

A WORLD IN CRISIS¹

by

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Today, we are together to celebrate the end of the academic year of CERIS. Once again, several students will receive the diploma of CERIS testifying that they have fulfilled the requirements of an academic degree in the field of international relations. