten* (Ars Aequi cahiers rechtstheorie, deel 1), Ars Aequi libri 1999 (tweede druk).

## Cocatre-Zilgien 1978

A. Cocatre-Zilgien, 'De quelques effets actuels et éventuels de la ratification de la Convention Européenne des droits de l'homme sur la politique et le droit Français', *Revue du Droit Public et de la Science politique en France et à l'étranger* 1978, p. 645-678.

## Cohen-Jonathan 1989

G. Cohen-Jonathan, *La Convention Européenne des Droits de l'Homme*, Paris-Marseille: Economica-Presses Universitaires D'Aix 1989.

## Cole 2003

D. Cole, 'Their Liberties, Our Security. Democracy and Double Standards', *International Journal of Legal Information* 2003, p. 290-311.

## Cole &amp; Dempsey 1999

D. Cole & J.X. Dempsey, *Terrorism and the Constitution: Sacrificing Civil Liberties in the Name of National Security*, New York: The New Press 1999.

## Cole &amp; Dempsey 2002

D. Cole & J.X. Dempsey, *Terrorism and the Constitution: Sacrificing Civil Liberties in the Name of National Security*, New York: The New Press 2002 (2<sup>nd</sup> edition).

## Coliver 1998

S. Coliver, 'Commentary to: The Johannesburg Principles on National Security, Freedom of Expression and Access to Information', *Human Rights Quarterly* 1998, p. 12-80.

## Conbaceau &amp; Alland 1985

J. Conbaceau & D. Alland, 'Primary and secondary rules in the law of state responsibility: categorizing international obligations', *Netherlands Yearbook of International Law* 1985 (vol. XVI), p. 81-109.

## Coopmans 1990

J.P.A. Coopmans, *Verzet en opstand als factoren in de vorming van het constitutiebegrip*, Deventer: Kluwer 1990.

## Coussirat-Coustère 1975

V. Coussirat-Coustère, 'La réserve française à l'article 15 de la Convention Européenne des Droits de l'Homme', *Journal du droit international* 1975, p. 269-293.

## Couwenberg 1974

S.W. Couwenberg, *De omstreden staat. Ontwikkeling en problematiek van de staatstheorie in de 20<sup>ste</sup> eeuw*, Alphen aan den Rijn: Samson 1974.

## Couwenberg 1979

S.W. Couwenberg, *Van monarchale machtsstaat naar liberale democratie, Constitutioneel recht en emancipatie van de mens: een ontwikkelingstheorie van het algemeen staatsrecht – Deel 1*, Assen: Van Gorcum 1979.

## Couwenberg 1991

S.W. Couwenberg, *Gezag en vrijheid. Inleiding in de constitutionele rechts- en ontwikkelingstheorie*, Zwolle: W.E.J. Tjeenk Willink 1991.

Crahan 1982

M.E. Crahan, 'National Security Ideology and Human Rights', in: M.E. Crahan (ed.), *Human Rights and Basic Needs in the Americas*, Washington D.C.: Georgetown University Press 1982, p. 100-127.

Craven 1995

M. Craven, *The International Covenant on Economic, Social and Cultural Rights – A Perspective on its Development*, Oxford: Clarendon 1995.

Craven 2000

M. Craven, 'Legal Differentiation and the Concept of the Human Rights Treaty in International Law', *European Journal of International Law* 2000, p. 489-519.

Crawford 2002

J. Crawford, *The International Law Commission's Articles on State Responsibility. Introduction, Text and Commentaries*, Cambridge: Cambridge University Press 2002.

Crysler 1996

E. Crysler, 'Brannigan and McBride v. UK. A new Direction on Article 15 Derogations under the European Convention on Human Rights?', *Nordic Journal of International Law* 1996, p. 91-121.

Daes 1980

E.-I.A. Daes, *Freedom of the Individual under Law. A study on the Individuals duties to the Community and the Limitations on Human Rights and Freedoms under Article 29 of the Universal Declaration of Human Rights*, New York: United Nations 1990, herdruk van VN Doc. E/CN.4/Sub.2/432/Rev.1 (1980).

Dahrendorf 2002

R. Dahrendorf, 'Global Security Interlinked: Poverty, Terrorism, Development (Lecture by Lord Ralph Dahrendorf, Member of the British House of Lords)', *Les Conférences de Genève, Cycle 2001-2002, No. 4*, Genève: Institut universitaires de hautes études internationales 2002.

Damen 1982

L.J.A. Damen, 'De noodverordeningsbevoegdheid van de burgemeester', *TvO* 1983, p. 38.

Dankwa, Flinterman & Leckie 1998

V. Dankwa, C. Flinterman & S. Leckie, 'Commentary to the Maastricht Guidelines on Violations of Economic, Social and Cultural Rights', *Human Rights Quarterly* 1998, p. 705-730.

Daubie 1970

C. Daubie, 'La convention européenne des droits de l'homme et la raison d'état', *Revue des droits de l'homme/Human Rights Journal* 1970, p. 247-274.

Delegatie Joseph R. Crowley Programma & Raad van mensenrechtenadvocaten 2000

Delegatie Joseph R. Crowley Programma & Raad van mensenrechtenadvocaten, 'Staatsveiligheidsrechtbanken in Turkije: eerlijke procesvoering ondermijnd', *Justitiële Verkenningen* 2000, nr. 8, p. 70-86.

Delmas-Marty 1989

M. Delmas-Marty, *Raisonnement la raison d'état: vers une Europe des droits de l'homme*, Paris: Presse universitaire de France 1989.

## Dershowitz 1971

A. Dershowitz, 'Preventive detention of citizens during a national emergency – A comparison between Israel and the United States', *Israel Yearbook of Human Rights* 1971, p. 295-321.

## Despouy 1983

L. Despouy, 'Etat d'exception en Europe continentale et en Amerique latine', *Recueil des Cours Institut International des Droits de l'Homme*, Strasbourg: IIDH 1983.

## Despouy 1996

L. Despouy, 'Conclusions and recommendations of the special rapporteur', in: D. Premont, Chr. Stenersen & I. Oseredczuk (eds.), *Droits intangibles et états d'exception/ Non-derogable rights and states of emergency*, Bruxelles: Bruylant 1996, p. 557-562.

## Despouy Report 1987

*First annual report and list of States which, since 1 January 1985, have proclaimed, extended or terminated a state of emergency*, presented by Mr. Leandro Despouy, Special Rapporteur appointed pursuant to Economic and Social Council resolution 1985/37, VN Doc. E/CN.4/Sub.2/1987/19/rev.1 (1988)

## Despouy Report 1988

*Second annual report and list of States which, since 1 January 1985, have proclaimed, extended or terminated a state of emergency*, presented by Mr. Leandro Despouy, Special Rapporteur appointed pursuant to Economic and Social Council resolution 1985/37, VN Doc. E/CN.4/Sub.2/1988/18/rev.1 (1988)

## Despouy Report 1989

*Third annual report and list of States which, since 1 January 1985, have proclaimed, extended or terminated a state of emergency*, presented by Mr. Leandro Despouy, Special Rapporteur appointed pursuant to Economic and Social Council resolution 1985/37, VN Doc. E/CN.4/Sub.2/1989/30/rev.1 (1990)

## Despouy Report 1991

*Fourth annual report and list of States which, since 1 January 1985, have proclaimed, extended or terminated a state of emergency*, presented by Mr. Leandro Despouy, Special Rapporteur appointed pursuant to Economic and Social Council resolution 1985/37, VN Doc. E/CN.4/Sub.2/1991/28 (1991).

## Despouy Report 1992

*Fifth annual report and list of States which, since 1 January 1985, have proclaimed, extended or terminated a state of emergency*, presented by Mr. Leandro Despouy, Special Rapporteur appointed pursuant to Economic and Social Council resolution 1985/37, VN Doc. E/CN.4/Sub.2/1992/23/Rev.1 (1992).

## Despouy Report 1993

*Sixth annual report and list of States which, since 1 January 1985, have proclaimed, extended or terminated a state of emergency*, presented by Mr. Leandro Despouy, Special Rapporteur appointed pursuant to Economic and Social Council resolution 1985/37, VN Doc. E/CN.4/Sub.2/1993/23/Rev.1 (1993).

## Despouy Report 1995

*Eighth annual report and list of States which, since 1 January 1985, have proclaimed, extended or terminated a state of emergency*, presented by Mr. Leandro Despouy, Special Rapporteur appointed pursuant to Economic and Social Council resolution 1985/37, VN Doc. E/CN.4/Sub.2/1995/20 (1995).

## Despouy Report 1997

*Tenth annual report and list of States which, since 1 January 1985, have proclaimed, extended or terminated a state of emergency*, presented by Mr. Leandro Despouy, Special Rapporteur appointed pursuant to Economic and Social Council resolution 1985/37, VN Doc. E/CN.4/Sub.2/1997/19 (1997).

## Dicey 1959

A.V. Dicey, *An introduction to the Study of the Law of the Constitution*, Hampshire-London: Macmillan, 1959 (herdruk 1987).

## Van Dijk 1982

P. van Dijk, 'Supervision on the application of article 15 of the Convention', in: Université Catholique de Louvain, Quatrième Colloque du Département des Droits de l'Homme, *Les clauses échappatoires en matière d'instruments internationaux relatifs aux droits de l'homme*, Bruxelles: Bruylant 1982, p. 151-155.

## Van Dijk &amp; Van Hoof 1998

P. van Dijk & G.J.H. van Hoof, *Theory and Practice of The European Convention on Human Rights*, The Hague-Boston-London: Kluwer Law International 1998.

## Dinstein 1992

Y. Dinstein, 'The erga omnes applicability of human rights', *Archiv des Völkerrechts*, 1992, p. 16-20.

## Dinstein 1993

Y. Dinstein, 'The Reform of the Protection of Human Rights during Armed Conflicts and Periods of Emergency and Crisis', in: La Laguna University, *The reform of international institutions for the protection of human rights*, International Colloquium on Human Rights – November 1992, Bruxelles: Bruylant 1993, p. 337-355.

## Doehring 1984

K. Doehring, 'Staatsräson, Legalität und Widerstandsrecht', in: B. Börner, H. Jahrreiß & Klaus Stern, *Einigkeit und Recht und Freiheit* (Festschrift für Karl Carstens), Köln-Berlin-Bonn-München: Heymanns 1984, Band 2: Staatsrecht, p. 527-543.

## O'Donnell 1978

D. O'Donnell, 'States of Exception', *ICJ-Review*, no. 21, December 1978, p. 52-60.

## O'Donnell 1985

D. O'Donnell, 'Commentary by the Rapporteur on Derogation', *Human Rights Quarterly* 1985, p. 23-34.

## O'Donnell 1986

D. O'Donnell, 'Legitimidad de los Estados de Exception, a la Luz de los Instrumentos de Derechos Humanos', in: *Tratado basico de Derechos Humanos*, San José: OAS 1986, p. 659-687.

## O'Donnell 1996

D. O'Donnell, 'International human rights standards concerning criminal law and procedure and derogation', in: D. Premont, Chr. Stenersen & I. Oseredczuk (eds.), *Droits intangibles et états d'exception/Non-derogable rights and states of emergency*, Bruxelles: Bruylant 1996, p. 167-189.

## Van Drooghenbroeck 2000

S. van Drooghenbroeck, 'L'article 17 de la Convention européenne des droits de l'homme: incertain et inutile?', in: H. Dumont e.a. (red.), *Pas de liberté pour les ennemis de la liberté – Groupements liberticides et droit*, Bruxelles: Bruylant 2000.

- Duckwitz 1975  
E. Duckwitz, *Rechtsfolgen bei Verletzung völkerrechtliche Verträge*, Berlin: Duncker & Humblot 1975.
- Duffy 1996  
P. Duffy, 'Note on Article 15 of the European Convention on Human Rights', in: D. Premont, Chr. Stenersen & I. Oseredczuk (eds.), *Droits intangibles et états d'exception/Non-derogable rights and states of emergency*, Bruxelles: Bruylant 1996, p. 203-211.
- Van Dullemen 1946  
A.A.L.F van Dullemen, *Staatsnoodrecht en rechtsstaat*, Alphen aan den Rijn: Samson 1946.
- Van Dullemen 1947  
A.A.L.F van Dullemen, *Staatsnoodrecht en democratie*, Alphen aan den Rijn: Samson 1947.
- Dupuy 1983  
P.M. Dupuy, 'Observations sur la pratique récente des "santions" de l'illicéité', *Révue Generale de Droit Internationale Publique* 1983 (Vol. 87), p. 544-548.
- Duynstee 1946  
W.J.A.J. Duynstee, 'Staatsnoodrecht', in: *Opstellen over hedendaags recht* (Feestbundel J.C. van Oven), Leiden: Universitaire Pers 1946, p. 117-124.
- Duynstee 1950  
W.J.A.J. Duynstee, 'Vrijheidsrechten in noodtoestanden', *Preadviezen voor de Ver. Voor vergelijkende studie van het recht in België en Nederland*, Zwolle: W.E.J. Tjeenk Willink 1950, p. 73-138.
- Duynstee & Bosmans 1977  
W.J.A.J. Duynstee & J. Bosmans, *Het kabinet Schermerhorn-Drees* (Parlementaire geschiedenis van Nederland na 1945, deel I), Assen-Amsterdam: Van Gorcum 1977.
- Van Eikema Hommes 1975  
H.J. van Eikema Hommes, 'De grenzen van de rechtsmacht van de staat', *R&R* 1975, p. 1-18.
- Eide 1995  
A. Eide, 'Economic, Social and Cultural Rights as Human Rights', in: A. Eide, C. Krause & A. Rosas, *Economic, Social and Cultural rights. A Textbook*, Dordrecht-Boston-London: Martinus Nijhoff 1995, p. 21-40.
- Eigeman 1918  
J.A. Eigeman, 'De staatsrechtelijke betekenis van onze "oorlogswet"', *Rechtsgeleerd Magazijn Themis* 1918, p. 25-68.
- Eissen 1993  
M.A. Eissen, 'The Principle of Proportionality in the Case-Law of the European Court of Human Rights', in: R.St.J. Macdonald, F. Matscher & H. Petzold (eds.), *The European System for the Protection of Human Rights*, Dordrecht-Boston-London: Martinus Nijhoff 1993, p. 125-146.
- Elens 1981  
F. Elens, *La notion de démocratie dans la Convention européenne des droits de l'homme*, Strasbourg: IHEES, 1981.
- Erades 1938  
L. Erades, *De invloed van oorlog op de geldigheid van verdragen* (diss. Leiden), Amsterdam: H.J. Paris 1938.

Ergec 1987

R. Ergec, *Les droits de l'homme à l'épreuve des circonstances exceptionnelles. Etude sur l'article 15 de la Convention européenne des droits de l'homme*, Bruxelles: Bruylant, 1987.

Eustathiades 1953-1955

C.Th. Eustathiades, 'La Convention Européenne des Droits de l'Homme et le Statut du Conseil de l'Europe', *Die Friedens-Warte* 1953-1955, p. 332-361.

Fawcett 1987

J.E.S. Fawcett, *The application of the European Convention on Human Rights*, Oxford: Clarendon 1987.

Fijnaut 2002

C. Fijnaut, 'De aanslagen van 11 september 2001 en de reactie van de Europese Unie', *Justitiële Verkenningen* 2002, nr. 4, p. 26-44.

Fijnaut 2004

C. Fijnaut, 'Inlichtingendiensten in Europa en Amerika. De heroriëntatie sinds de val van de Muur en 11 september 2001', *Justitiële Verkenningen* 2004, nr. 3, p. 10-42.

Finn 1991

J.E. Finn, *Constitutions in Crisis. Political Violence and the Rule of Law*, New York-Oxford: Oxford university Press, 1991.

Fitzmaurice 1957

G. Fitzmaurice, 'Ex injuria non oritur jus', *Recueil des Cours de l'Académie de Droit International de la Haye* 1957, p. 125-126.

Fitzmaurice 1983

G. Fitzmaurice, 'Some reflections on the European Convention on Human Rights – and on Human Rights', in: R. Bernhardt e.a. (eds.), *Völkerrecht als Rechtsordnung – Internationale Gerichtsbarkeit – Menschenrechte* (Festschrift für Hermann Mosler), Berlin-Heidelberg-New York: Springer 1983, p. 203-219.

Fitzmaurice 2003

M. Fitzmaurice, 'The Practical Working of the Law of Treaties', in: M.D. Evans (ed.), *International Law*, Oxford-New York: Oxford University Press 2003.

Fitzpatrick 1994(a)

J. Fitzpatrick, *Human Rights in Crisis. The International System for Protecting Rights During States of Emergency*, Philadelphia: University of Pennsylvania Press 1994.

Fitzpatrick 1994(b)

J. Fitzpatrick, 'Protection against Abuse of the Concept of "Emergency"', in: L. Henkin & J.L. Hargrove (eds.), *Human Rights: An Agenda for the Next Century*, Washington: American Society of international Law 1994, p. 203-219.

Fitzpatrick 2003

J. Fitzpatrick, 'Speaking Law to Power: The War against Terrorism and Human Rights', *European Journal of International Law* 2003, p. 241-264.

Flinterman & Rieter 1992

C. Flinterman & E. Rieter, 'Nederland en de Amerikaanse voorbeholden bij het IVBPR', *NJCM-Bulletin* 1992, p. 961-970.

Folz 1962

H.E. Folz, *Staatsnotstand und Notstandsrecht* (diss. Köln), niet uitgegeven 1962.

Forsthoff 1971

E. Forsthoff, 'Ausnahmestand', in: J. Ritter e.a. (red.), *Historisches Wörterbuch der Philosophie* (Band I), Darmstadt: Wissenschaftlicher Buchgesellschaft 1971, p. 669-670.

- Franck 2001  
Th. Franck, 'Terrorism and the Right of Self-Defense', *American Journal of International Law* 2001, p. 839 e.v.
- François 1949  
J.P.A. François, *Handboek van het Volkenrecht* (Deel I), Zwolle: W.E.J. Tjeenk Willink 1949 (tweede druk).
- Friedrich 1957  
C.J. Friedrich, *Constitutional Reason of State. The Survival of the Constitutional Order*, Providence (Rhode island): Brown University Press 1957.
- Friedrich 1964  
C.J. Friedrich, *Rechtsfilosofie in historisch perspectief*, Hilversum: C. de Boer-Paul Brand 1964.
- Friedrich 1968  
C.J. Friedrich, *Constitutional Government and Democracy. Theory and Practice in Europe and America*, Waltham-Toronto-London: Blaisdell 1968 (4<sup>th</sup> ed.).
- Fronhöfer 1994  
D. Fronhöfer, *Der internationale Menschenrechtsschutz bei inneren Konflikten* (diss. Regensburg), Regensburg: Roderer 1994.
- Frowein 1983  
J.A. Frowein, Die Verpflichtungen erga omnes im Völkerrecht und ihre Durchsetzung, in: R. Bernhardt e.a. (eds.), *Völkerrecht als Rechtsordnung – Internationale Gerichtsbarkeit – Menschenrechte* (Festschrift für Hermann Mosler), Berlin-Heidelberg-New York: Springer 1983, p. 242-260
- Frowein 1984  
J.A. Frowein, 'Zur Fortentwicklung des europäischen Menschen- und Grundrechtsschutzes', in: B. Börner, H. Jahrreiß & K. Stern, *Einigkeit und Recht und Freiheit* (Festschrift für Karl Carstens), Köln-Berlin-Bonn-München: Heymanns 1984, Band 1: Europarecht-Völkerrecht, p. 327-337.
- Frowein & Peukert 1996  
J.A. Frowein & W. Peukert, *Europäische Menschenrechtskonvention. EMRK-Kommentar*, Kehl-Strassburg-Arlington: Engel 1996.
- Ganshof van der Meersch 1950  
W.J. Ganshof van der Meersch, 'De schorsing van de vrijheidsrechten in uitzonderingstoestand', *Preadviezen voor de Ver. voor vergelijkende studie van het recht in België en Nederland*, Zwolle: W.E.J. Tjeenk Willink 1950, p. 13-72.
- Ganshof van der Meersch 1980  
W.J. Ganshof van der Meersch, 'Reliance in the case-law of the european court of human rights on the domestic law of the states', *Human Rights Law Journal* 1980, p. 13-35.
- Garibaldi 1984  
O.M. Garibaldi, 'On the Ideological Content of Human Rights Instruments: The Clause "In a Democratic Society"', in: Th. Buergenthal (ed.) *Contemporary Issues in International Law* (Essays in Honor of Louis B. Sohn), Kehl-Strasbourg-Arlington: N.P. Engel 1984, p. 23-68.

- Gasser 1986  
H.-P. Gasser, 'Genfer Abkommen und Terrorismusverbot', in: Y. Hangartner & S. Trechsel, *Völkerrecht im Dienste des Menschen* (Festschrift für Hans Haug), Bern-Stuttgart: Haupt 1986, p. 69-80.
- Geck 1984  
W.K. Geck, 'Die Ausweitung von Individualrechten durch völkerrechtliche Verträge und der Diplomatischer Schutz', in: B. Börner, H. Jahrreiß & K. Stern, *Einigkeit und Recht und Freiheit* (Festschrift für Karl Carstens), Köln-Berlin-Bonn-München: Heymanns 1984, Band 1: Europarecht-Völkerrecht, p. 339-360.
- Van Genugten 1992  
W.J.M. van Genugten, *Mensenrechten in ontwikkeling: het 'goede doel' voorbij* (oratie Nijmegen), Nijmegen: KUN 1992.
- Gerbenzon & Algra 1987  
P. Gerbenzon & N.E. Algra, *Voortgangh des rechtens: de ontwikkeling van het Nederlandse recht tegen de achtergrond van de Westeuropese cultuur*, Alphen aan den Rijn: Samson H.D. Tjeenk Willink 1987 (6<sup>e</sup> druk).
- Gilbert 2003  
G. Gilbert, 'Current issues in the application of the exclusion clauses', in: E. Feller, V. Türk & F. Nicholson (eds.), *Refugee Protection in International Law. UNHCR's Global Consultations on International Protection*, Cambridge: Cambridge University Press 2003, p. 425-478.
- Ghandhi 1989  
P.R. Gandhi, 'The Human Rights Committee and Derogation in Public Emergencies', *German Yearbook of International Law* 1989, p. 323-361.
- Glennon 2002  
M.J. Glennon, 'The Fog of Law: Self-Defense, Inherence, and Incoherence in Article 51 of the United Nations Charter', *Harvard Journal of Law and Public Policy* 2002, p. 539-558.
- Gmelin 1921  
H. Gmelin, 'Der Ausnahmezustand', in: G. Anschütz e.a., *Handbuch der Politik*, Bd. III: Die politische Erneuerung, Berlin-Leipzig: Rothschild 1921, p. 156-160.
- Golsong 1982  
H. Golsong, 'Les réserves aux instruments internationaux pour la protection des droits de l'homme', in: Université Catholique de Louvain, Quatrième Colloque du Département des Droits de l'Homme, *Les clauses échappatoires en matière d'instruments internationaux relatifs aux droits de l'homme*, Bruxelles: Bruylant - Louvain-La-Neuve: Cabay 1982, p. 23-42.
- Gomien, Harris & Zwaak 1996  
D. Gomien, D. Harris & L. Zwaak, *Law and practice of the European Convention on Human Rights and the European Social Charter*, Strasbourg: Council of Europe Publishing 1996.
- Goodman 2002  
R. Goodman, 'Human Rights Treaties, Invalid Reservations, and State Consent', *American Journal of International Law* 2002, p. 531-560.
- Goy 1975  
R. Goy, 'La ratification par la France de la convention européenne des droits de l'homme', *Netherlands International Law Review* 1975, p. 31-50.



- De Graaff 2004  
B. de Graaff, 'Wie wint de "war on terrorism"?', *Justitiële Verkenningen* 2004, nr. 3, p. 56-69.
- Gray 2000  
C. Gray, *International Law and the Use of Force*, Oxford: Oxford University Press 2000.
- Green 1978  
L.C. Green, 'Derogation of human Rights in Emergency Situations', *Canadian Yearbook of International Law* 1978, p. 92-115.
- Greer 1993  
S. Greer, 'Preventive Detention and Public Security: Towards a General Model', in: A. Harding & J. Hatchard (eds.), *Preventive Detention and Security Law: A Comparative Survey*, Dordrecht-Boston-London: Martinus Nijhoff 1993, p. 23-39.
- Grondona 1978  
M. Grondona, 'Reconciling Internal Security and Human Rights', *International Security* 1978-1, p. 3-16.
- Gross 1998  
O. Gross, "'Once More unto the Breach": The Systemic Failure of Applying the European Convention on Human Rights to Entrenched Emergencies', *Yale Journal of International Law* 1998, p. 437-498.
- Gross 2003  
O. Gross, 'Chaos and Rules: Should Responses to violent Crises Always Be Constitutional?', *The Yale Law Journal* 2003, p. 1011-1134.
- Gross & Ní Aoláin 2001  
O. Gross & F. Ní Aoláin, 'From Discretion to Scrutiny: Revisiting the Application of the Margin of Appreciation Doctrine in the Context of Article 15 of the European Convention on Human Rights', *Human Rights Quarterly* 2001, p. 625-649.
- Grotenhuis & Schat 1979  
F.G.B. Grotenhuis & J.J. Schat, 'De bestrijding van gijzelingsacties in juridisch perspectief', *TvO* 1979, p. 418-423.
- Groves 1961  
H.E. Groves, 'Emergency Powers', *Journal of the International Commission of Jurists* 1961-2, p. 1-15.
- Guggenheim & Marek 1962  
P. Guggenheim & K. Marek, 'Verträge', in: K. Strupp & H.-J. Schlochauer, *Wörterbuch des Völkerrechts*, Bd. III, Berlin: De Gruyter 1962, p. 528.
- Guidelines for the Development of Legislation on States of Emergency  
*Guidelines for the Development of Legislation on States of Emergency*, opgesteld door een groep van mensenrechtenskundigen tijdens een conferentie te Genève, georganiseerd door de Association of International Consultants on Human Rights, 12-14 Maart 1991, gepubliceerd in: *Fourth annual report and list of States which, since 1 January 1985, have proclaimed, extended or terminated a state of emergency*, presented by Mr. Leandro Despouy, Special Rapporteur, VN Doc. E/CN.4/Sub.2/1991/28 (1991), p. 30-60.
- Guidelines on Human Rights and the Fight against Terrorism  
*Guidelines on Human Rights and the Fight against Terrorism*, adopted by the Committee of Ministers of the Council of Europe at its 804<sup>th</sup> meeting (11 July 2002), Doc.

- H(2002)004, ook gepubliceerd in: *The Fight against Terrorism – Council of Europe Standards*, Strasbourg: Council of Europe Publishing, December 2003.
- Guillaume 2004  
G. Guillaume, 'Terrorism and International Law', *International Comparative Law Quarterly* 2004, p. 537-548.
- Hanski & Scheinin 2003  
R. Hanski & M. Scheinin, *Leading Cases of the Human Rights Committee*, Turku – Åbo: Institute for Human Rights – Åbo Akademi University 2003.
- Haraszty 1975  
G. Haraszty, 'Treaties and the fundamental change of circumstances', *Recueil des Cours de l'Académie de Droit International de la Haye*, 1975-III, p. 7-93.
- Harrington 1992  
J. Harrington, *The Commonwealth of Oceana and A System of Politics* (edited by J.G.A. Pocock), Cambridge: Cambridge University Press 1992.
- Harris 1991  
D.J. Harris, *Cases and Materials on International Law*, London: Sweet & Maxwell 1991 (4<sup>th</sup> edition).
- Harris, O'Boyle & Warbrick 1995  
D.J. Harris, M. O'Boyle & C. Warbrick, *Law of the European Convention on Human Rights*, London: Butterworths 1995
- Harris 2003  
G.C. Harris, 'Book Review: Terrorism and the Constitution: Sacrificing Civil Liberties in the Name of National Security', *Cornell International Law Journal* 2003, p. 135-150.
- Hartman 1981  
J.F. Hartman, 'Derogation from Human Rights Treaties in Public Emergencies', *Harvard International Law Journal* 1981, p. 1-52.
- Hartman 1985  
J.F. Hartman, 'Working Paper for the Committee of Experts on the Article 4 Derogation Provision', *Human Rights Quarterly* 1985, p. 89-131.
- Hegel 1955  
F.W.G. Hegel, *Grundlinien der Philosophie des Rechts*, Hamburg: Meiner, 1967 (herdruk van 4e druk uit 1955, origineel 1821).
- Heintze 2002  
H.-J. Heintze, 'The European Court of Human Rights and the Implementation of Human Rights Standards During Armed Conflicts', *German Yearbook of International Law* 2002, p. 60-77.
- Hennekens 1986  
H.Ph.J.A.M. Hennekens, 'De burgemeester in de ontwerp-Gemeentewet', *TvO* 1986, p. 195-200.
- Henning 2002  
V.H. Henning, 'Anti-Terrorism, Crime and Security Act 2001: Has the United Kingdom Made a Valid Derogation From the European Convention on Human Rights?', *American University International Law Review* 2002, p. 1263-1297.
- Heringa 1996  
A.W. Heringa, 'The "Consensus Principle". The Role of "Common Law" in the ECHR Case Law', *Maastricht Journal of European and Comparative Law* 1996, p. 108-145.

- Hesse 1962  
K. Hesse, 'Staatsnotstand und Staatsnotrecht', in: *Staatslexicon*, Bd. 6, Freiburg: Herder 1962, p. 607-608.
- Higgins 1976-1977  
R. Higgins, 'Derogations under Human Rights Treaties', *British Yearbook of International Law* 1976-1977, p. 281-320.
- Hoeksema & Ter Laak 2003  
T. Hoeksema & J. ter Laak (eds.), *Terrorism and Human Rights* (seminar in the Hall of Knights, The Hague, The Netherlands, September 17-18, 2003), The Hague: Netherlands Helsinki Committee 2003.
- Van der Hoeven 1988  
J. van der Hoeven, *De plaats van de Grondwet in het constitutionele recht* (aangevulde heruitgave academisch proefschrift), Zwolle: W.E.J. Tjeenk Willink 1988.
- Van den Honert & De Rijk 1982  
M.J.J. van den Honert & P. de Rijk, 'Uitzonderingstoestanden onder de nieuwe Grondwet', *Nederlands Juristenblad* 1982, p. 869 e.v.
- Van den Honert 1987  
M.J.J. van den Honert, 'Noodwetgeving – terugblik en toekomstvisie', *Militair Rechtelijk Tijdschrift* 1987, p. 265-270.
- Honoré 1988  
T. Honoré, 'The right to rebel', *Oxford Journal of Legal Studies* 1988, p. 34-54.
- Hood Phillips & Jackson 1987  
O. Hood Phillips & P. Jackson, *O. Hood Phillips' Constitutional and Administrative law*, London: Sweet and Maxwell, 1987 (7<sup>th</sup> ed.)
- Van Hoof 1977  
F. van Hoof, 'The protection of Human Rights and the Impact of Emergency Situations under International Law with special reference to the present situation in Chile', *Revue des droits de l'homme/Human Rights Journal* 1977, p. 213-249.
- Van Hoof 1989  
F. van Hoof, 'The future of the European Convention on Human Rights', *Netherlands Quarterly of Human Rights* 1989, p. 451-463.
- Hoogenboom 2004  
B. Hoogenboom, 'Inlichtingenwerk en ethiek. Een wildernis van spiegels', *Justitiële Verkenningen* 2004, nr. 3, p. 122-137.
- Howard 1983  
R. Howard, 'The Full-Belly Thesis: Should Economic Rights take Priority over Civil and Political Rights? Evidence from Sub-Saharan Africa', *Human Rights Quarterly* 1983, p. 467-490.
- Hunt & Dickson 1993  
P. Hunt & B. Dickson, 'Northern Ireland's emergency laws and international human rights', *Netherlands Quarterly of Human Rights* 1993, p. 173-184.
- ICJ-study 1983  
*States of Emergency. Their Impact in Human Rights*, A Study prepared by the International Commission of Jurists, Geneva 1983.
- Idenburg 1923  
P.J.A. Idenburg, *Over de grondgedachte van de clausula rebus sic stantibus in het volkenrecht* (diss. VU Amsterdam), Zutphen: Nauta 1923.

## Ignatieff 1999

M. Ignatieff, *Whose universal values? The crisis in human rights* (Praemium Erasmianum essay), Amsterdam: Stichting Praemium Erasmianum.

## Ignatieff 2002

M. Ignatieff e.a., *Mensenrechten en terreur* (Thomas More lezing 2002), Nijmegen-Budel: Thomas More Academy-DAMON 2002.

## Ignatieff 2004

M. Ignatieff, *Het minste kwaad. Politiek en moraal in het tijdperk van terrorisme*, Amsterdam: Cossee 2004.

## ILA Paris Report 1984

International Law Association, *Report of the sixty-first conference - Paris 1984*, London: ILA 1985.

## Imbert 1982

P.-H. Imbert, 'Reservations and Human Rights Conventions', in: I. Maier (ed.), *Protection of Human Rights in Europe - Limits and Effects*, Heidelberg: Müller 1982, p. 87-112.

## IPTS-rapport 2003

Institute for Prospective Technological Studies (Joint Research Centre-European Commission), *Security and Privacy for the Citizen in the Post-September 11 Digital Age: A Prospective Overview*, Report to the European Parliament Committee on Citizens Freedoms and Rights, Justice and Home Affairs, Brussels 2003 (te raadplegen via: <http://www.jrc.es/home/publications/publication.cmf?pub=1118>).

## Jacobs 1975

F.G. Jacobs, *The European Convention on Human Rights*, Oxford: Clarendon 1975.

## Jaenicke 1955

G. Jaenicke, 'Das Staatsnotrecht in Grossbritannien', in: H. Ballreich et. al., *Das Staatsnotrecht in Belgien, Frankreich, Grossbritannien, Italien, den Niederlanden, der Schweiz und den Vereinigten Staaten von Amerika*, Köln-Berlin: Heymann 1955, p. 59-110.

## Jagota 1985

S.P. Jagota, 'State responsibility: circumstances precluding wrongfulness', in: *Netherlands Yearbook of International Law* 1985, p. 250-300.

## Janis, Kay &amp; Bradley 1995

M.W. Janis, A.S. Kay & A.W. Bradley, *European human rights law: text and materials*, Oxford: Oxford University Press 2000.

## Jasper 1978

G. Jasper, 'Die Krise der streitbaren Demokratie', *Deutsches Verwaltungsblatt* 1978, p. 725 e.v.

## Jeffery &amp; Hennessy 1983

K. Jeffery & P. Hennessy, *States of Emergency; British Governments and Strikebreaking since 1919*, London-Boston-Melbourne-Henley: Routledge & Kegan Paul 1983.

## Jellinek 1920

G. Jellinek, *Allgemeine Staatslehre*, Berlin: Springer, 1920.

## Jennings 1991

R.Y. Jennings, 'Treaties', in: M. Bedjaoui (ed.), *International Law: Achievements and Prospects*, Paris-Dordrecht: UNESCO-Martinus Nijhoff 1991, p. 135-177.

Jesse 1980

E. Jesse, *Streitbare Demokratie; Theorie, Praxis und Herausforderungen in der Bundesrepublik Deutschland*, Berlin: Colloquium 1980.

Jhabvala 1984(a)

F. Jhabvala, 'On Human Rights and the Socio-Economic Context', in: *Netherlands International Law Review* 1984, p. 149-182.

Jhabvala 1984(b)

F. Jhabvala, 'The Practice of the Covenant's Human Rights Committee, 1976-82: Review of State Party Reports', *Human Rights Quarterly* 1984, p. 81-106.

Jhabvala 1985

F. Jhabvala, 'Domestic implementation of the Covenant on Civil and Political Rights', in: *Netherlands International Law Review* 1985, p. 461-486.

Jiménez de Aréchaga & Tanzi 1991

E. Jiménez de Aréchaga & A. Tanzi, 'International State Responsibility', in: M. Bedjaoui (ed.), *International Law: Achievements and Prospects*, Paris-Dordrecht: UNESCO-Martinus Nijhoff 1991, p. 347-380.

Jinks 2003

D. Jinks, 'September 11 and the Laws of War', *Yale Journal of International Law* 2003, p. 1-49.

Johannesburg Principles

*Johannesburg Principles on National Security, Freedom of Expression and Access to Information*, opgesteld door een groep van deskundigen in het internationale recht, nationale-veiligheidskwesties en mensenrechten, bijeengebracht door de NGO 'Article 19, International Centre against Censorship' aan de universiteit van Witwatersrand te Johannesburg in oktober 1995, gepubliceerd in *Human Rights Quarterly* 1998, p. 1-11.

Johnstone 2005

I. Johnstone, 'The Plea of "Necessity" in International Legal Discourse: Humanitarian Intervention and Counter-terrorism', *Columbia Journal of Transnational Law* 2005, p. 337-388.

Joo 2002

T.W. Joo, 'Presumed Disloyal: Executive Power, Judicial Deference, and the Construction of Race Before and After September 11', *Columbia Human Rights Law Review* 2002, p. 1-47.

Joseph 1995

S. Joseph, 'New Procedures Concerning the Human Rights Committee's Examination of State Reports', *Netherlands Quarterly of Human Rights* 1995, p. 5-23.

Joseph 1996

S. Joseph, 'Denouement of the Deaths on the Rock: the Right to Life of Terrorists', *Netherlands Quarterly of Human Rights* 1996, p. 5-22.

Joseph, Schultz & Castan 2000

S. Joseph, J. Schultz & M. Castan, *The international covenant on civil and political rights: cases, materials, and commentary*, Oxford: Oxford university Press 2000.

Kamminga 1990

M.T. Kamminga, *Inter-State Accountability for Violations of Human Rights* (diss. Leiden), Leiden 1990.

## Kamminga 1994

M. Kamminga, 'Is the European Convention on Human Rights Sufficiently Equipped to Cope with Gross and Systematic Violations?', *Netherlands Quarterly of Human Rights* 1994, p. 153-164.

## Kasten 1962

W. Kasten, *De handhaving van de uitwendige veiligheid van de staat* (diss. Leiden), Alphen aan den Rijn: Samson 1962.

## Katselli &amp; Shah 2003

E. Katselli & S. Shah, 'September 11 and the UK response', *International and Comparative Law Quarterly* 2003, p. 245-255.

## Kaufmann &amp; Backmann 1972

A. Kaufmann & L.E. Backmann (red.), *Widerstandsrecht*, Darmstadt: Wissenschaftliche Buchgesellschaft, 1972.

## Kelly 1982

J. Kelly, 'The European Convention on Human rights and States Parties: International Control of Restrictions and Limitations', in: I. Maier (ed.), *Protection of Human Rights in Europe – Limits and Effects*, Heidelberg: Müller 1982, p. 163-170.

## Kelsen 1928

H. Kelsen, *Der soziologische und der juristische Staatsbegriff. Kritische Untersuchungen des Verhältnisses zwischen Staat und Recht*, Tübingen: Mohr (Paul Siebeck), 1928 (2. Aufl.).

## Kelsen 1960

H. Kelsen, *Reine Rechtslehre*, Wien: Franz Deuticke, 1960 (2. Aufl.).

## Kelsen &amp; Tucker 1967

H. Kelsen & R.W. Tucker, *Principles of International Law*, New York-London: Holt Rinehart & Winston, 1967 (second edition).

## Kinley 1992

D. Kinley, *The European Convention on Human Rights: Compliance without Incorporation*, Aldershot-Sydney: Dartmouth 1992.

## Kisch 1950

I. Kisch, 'Natuurrecht', in: W. Banning e.a. (red.), *Encyclopedisch Handboek van het Moderne Denken*, Arnhem: Van Lochem Slaterus 1950.

## Kisch 1955

I. Kisch, 'Kan de afwijking van dwingend recht van de staat tot positief recht worden?' (inleiding), *Handelingen van de Vereniging voor Wijsbegeerte des Rechts*, vol. XXXX (eerste gedeelte), Zwolle: W.E.J. Tjeenk Willink 1955, p. 26-52.

## Kish 1983

J. Kish, 'Freedom of information and national security in the European Convention on Human Rights', in: J. Adams (ed.), *Essays for Clive Schmitthoff*, Abingdon: Professional Books 1983, p. 59-72.

## Kiss 1981

A.Ch. Kiss, 'Permissible Limitations on Rights', in: L. Henkin (ed.), *The International Bill of Rights: The Covenant on Civil and Political Rights*, New York: Columbia University Press 1981, p. 290-310.

## Kitz 1982

H.-E. Kitz, *Die Notstandsklausel des art. 15 der Europäischen Menschenrechtskonvention*, Berlin: Duncker & Humblot 1982.

## Klein 1984

H.H. Klein, 'Legitimität gegen Legalität?', in: B. Börner, H. Jahrreiß & Klaus Stern, *Einigkeit und Recht und Freiheit* (Festschrift für Karl Carstens), Köln-Berlin-Bonn-München: Heymanns 1984, Band 2: Staatsrecht, p. 645-660.

## Klerk 1990

Y.S. Klerk, 'De ontstaansgeschiedenis van de Europese Conventie', in: A.W. Heringa, J.G.C. Schiokkenbroek & J. van der Velde (red.), *40 jaar Europees Verdrag voor de Rechten van de Mens* (bijzonder nummer *NJCM-Bulletin*), Leiden: NJCM-Boekerij 1990, p. 3-15.

## Klerk &amp; Van Poelgeest 1991

Y.S. Klerk & L. van Poelgeest, 'Ratificatie à contre coeur: de reserves van de Nederlandse regering jegens het Europees Verdrag voor de Rechten van de Mens en het individueel klachtrecht', *R.M. Themis* 1991, p. 220-246.

## Klerk 1995

Y.S. Klerk, *Het ECRM-toezichtmechanisme – verleden, heden, toekomst* (diss. Maastricht), Nijmegen: Ars Aequi Libri 1995.

## Köbler 1991

R. Köbler, *Die 'clausula rebus sic stantibus' als allgemeiner Rechtsgrundsatz*, Tübingen: Mohr 1991

## Kolb 1997

E. Kolb (red.), *Friedrich Ebert als Reichspräsident*, München: Oldenbourg 1997.

## Koopmans 1994

T. Koopmans e.a., *Compendium van het Staatsrecht*, Deventer: Kluwer 1994.

## Kortmann 1984

C.A.J.M. Kortmann, 'Iets over Staatsnoodrecht', *Militair Rechtelijk Tijdschrift* 1984, p. 183-186.

## Koufa Report 2001

*Terrorism and Human Rights*, First progress report prepared by Ms. Kalliopi K. Koufa, Special Rapporteur, VN Doc. E/CN.4/Sub.2/2001/31 (2001).

## Koufa Report 2002

*Terrorism and Human Rights*, Second progress report prepared by Ms. Kalliopi K. Koufa, Special Rapporteur, VN Doc. E/CN.4/Sub.2/2002/35 (2002).

## Koufa Report 2003

*An Update on International Anti-Terrorist Activities and Initiatives*, Additional Progress report prepared by Ms. Kalliopi K. Koufa, Special Rapporteur on terrorism and human rights, VN Doc. E/CN.4/Sub.2/2003/WP.1/Add.1 (2003).

## Krabbe 1906

H. Krabbe, *Die Lehre der Rechtssouveränität*, Groningen: Wolters, 1906.

## Krabbe 1913

H. Krabbe, *Ongezonde lectuur*, Groningen: Wolters 1913.

## Krabbe 1915

H. Krabbe, *De Moderne Staatsidee*, 's-Gravenhage: Martinus Nijhoff 1915.

## Kramer 1947

H.L.M. Kramer, 'Autocratie en staatsnoodrecht', *NJB* 1947, p. 320-322.

## Kranenburg 1946

R. Kranenburg, 'Staatsnoodrecht' (College voor de oud-alumni der Leidse Universiteit op 6 februari 1946), *Tijdschrift voor Overheidsadministratie* 1946, p. 88-91.

- Kranenburg 1949  
R. Kranenburg, *Algemene Staatsleer*, Haarlem: H.D. Tjeenk Willink 1949.
- Kranenburg 1958  
R. Kranenburg (bewerkt m.m.v. J.L. Kranenburg), *Nederlandsch Staatsrecht*, Haarlem: H.D. Tjeenk Willink 1958.
- Krenzler 1973  
M. Krenzler, *An den Grenzen der Notstandsverfassung* (diss. Heidelberg), Berlin: Duncker & Humblot 1973.
- Krüger 1966  
H. Krüger, *Allgemeine Staatslehre*, Stuttgart/ Berlin: Kohlhammer 1966.
- Kuitert 1988  
T.B. Kuitert, 'In geval van nood: De invloed van het parlement bij noodtoestanden', in: *Gegeven de Grondwet* (CZW-bundel), Deventer: Kluwer 1988, p. 161-177.
- Kündig-Schaad 1983  
R. Kündig-Schaad, *Das Verhältnis Frankreichs zur Europäischen Menschenrechtskonvention*, Bern: Kündig 1983.
- Kutscha 1979  
M. Kutscha, *Verfassung und „streitbare Demokratie“*, Köln: Pahl-Rugenstein, 1979.
- Lachs 1977  
M. Lachs, 'Some Thoughts on the Role of Good Faith in International Law', in: R.J. Akkerman, P.J. van Krieken & C.O. Pannenburg, *Declarations on Principles*, Leyden: Sijthoff 1977, p. 47-56.
- Lamarque 1961  
J. Lamarque, 'La théorie de la nécessité et l'article 16 de la Constitution de 1958', *Revue de Droit Public et de la Science Politique en France et à l'étranger* 1961, p. 558-628.
- Lameyer 1978  
J. Lameyer, *Streitbare Demokratie: Eine verfassungshermeneutische Untersuchung*, Berlin: Duncker & Humblot, 1978.
- Landy 1966  
E.A. Landy, *The effectiveness of international supervision* (diss. Genève), London-New York: Stevens-Oceana 1966.
- Langemeijer 1955  
G.E. Langemeijer, 'Kan de afwijking van dwingend recht van de staat tot positief recht worden?' (inleiding), *Handelingen van de Vereniging voor Wijsbegeerte des Rechts*, vol. XXXX (eerste gedeelte), Zwolle: W.E.J. Tjeenk Willink 1955, p. 3-25.
- Van de Lanotte e.a. 1997  
J. Van de Lanotte e.a., *Het Europees verdrag tot bescherming van de rechten van de mens in hoofdlijnen*, Deel 1: Algemene beginselen, Antwerpen-Apeldoorn Maklu 1997.
- Lauterpacht 1950  
H. Lauterpacht, *International law and human rights*, London: Archon Books 1968 (herdruk van 1950).
- Lawson 1995  
R.A. Lawson, 'Positieve verplichtingen onder het EVRM: opkomst en ondergang van de "fair balance"-test – deel I', *NJCM-Bulletin* 1995, p. 558-573.



## Lawson 2004

R.A. Lawson, 'Hoe exclusief dient de "exclusionary rule" te zijn?', in: P.D. Duyx & P.D.J. van Zeben (red.), *Via Straatsburg* (Myjer-bundel), Nijmegen: Wolf Legal Publishers 2004, p. 181-205.

## Leckie 1998

S. Leckie, 'Violations of Economic, Social and Cultural Rights', in: Th.C. van Boven, C. Flinterman & I. Westendorp (eds.), *The Maastricht Guidelines on Violations of Economic, Social and Cultural Rights* (SIM Special No. 20), Utrecht: SIM 1998, p. 35-86.

## Leijten 1989

J.C.M. Leijten, 'Het geclausuleerde grondrecht', In: L. Heyde e.a. (red.), *Begrensde vrijheid* (Scheltens-bundel), Zwolle: W.E.J. Tjeenk Willink 1989, p. 146-156.

## Lijnzaad 1994

E. Lijnzaad, *Reservations to UN-Human Rights Treaties. Ratify and Ruin?* (diss. Maastricht), Dordrecht-Boston-London: Martinus Nijhoff 1994.

## Lockwood e.a. 1985

B.B. Lockwood e.a., 'Working paper for the Committee of Experts on Limitation Provisions', *Human Rights Quarterly* 1985, p. 1072-1081.

## Loof 1996

J.P. Loof, 'Amicus curiae in Straatsburg: een rol voor NGO's binnen het EVRM-toezichtsmechanisme', in: A.W. Heringa & E. Myjer (red.), *45 jaar EVRM 1950-1995* (bijz. nummer *NJCM-Bulletin*), Leiden: NJCM-Boekerij 1996, p. 13-31.

## Loof 1997

J.P. Loof, 'Het Elfde protocol geschetst in elf punten', *NJCM-Bulletin* 1997, p. 826-830.

## Loucaides 1993

L.G. Loucaides, 'Restrictions or limitations on the rights guaranteed by the European Convention on Human Rights', *Finnish Yearbook of International Law* 1993, p. 334-387.

## Loucaides 1995

L.G. Loucaides, *Essays on the Developing Law of Human Rights*, Dordrecht-Boston-London: Martinus Nijhoff 1995.

## Lücker-Babel 1996

M.F. Lücker-Babel, 'The Non-Derogable Rights of The Child in the Light of the United Nations Convention on the Rights of the Child', D. Premont, Chr. Stenersen & I. Oseredczuk (eds.), *Droits intangibles et états d'exception/Non-derogable rights and states of emergency*, Bruxelles: Bruylant 1996, p. 389-411.

## Macdonald 1991

R.St.J. Macdonald, 'The Use of Force by States in International Law', in: M. Bedjaoui (ed.), *International Law: Achievements and Prospects*, Paris-Dordrecht: UNESCO-Martinus Nijhoff 1991, p. 715-733.

## Macdonald 1993

R.St.J. Macdonald, 'The Margin of Appreciation', in: R.St.J. Macdonald, F. Matscher & H. Petzold (eds.), *The European System for the Protection of Human Rights*, Dordrecht-Boston-London: Martinus Nijhoff 1993, p. 83-124.

## Macdonald 1997

R.St.J. Macdonald, 'Derogations under Article 15 of the European Convention on Human Rights', *Columbia Journal of Transnational Law* 1997, p. 225-267.

Macdonald 2000

R.St.J. Macdonald, 'Protecting human rights in emergency situations: Making Article 15 work', in: P. Mahoney e.a (eds.), *Protecting Human Rights: The European Perspective* (Studies in memory of Rolv Ryssdal), Köln: Heymanns 2000, p. 817-835.

Maier 1982

I. Maier (ed.), *Protection of Human Rights in Europe – Limits and Effects* (Proceedings of the Fifth International Colloquy about the European Convention on Human Rights), Heidelberg: C.F. Müller 1982.

Malanczuk 1987

P. Malanczuk, 'Countermeasures and Self-defence as Circumstances Precluding Wrongfulness in the International Law Commission's Draft Articles on State Responsibility', in: M. Spinedi & B. Simma (eds.), *United Nations Codification of State Responsibility*, New York-London-Rome: Oceana 1987, p. 197-285.

Malanczuk 1997

P. Malanczuk, *Akehurst's Modern Introduction to International Law*, London-New York: Routledge 1997 (7<sup>th</sup> revised edition).

Mangan 1988

B. Mangan, 'Protecting Human Rights in National Emergencies: Shortcomings in the European System and a Proposal for Reform', *Human Rights Quarterly* 1988, p. 372 e.v.

Marks 1982

S.P. Marks, 'Principles and Norms of Human Rights Applicable in Emergency Situations: Underdevelopment, Catastrophes and Armed Conflicts', in: K. Vasak (ed.), *The International Dimensions of Human Rights*, Paris-Westport: Unesco-Greenwood Press 1982, p. 175-214.

Marks 1995(a)

S. Marks, 'Civil Liberties at the Margin: the UK Derogation and the European Court of Human Rights', *Oxford Journal of Legal Studies* 1995, p. 69-95.

Marks 1995(b)

S. Marks, 'The European Convention on Human Rights and its "Democratic Society"', *British Yearbook of International Law* 1995, p. 209-238.

Mast 1981

A. Mast (m.m.v. J. Dujardin), *Overzicht van het Belgisch grondwettelijk recht*, Gent-Leuven: E. Story-Scientia 1981.

McDougal, Lasswell & Chen 1969

M.S. McDougal, H.D. Lasswell & L. Chen, 'Human Rights and World Public Order: A Framework for a Policy-Oriented Inquiry', *American Journal of International Law* 1969, p. 237-269.

McDougal, Lasswell & Chen 1980

M.S. McDougal, H.D. Lasswell & L. Chen, *Human rights and World Public Order*, New Haven-London: Yale University Press, 1980, m.n. p. 799-815.

McGoldrick 1994

D. McGoldrick, *The Human Rights Committee. Its Role in the Development of the International Covenant on Civil and Political Rights*, Oxford: Clarendon 1994.

McGovern 1973

E.T. McGovern, 'Internment and Detention without Trial in the Light of the European Convention on Human Rights', in: J.W. Bridge e.a., *Fundamental Rights*, London: Sweet and Maxwell 1973, p. 222-240.

- Medina Quiroga 1988  
C. Medina Quiroga, *The battle of human rights* (diss. Utrecht), Utrecht: SIM-NISER, 1988.
- Mégret 2003  
F. Mégret, 'Justice in Times of Violence', *European Journal of International Law* 2003, p. 327-345.
- Meinecke 1984  
F. Meinecke, *Machiavellism. The doctrine of raison d'état and its place in modern history*, Boulder-London: Westview Press 1984 (vertaling van Duitstalig origineel uit 1924: *Die Idee der Staatsräson*)
- Meißner 1923  
O. Meißner, *Das Staatsrecht des Reichs und seiner Länder*, Berlin 1923.
- Meron 1987  
Th. Meron, *Human Rights in Internal Strife: their international protection*, Cambridge: Grotius Publications 1987.
- Meron 1989  
Th. Meron, *Human Rights and Humanitarian Norms as Customary Law*, Oxford: Clarendon 1989.
- Meron 1991  
Th. Meron, 'Protected Persons under the Fourth Geneva Convention', in: A. Eide & J. Helgesen (eds.), *The Future of Human Rights Protection in a Changing World*, Oslo: Norwegian University Press 1991, p. 155-162.
- Miyazaki 1983  
S. Miyazaki, 'Internationaler Schutz der Menschenrechte und Völkerrechtsunmittelbarkeit', in: R. Bernhardt e.a. (eds.), *Völkerrecht als Rechtsordnung – Internationale Gerichtsbarkeit – Menschenrechte* (Festschrift für Hermann Mosler), Berlin-Heidelberg-New York: Springer 1983, p. 581-597.
- Mommsen 1888  
Th. Mommsen, *Römisches Staatsrecht*, Leipzig: Hirzel 1888.
- Murphy 2002  
S. Murphy, 'Terrorism and the Concept of "Armed Attack" in Article 51 of the UN Charter', *Harvard International Law Journal* 2002, p. 41 e.v.
- Mus 1998  
J.B. Mus, 'Conflicts between treaties in international law', *Netherlands Yearbook of International Law* 1998, p. 208-232.
- Momtaz 2004  
D. Momtaz, 'Did the Court Miss an Opportunity to Denounce the Erosion of the Principle Prohibiting the Use of Force?', *Yale Journal of International Law* 2004, p. 307-313.
- Myjer 2003  
E. Myjer, 'Rechten van de mens en bestrijding van terrorisme; enige opmerkingen over de Europese aanpak en de rol van de officier van justitie', *Trema* 2003, p. 336-342.
- Neuman 2003  
G.L. Neuman, 'Humanitarian Law and Counterterrorist Force', *European Journal of International Law*, p. 283-298

## Nicol 1996

A. Nicol, 'National Security Considerations and the Limits of European Supervision', *European Human Rights Law Review* 1996, p. 37-44.

## Van Nispen tot Sevenaer 1947

C.M.O. van Nispen tot Sevenaer, 'Had de Duitsche bezetter eenig gezag en hadden zijn maatregelen eenige rechtswaarde?' (inleiding), *Handelingen van de Vereeniging voor Wijsbegeerte des Rechts*, vol. XXXI (eerste gedeelte), s.n. 1947.

## Nowak 1993

M. Nowak, *U.N. Covenant on Civil and Political Rights. CCPR Commentary*, Kehl-Strasbourg-Arlington: Engel 1993.

## Omar 1996

I. Omar, *Rights, Emergencies and Judicial Review*, The Hague-Boston-London: Kluwer Law International 1996.

## Oosterhof 1952

P.W. Oosterhof, 'Oorlogsgevaar', *Militair Rechtelijk Tijdschrift* 1952, p. 73.

## Oppenheim/Lauterpacht 1955

L. Oppenheim/H. Lauterpacht, *International Law – A Treatise*, Vol. I, London: Longmans 1955.

## Opsahl 1992

T. Opsahl, 'Articles 29 and 30: The other side of the coin', in: A. Eide e.a. (eds.), *The Universal Declaration of Human rights: A Commentary*, Oslo: Scandinavian University Press 1992, p. 449-470.

## Opzoomer 1873

C.W. Opzoomer, *De grenzen der staatsmacht*, Amsterdam: Gebhard 1873.

## Oraá 1992

J. Oraá, *Human Rights in States of Emergency in International Law*, Oxford: Clarendon 1992.

## Örücü 1986

E. Örücü, 'The Core of Rights and Freedoms: The Limit of Limits', in: T. Campbell e.a. (eds.), *Human Rights: From Rhetoric to Reality*, Oxford-New York: Blackwell 1986.

## Ouguergouz 1993

F. Ouguergouz, *La Charte africaine des droits de l'homme et des peuples*, Paris: Presses Universitaires de France 1993.

## Ouguergouz 1994

F. Ouguergouz, 'L'absence de clause de derogation dans certains traites relatifs aux droits de l'homme. Les reponses du droit international general', *Revue Générale de Droit International Public* 1994, p.289-335.

## Packer 1996

J. Packer, 'United Nations Protection of Minorities in Time of Public Emergency: The Hard-Core of Minority Rights', in: D. Premont, Chr. Stenersen & I. Oseredczuk (eds.), *Droits intangibles et états d'expection/Non-derogable rights and states of emergency*, Bruxelles: Bruylant 1996, p. 501-522.

## Paris minimum standards

International Law Association, 'The Paris Minimum Standards of Human Rights Norms in a State of Emergency', gepubliceerd in: *Report of the sixty-first conference – Paris 1984*, p. 56-96 en in *American Journal of International Law* 1985, p. 1072-1081.

## Partsch 1953-1954

K.J. Partsch, 'Die Entstehung der europäischen Menschenrechtskonvention', *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht* 1953-1954, p. 631-660.

## Partsch 1971

K.J. Partsch, 'Experiences regarding the war and emergency clause (article 15) of the European Convention on Human Rights', *Israel Yearbook of Human Rights* 1971, p. 327-334.

## Partsch 1977

K.J. Partsch, *Die Rechte und Freiheiten der europäischen Menschenrechtskonvention*, Berlin: Duncker & Humblot 1977.

## Partsch 2000

K.J. Partsch, 'Self-preservation', in: R. Bernhardt (ed.), *Encyclopedia of Public International Law*, Vol. IV, Amsterdam-London: North-Holland-Elsevier 2000, p. 380-383.

## Paust 1982

J.J. Paust, 'Political Oppression in the Name of National Security: Authority, Participation and the Necessity Within Democratic Limits Test', *Yale Journal of World Public Order* 1982, p. 178-192.

## Paust 2003a

J.J. Paust, 'Judicial Power To Determine the Status and Rights of Persons Detained Without Trial', *Harvard International Law Journal* 2003, p. 503-532.

## Paust 2003b

J.J. Paust, 'War and Enemy Status After 9/11: Attacks on the Laws of War', *Yale Journal of International Law* 2003, p. 325-335.

## Pellet 1974

A. Pellet, 'La ratification par la France de la Convention européenne des droits de l'homme', in: *Revue de Droit Public et de la Science Politique en France et à l'étranger* 1974, p. 1319-1379.

## Perry 1998

M.J. Perry, *The Idea of Human Rights – Four Inquiries*, New York-Oxford: Oxford University Press 1998

## Pettiti, Decaux &amp; Imbert 1995

L.-E. Pettiti, E. Decaux & P.-H. Imbert, *La convention européenne des droits de l'homme – commentaire article par article*, Paris: Economica 1995.

## Pinheiro Farinha 1987

J. de Deus Pinheiro farinha, 'L'article 15 de la Convention', in: F. Matscher & H. Petzold (red.), *Protecting Human Rights: The European Dimension* (Studies in honour of G.J. Wiarda), Köln: Heymanss Verlag 1988, p. 521-529.

## Pisillo Mazzeschi 1987

R. Pisillo Mazzeschi, 'Termination and suspension of treaties for breach in the ILC works on state responsibility', in: M. Spinedi & B. Simma (eds.), *United Nations Codification of State Responsibility*, New York-London-Rome: Oceana 1987, p. 57-94.

## Van der Pot 1946(a)

C.W. van der Pot, *Het probleem van den staatsnood vroeger en thans*, Groningen-Batavia: Wolters 1946.

## Van der Pot 1946(b)

C.W. van der Pot, 'Openingrede 72<sup>ste</sup> vergadering NJV', *NJB* 1946, p. 439-445.

- Van der Pot/Donner/Prakke e.a. 1995  
L. Prakke, J.L. de Reede & G.J.M. van Wissen, *Van der Pot-Donner. Handboek van het Nederlandse Staatsrecht*, Zwolle: Tjeenk Willink 1995.
- Premont e.a. 1996  
D. Premont, Chr. Stenersen & I. Oseredczuk (eds.), *Droits intangibles et états d'exception/Non-derogable rights and states of emergency*, Bruxelles: Bruylant 1996
- Prins 1911  
M.I. Prins, *Staatsnoodrecht* (diss. Amsterdam), Amsterdam: Cohen 1911.
- Prins 1956  
W.F. Prins, 'Noodstaatsrecht', *R.M.Themis* 1956, p. 77-128 en 305-351.
- Provost 1994  
R. Provost, 'Reciprocity in Human Rights and Humanitarian Law', *British Yearbook of International Law* 1994, p. 383-454.
- Queensland Guidelines  
International Law Association, 'Queensland Guidelines for Bodies Monitoring Respect for Human Rights during States of Emergency', gepubliceerd in: *Report of the sixty-fourth conference – Queensland (Australia) 1990*, p. 229-250 en in *American Journal of International Law* 1991, p. 716-720.
- Questiaux 1970  
N. Questiaux, 'La convention européenne des droits de l'homme et l'article 16 de la constitution du 4 octobre 1958 (Article 15 de la Convention)', *Revue des droits de l'homme/Human Rights Journal* 1970, p. 651-669.
- Questiaux 1982  
N. Questiaux, *Study of the implications for human rights of recent developments concerning situations known as states of siege or emergency*, UN Sub-commission on Prevention of Discrimination and Protection of Minorities, E/CN.4/Sub.2/1982/15, 27 juli 1982.
- Ragazzi 1997  
M. Ragazzi, *The Concept of International Obligations Erga Omnes*, Oxford: Clarendon 1997.
- Ramcharan 1988  
B.G. Ramcharan, 'State Responsibility for Violations of Human Rights Treaties', in: B. Cheng & E.D. Brown (eds.), *Contemporary Problems of International Law* (Essays in honour of Georg Schwarzenberger), London: Stevens 1988, p. 242-261.
- Rawls 1971  
J. Rawls, *A Theory of Justice*, Cambridge (Massachusetts): Harvard University Press 1971.
- Reidy 1998  
A. Reidy, 'The approach of the European Commission and Court of Human Rights to international humanitarian law', *International Review of the Red Cross* 1998, p. 513-529.
- Reidy, Hampson & Boyle 1997  
A. Reidy, F. Hampson & K. Boyle, 'Gross Violation of Human Rights: Invoking the European Convention on Human Rights in the Case of Turkey', *Netherlands Quarterly of Human Rights* 1997, p. 161-173.

Remmelink 1985

J. Remmelink, 'Het recht van verzet als strafuitsluitingsgrond', in: *Liber Amicorum Th.W. van Veen*, Arnhem: Gouda Quint 1985, p. 317-332.

Reuter 1995

P. Reuter, *Introduction to the Law of Treaties*, London: Keegan Paul International 1995.

Riezebos 1987

C. Riezebos, 'Naar een nieuwe regeling van het staatsnoodrecht', *TvO* 1987, p. 471-474 en p. 477.

Riezebos 1992

C. Riezebos, 'Artikel 103', in: P.W.C. Akkermans & A.K. Koekkoek (red.), *De Grondwet; een artikelsgewijs commentaar*, Zwolle: W.E.J. Tjeenk Willink 1992, p. 920-934.

Rishikof 2004

H. Rishikof, 'When Naked Came the Doctrine of "Self-Defense": What is the Proper Role of the International Court of Justice in Use of Force Cases?', *Yale Journal of International Law* 2004, p. 331-342.

Robertson 1960

A.H. Robertson, 'The First Case Before the European Court of Human Rights: *Lawless v. the Government of Ireland*', *British Yearbook of International Law*, 1960, p. 343-354.

Robertson 1961

A.H. Robertson, '*Lawless v. the Government of Ireland* (second fase)', *British Yearbook of International Law* 1961, p. 536-547.

Robertson & Merrills 1993

A.H. Robertson & J.G. Merrills, *Human rights in Europe. A study of the European Convention on Human Rights*, Manchester-New York: Manchester University Press 1993.

Roethof 1962

H.J. Roethof, *De norm in het volkenrecht*, 's-Gravenhage: Martinus Nijhoff 1962.

Röling 1972

B.V.A. Röling, 'De "clausula rebus sic stantibus" in het volkenrecht', *R.M. Themis* 1972, p. 581-596.

Rosas 1991

A. Rosas, 'Human Rights at Risk in Situations of Internal Violence and Public Emergency: Towards Common Minimum Standards', in: A. Eide & J. Helgesen (eds.), *The Future of Human Rights Protection in a Changing World. Fifty Years since the Four Freedoms Address* (Essays in Honour of Torkel Opsahl), Oslo: Norwegian University Press 1991, p. 165-181.

Rosas & Sandvik 1995

A. Rosas & M. Sandvik, 'Armed Conflicts', in: A. Eide, C. Krause & A. Rosas, *Economic, Social and Cultural rights. A Textbook*, Dordrecht-Boston-London: Martinus Nijhoff 1995, p.341-352.

Rosenthal 1984

U. Rosenthal, *Rampen, rellen, gijzelingen: crisisbesluitvorming in Nederland*, Amsterdam: Bataafsche Leeuw 1984.

Rousseau 1970

Ch. Rousseau, *Droit International Public*, Tome 1, Paris: Sirey 1970.

- Rousseau 1995  
J.J. Rousseau, *Het maatschappelijk verdrag, of beginselen der staatsinrichting*, vertaling van het Franse origineel uit 1762 door S. van den Braak en G. van Roermund, Amsterdam: Boom 1995.
- Rossiter 1948  
C.L. Rossiter, *Constitutional Dictatorship – Crisis Government in the Modern Democracies*, Princeton: Princeton University Press 1948.
- Roth 2002  
K Roth, 'Les droits de l'homme et la campagne anti-terroriste', in: E. Bribosia & A. Weyembergh (dir.), *Lutte contre le terrorisme et droits fondamentaux*, Buxelles: Bruylant 2002, p. 71-84.
- Rottensteiner 1999  
C. Rottensteiner, 'The denial of humanitarian assistance as a crime under international law', *International Review of the Red Cross* 1999, p. 555-582.
- Rozakis 1976  
C.L. Rozakis, *The Concept of Jus Cogens in the Law of Treaties*, Amsterdam-New York-Oxford: North Holland 1976.
- Rozakis 1999  
C.L. Rozakis, 'The European Convention of Human Rights as an International Treaty', in: R.-J. Dupuy (ed.), *Droit et justice. Mélanges en l'honneur de Nicolas Valticos*, Paris: Pedone 1999, p. 497-508.
- Rumpf 1993  
C. Rumpf, 'The Protection of Human Rights in Turkey and the Significance of International Human Rights Instruments', *Human Rights Law Journal* 1993, p. 394-408.
- Russel 1948  
G. Russel, *De Londense Koninklijke Besluiten in het licht van Staatsnoodrecht*, Haarlem: H.D. Tjeenk Willink 1948.
- De Rijk 1984  
P. de Rijk, 'De uitzonderingstoestanden in de nieuwe Grondwet en de gevolgen daarvan voor de noodwetgeving', *Militair Rechtelijk Tijdschrift* 1984, p. 271-279.
- Sachariew 1988  
K. Sachariew, 'State Responsibility for Multilateral Treaty Violations: Identifying the "Injured State" and Its Legal Status', *Netherlands International Law Review* 1988, p. 273-289.
- Sapiro 2003  
M. Sapiro, 'The Shifting Sands of Preemptive Self-Defense', *American Journal of International Law* 2003, p. 599 e.v.
- Schachter 1989  
O. Schachter, 'The Lawful Use of Force by a State Against Terrorists in Another Country', *Israel Yearbook of Human Rights* 1989, p. 209 e.v.
- Schäuble 2005  
W. Schäuble, 'Neue Bedrohungen und die Antwort des Notstandsrechts', *Europäische Grundrechte Zeitschrift* 2005, p. 294-296.
- Scheinin 1995  
M. Scheinin, 'Economic, Social and Cultural Rights as Legal Rights', in: A. Eide, C. Krause & A. Rosas, *Economic, Social and Cultural rights. A Textbook*, Dordrecht-Boston-London: Martinus Nijhoff 1995, p. 41-62.



- Schermers 1964  
H.G. Schermers, 'Het Vierde Protocol bij het Europees Verdrag ter bescherming van de Rechten van de Mens', *Nederlands Juristen Blad* 1964, p. 393-400.
- Schermers 1985  
H.G. Schermers, *Internationaal Publiekrecht voor de Rechtspraak*, Deventer: Kluwer 1985.
- Schermers 1991  
H.G. Schermers, 'The obligation to intervene in the domestic affairs of states', in: A.J.M. Delissen & G.J. Tanja, *Humanitarian Law of Armed Conflict – Challenges Ahead* (Essays in Honour of Frits Kalshoven), Dordrecht-Boston-London: Martinus Nijhoff 1991, p. 587-593.
- Schily 2005  
O. Schily, 'Das Notstandsrecht des Grundgesetzes und die Herausforderungen der Zeit', *Europäische Grundrechte Zeitschrift* 2005, p. 290-294.
- Schleiermacher 1843  
F. Schleiermacher, *Monologen*, Berlin: Reimer 1843.
- Schmitt 1928  
C. Schmitt, *Die Diktatur: von den Anfängen des modernen Souveränitätsgedankens bis zum proletarischen Klassenkampf*, München: Duncker & Humblot 1928.
- Schmitt 2003  
M.N. Schmitt, 'Preemptive Strategies in International Law', *Michigan Journal of International Law* 2003, p. 513-548.
- Schneider 1964  
R. Schneider, *Das Widerstandsrecht in Staatsrecht und Staatstheorie der Gegenwart* (diss. Zürich), Winterthur: Keller 1964.
- Schokkenbroek 1986  
J.G.C. Schokkenbroek, 'De openbare orde als beperkingsgrond voor de vrijheid van meningsuiting', *NJCM-Bulletin* 1986, p. 3-22.
- Schokkenbroek 1990  
J.G.C. Schokkenbroek, 'De margin of appreciation-doctrine in de jurisprudentie van het Europese Hof', in: A.W. Heringa, J.G.C. Schokkenbroek & J. van der Velde (red.), *40 Jaar Europees Verdrag voor de Rechten van de Mens* (bijz. nummer *NJCM-Bulletin*) 1990, p. 41-58.
- Schokkenbroek 1996  
J.G.C. Schokkenbroek, *Toetsing aan de vrijheidsrechten van het Europees Verdrag tot bescherming van de Rechten van de Mens* (diss. Leiden), Zwolle: W.E.J. Tjeenk Willink 1996.
- Schokkenbroek 2004  
J.G.C. Schokkenbroek, 'Het Veertiende Protocol: een korte impressie van het Hof nieuwe stijl', in: P.D. Duyx & P.D.J. van Zeven (red.), *Via Straatsburg* (Myjer-bundel), Nijmegen: Wolf Legal Publishers 2004, p. 73-83.
- Von Schorlemer 2003  
S. von Schorlemer, 'Human Rights: Substantive and Institutional Implications of the War Against Terrorism', *European Journal of International Law* 2003, p. 265-282.
- Schreuer 1982  
C. Schreuer, 'Derogation of Human Rights in Situations of Public Emergency: The Experience of the European Convention on Human Rights', *Yale Journal of World Public Order*, p. 113-131.

- De Schutter 2002  
O. de Schutter, 'La convention européenne des droits de l'homme à l'épreuve de la lutte contre le terrorisme', in: E. Bribosia & A. Weyembergh (dir.), *Lutte contre le terrorisme et droits fondamentaux*, Bruxelles: Bruylant 2002, p. 85-152.
- Schuyt 1972  
C.J.M. Schuyt, *Recht, orde en burgerlijke ongehoorzaamheid* (diss. Rotterdam), Rotterdam: University Pers 1973.
- Schwarzenberger 1955  
G. Schwarzenberger, 'The Fundamental Principles of International Law', *Recueil des Cours de l'Académie de Droit International de la Haye* 1955.
- Schwarzenberger & Brown 1976  
G. Schwarzenberger & E.D. Brown, *A Manual of International Law*, Milton: Professional Books, 1976 (zesde druk).
- Schwelb 1967  
E. Schwelb, 'Some aspects of international jus cogens as formulated by the International Law Commission', *American Journal of International Law* 1967, p. 946-975.
- Schwelb 1968  
E. Schwelb, 'Some Aspects of the International Conventions on Human Rights of December 1966', in: A. Eide & A. Schou (eds.), *International Protection of Human Rights* (Proceedings of the Seventh Nobel Symposium, Oslo 1967), Stockholm: Almqvist & Wiksell - New York: Interscience Publishers 1968, p. 103-120.
- Schwelb 1969  
E. Schwelb, 'The Nature of the Obligations of the States Parties to the International Covenant on Civil and Political Rights', in: K. Vasak e.a., *René Cassin amicorum discipulorumque liber*, Tome I: Problèmes de protection Internationals des droits de l'homme, Paris: Pedone 1969, p. 301-324.
- Schwelb 1974-1975  
E. Schwelb, 'The Law of Treaties and Human Rights', *Archiv des Völkerrechts* 1974-1975, p. 1-27.
- Seiderman 2001  
I.D. Seiderman, *Hierarchy in International Law: The Human Rights Dimension* (diss. Utrecht), Antwerpen-Groningen-Oxford: Intersentia-Hart 2001.
- Shaw 1997  
M.S. Shaw, *International Law*, Cambridge: Grotius-Cambridge University Press 1997 (vierde druk).
- Shestack 2000  
J.J. Shestack, 'The Philosophic Foundations of Human Rights', *Human Rights Quarterly* 1998, p. 201-234.
- Shing-I Liu 1990  
Shing-I Liu, 'Menschenrecht, Widerstandsrecht und Revolution', in: W. Maihofer & G. Sprener (ed.), *Revolution and Human Rights*, Stuttgart: Franz Steiner Verlag 1990, p. 35-42.
- Shraga 1986  
D. Shraga, 'Human Rights in Emergency Situations under the European Convention on Human Rights', *Israel Yearbook of Human Rights* 1986, p. 217-242.
- Sibert 1956  
M. Sibert, 'The rule pacta servanda', *Indian Yearbook of International Affairs* 1956, p. 205-225.

- Simma 1985  
B. Simma, 'Self-Contained Regimes', *Netherlands Yearbook of International Law* 1985, p. 111-136.
- Simma 1994  
B. Simma, 'From Bilateralism to Community Interest', *Recueil des Cours de l'Académie de Droit International de la Haye* 1994.
- Simma 1995  
B. Simma, 'International Human Rights and General International Law; A Comparative Analysis', *Collected Courses of the Academy of European Law* 1995, p. 153-199.
- Simma 2000  
B. Simma, 'How Distinctive Are Treaties Representing Collective Interest? The case of Human Rights Treaties', in: V. Gowlland-Debbas (ed.), *Multilateral Treaty-making*, The Hague-Boston-London: Martinus Nijhoff 2000, p. 83-87.
- Simonen 1999  
K. Simonen, 'Internal Conflicts and Protection of Fundamental Human Rights as an Obligation *Erga Omnes*', *Finnish Yearbook of International Law* 1999, p. 191-208.
- Sinclair 1984  
I. Sinclair, *The Vienna Convention on the Law of Treaties*, Manchester: Manchester University Press 1984.
- Siracusa Principles  
*Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights*, opgesteld door een groep van deskundigen in het internationale recht en mensenrechten, bijeengebracht door de International Commission of Jurists te Siracusa, Sicilië in april 1984, gepubliceerd in *Human Rights Quarterly* 1995, p. 3-14 en in VN Doc. E/CN.4/1985/4 (1985).
- De Smith & Brazier 1989  
S.A. De Smith & R. Brazier, *Constitutional and administrative law*, Middlesex: Penguin books, 1989.
- Soeterik 1993  
R. Soeterik, 'Het conflict tussen de Turkse Staat en de Koerdische Nationale Beweging – achtergronden en de stand van zaken eind 1992', in: R. Soeterik e.a., *Turkije & Koerdistan/Koerdistan & Turkije*, Amsterdam-Utrecht: MERA-SIM 1993, p. 1-34.
- Sohn & Buergenthal 1973  
L.B. Sohn & Th. Buergenthal, *International Protection of Human Rights*, Indianapolis-Kansas City-New York: Bobbs-Merrill 1973.
- Staal 1995  
C.J. Staal, *De vaststelling van de reikwijdte van de rechten van de mens: een bespreking aan de hand van de rechterlijke praktijk naar aanleiding van de artikelen 8 lid 1 en 6 lid 1 (eerste zin) ECRM en de artikelen 1, 6 lid 1, 7 leden 1 en 3 en artikel 9 lid 1 Grondwet* (diss. Utrecht), Nijmegen: Ars Aequi Libri 1995.
- Starke/Shearer 1994  
I.A. Shearer, *Starke's International Law*, London: Butterworths 1994 (elfde druk).
- Stein 1982  
T. Stein, 'Derogation from Guarantees Laid Down in Human Rights Instruments', in: I. Maier (ed.), *Protection of Human Rights in Europe – Limits and Effects*, Heidelberg: Müller 1982, p. 123-133.

- Steinberger 1974  
H. Steinberger, *Konzeption und Grenzen freiheitlicher Demokratie*, Berlin-Heidelberg-New York 1974.
- Stellinga 1953  
J.R. Stellinga, *Grondtrekken van het Nederlands Staatsrecht*, Zwolle: W.E.J. Tjeenk Willink 1953.
- Stern 1977  
K. Stern, *Das Staatsrecht der Bundesrepublik Deutschland*, Band I, München: Beck, 1977.
- Stern 1980  
K. Stern, *Das Staatsrecht der Bundesrepublik Deutschland*, Band II, München: Beck, 1980.
- Sterzel 1968  
D. Sterzel (ed.), *Kritik der Notstandsgesetze*, Frankfurt am Main: Suhrkamp 1968.
- Steward 1989  
F. Steward, 'Basic Need Strategies, Human Rights and the Right to Development', *Human Rights Quarterly* 1989, p. 347-374.
- De Stoop 1978  
D.F.J.J. De Stoop, 'New guarantees for human rights in armed conflicts – a major result of the Geneva Conference 1974-1977', *Australian Yearbook of International Law* 1978, p. 52-76.
- Störig 2000  
H.J. Störig, *Geschiedenis van de filosofie*, Utrecht: Spectrum 2000.
- Strupp 1920  
K. Strupp, 'Das völkerrechtliche Delict', in: G.A. Walz (red.), *Handbuch des Völkerrechts*, Stuttgart: Kohlhammer 1920.
- Suy 1962  
E. Suy, 'De zaak Lawless voor het Europese Gerechtshof voor de Mensenrechten', in: *Netherlands International Law Review* 1962, p. 275-283.
- Suy 1983  
E. Suy, 'Droits des traités et droits de l'homme', in: R. Bernhardt e.a. (eds.), *Völkerrecht als Rechtsordnung – Internationale Gerichtsbarkeit – Menschenrechte* (Festschrift für Hermann Mosler), Berlin-Heidelberg-New York: Springer 1983, p. 581-604.
- Svensson-McCarty 1998  
A.-L. Svensson-McCarty, *The International Law of Human Rights and States of Exception*, The Hague-Boston-London: Martinus Nijhoff 1998.
- Taft 2003  
W.H. Taft IV, 'The Law of Armed Conflict After 9/11: Some Salient Features', *Yale Journal of International Law* 2003, p. 319-323.
- Taft 2004  
W.H. Taft IV, 'Self-Defense and The Oil Platforms Decision', *Yale Journal of International Law* 2004, p. 295-306.
- Talbot 2002  
R. Talbot, 'The balancing act: counter-terrorism and civil liberties in British anti-terrorism law', in: J. Strawson (ed.), *Law after Ground Zero*, Sydney-London-Portland (Oregon): Glasshouse Press 2002, p. 123-135.

- Tammes 1947  
A.J.P. Tammes, *De internationale noodzaak* (oratie UvA), Den Haag: Martinus Nijhoff 1947.
- Tammes 1973  
A.J.P. Tammes, *Internationaal Publiekrecht*, Amsterdam: Erven Bohn 1973 (tweede druk).
- Tanca 1990  
A. Tanca, 'Human Rights, Terrorism and Police Custody: The Brogan Case', *European Journal of International Law* 1990, p. 269-277.
- Tapia-Valdés 1982  
J.A. Tapia-Valdés, 'A Typology of National Security Policies', *Yale Journal of World Public Order* 1982, p. 10-39.
- Tavernier 1995  
P. Tavernier, 'Article 15', in: L.E. Pettiti, E. Decaux & P.H. Imbert (red.), *La convention européenne des droits de l'homme*, Paris: Economica 1995, p. 489-505.
- Thornberry 1991  
P. Thornberry, *International Law and the Rights of Minorities*, Oxford: Clarendon Press 1991.
- Toebes 1999  
B.C.A. Toebes, *The Right to Health as a Human Right in International Law* (diss. Utrecht), Antwerpen-Groningen: Intersentia 1999.
- Tomuschat 1983  
C. Tomuschat, 'Protection of Minorities under article 27 of the International Covenant on Civil and Political Rights', in: *Völkerrecht als Rechtsordnung Internationale Gerichtsbarkeit Menschenrechte – Festschrift für Hermann Mosler*, Berlin: Springer 1983, p. 949-979.
- Tomuschat 1984  
Chr. Tomuschat, 'The right of resistance and human rights', in: A. Eide e.a., *Violations of human rights: possible rights of recourse and forms of resistance*, Paris: Unesco 1984, p. 13-33.
- Tomuschat 1996  
Chr. Tomuschat, 'The code of crimes against mankind and the inalienable or non-derogable rights', in: D. Premont, Chr. Stenersen & I. Oseredczuk (eds.), *Droits intangibles et états d'exception/Non-derogable rights and states of emergency*, Bruxelles: Bruylant 1996, p. 99-105.
- Töndury 1947  
G.R. Töndury, *Der Begriff des Notstandes im Staatsrecht*, Zürich 1947.
- Trechsel 1986  
S. Trechsel, 'Zum Verhältnis zwischen der Folterschutzkonvention und der Europäischen Menschenrechtskonvention', in: Y. Hangartner & S. Trechsel, *Völkerrecht im Dienste des Menschen* (Festschrift für Hans Haug), Bern-Stuttgart: Haupt 1986, p. 355-362.
- Vagts 2005  
D.F. Vagts, 'Rebus Revisited: Changed Circumstances in Treaty Law', *Columbia Journal of Transnational Law* 2005, p. 459-476.

Vamvoukos 1985

A. Vamvoukos, *Termination of Treaties in International Law: The Doctrines of Rebus Sic Stantibus and Desuetude*, Oxford: Clarendon 1985.

Vasak 1970

K. Vasak, 'L'historique des problèmes de la ratification de la Convention par la France', *Revue des droits de l'homme* 1970, p. 558-566.

Van der Velde 1997

J. van der Velde, *Grenzen aan het toezicht op de naleving van het EVRM* (diss. Leiden), Leiden: NJCM-Boekerij 1997.

Velu 1964

J. Velu, 'Le controle des organes prévus par la convention européenne des droits de l'homme sur le but, le motif et l'objet des mesures d'exception dérogeant à cette convention', in: J.J.-A. Salmon e.a., *Problèmes de droit humanitaire* (Mélanges offerts à Henri Rolin), Paris: Pedone 1964, p. 462-478.

Velu 1982

J. Velu, 'Le droit pour les états de déroger à la convention de sauvegarde des droits de l'homme et des libertés fondamentales en cas de guerre ou d'autre danger public menaçant la vie de la nation', in: Université Catholique de Louvain, Quatrième Colloque du Département des Droits de l'Homme, *Les clauses échappatoires en matière d'instruments internationaux relatifs aux droits de l'homme*, Bruxelles: Bruylant - Louvain-La-Neuve: Cabay 1982, p. 71-148.

Velu & Ergec 1990

J. Velu & R. Ergec, *La convention européenne des droits de l'homme*, Bruxelles: Bruylant 1990.

Verdross 1964

A. Verdross (m.m.v. S. Verosta & K. Zemanek), *Völkerrecht*, Wien: Springer 1964 (vijfde druk).

Vierdag 1994

E.W. Vierdag, 'Some remarks about special features of human rights treaties', *Netherlands Yearbook of International Law* 1994, p. 119-142.

Villevieille 1973

J.-F. Villevieille, 'La ratification par la France de la Convention européenne des Droits de l'homme', *Annuaire Français du Droit International* 1973, p. 922-927.

Virally 1982

M. Virally, 'Des moyens utilisés dans la pratique pour limiter l'effet obligatoire des traités', in: Université Catholique de Louvain, Quatrième Colloque du Département des Droits de l'Homme, *Les clauses échappatoires en matière d'instruments internationaux relatifs aux droits de l'homme*, Bruxelles: Bruylant - Louvain-La-Neuve: Cabay 1982, p. 5-22.

Wade & Phillips/Bradley 1977

E.C.S. Wade & G. Godfrey Phillips/A.W. Bradley, *Constitutional and administrative law*, London: Longman 1977 (9th ed.).

Wade & Bradley 1993

E.C.S. Wade & A.W. Bradley, *Constitutional and Administrative Law*, London: Longman 1993

Walkate 1982

J.A. Walkate, 'The Human Rights Committee and Public Emergencies', *Yale Journal of World Public Order* 1982, p. 133-146.

Walker 1991

C. Walker, *The Prevention of Terrorism in British Law*, Manchester-New York: Manchester University Press, 1991

Warbrick 1979

C. Warbrick, 'The protection of human rights in national emergencies', in: F.E. Dowrick (ed.), *Human Rights – Problems, Perspectives and Texts*, Westmead-Farnborough: Saxon House 1979, p. 89-106.

Warbrick 2002

C. Warbrick, 'The Principles of the European Convention on Human Rights and the Response of States to Terrorism', *European Human Rights Law Review* 2002, p. 287-314.

Watkin 2004

K. Watkin, 'Controlling the Use of Force: A Role for human Rights Norms in Contemporary Armed Conflict', *American Journal of International Law* 2004, p. 1-34.

Weil 1963

G.L. Weil, *The European Convention on Human Rights - Background, Development and Prospects*, Leiden: Sythoff 1963.

Weinkauff 1956

H. Weinkauff, *Über das Widerstandsrecht*, Vortrag gehalten vor der Juristischen Studiengesellschaft in Karlsruhe am 24. Februar 1956, Karlsruhe: Müller 1956.

Weinkauff 1962

H. Weinkauff, 'Das Widerstandsrecht in juristischer Sicht', in: *Staatslexicon*, Bd. 6, Freiburg: Herder 1962, p. 677-683.

Weis 1975

P. Weis, 'The Denunciation of Human Rights Treaties', *Revue des droits de l'homme/ Human Rights Journal* 1975, p. 3-7.

Weissbrodt & Hicks 1993

D. Weissbrodt & P.L. Hicks, 'Implementation of human rights and humanitarian law in armed conflict', *International Review of the Red Cross* 1993, p. 120-138.

Van Wifferen 2004

L. van Wifferen, 'Het gebruik van AIVD-informatie in het strafproces', *Justitiële Verkenningen* 2004, nr. 3, p. 138-147.

De Wijk 2004

R. de Wijk, 'Het gevaar van succes in de strijd tegen terrorisme. Portret van de nieuwe vijand', *Justitiële Verkenningen* 2004, nr. 3, p. 43-55

Wührer 1973

S. Wührer, *Das Widerstandsrecht in den deutschen Verfassungen nach 1945*, Bern-Frankfurt: Lang 1973.

Yeşilgöz 1993

Y. Yeşilgöz, 'Van het oostelijk front geen nieuws', in: R. Soeterik e.a., *Turkije & Koerdistan/Koerdistan & Turkije*, Amsterdam-Utrecht: MERA-SIM 1993, p. 35-62.

Zacklin 1976

R. Zacklin, 'International Law and the Protection of Civilian Victims of Non-International Armed Conflicts' in: M.K. Nawaz (ed.), *Essays on International Law in Honour of Krishna Rao*, Leiden: Sythoff 1976, p. 282-295.

Zanghi 1977

C. Zanghi, 'Le reserve della Francia alla convenzione europea dei diritti dell'uomo', in: C. Zanghi e.a., *Studi di diritto europeo in onore di Ricardo Monaco*, Milano: Gioffré 1977, p. 819-829.

De Zayas 1996

A. de Zayas, 'Derogation and the United Nations Human Rights Committee', in: D. Premont, Chr. Stenersen & I. Oseredczuk (eds.), *Droits intangibles et états d'exception/Non-derogable rights and states of emergency*, Bruxelles: Bruylant 1996, p. 225-234.

Zoethout 1991

C.M. Zoethout, 'Hugo Krabbe over recht, staat en staatsrecht', *Recht en kritiek* 1991, p. 468-481.

Zürcher 1986

E.J. Zürcher, *De moderne geschiedenis van Turkije*, Den Haag: Stichting Turks Publicatie- en Informatie Centrum, 1986.

Zwaak 1993

L. Zwaak, 'De verplichtingen van Turkije krachtens internationale mensenrechtenverdragen in het kader van de Verenigde Naties en de Raad van Europa', in: R. Soeterik e.a., *Turkije & Koerdistan/Koerdistan & Turkije*, Amsterdam-Utrecht: MERA-SIM 1993, p. 63-112.



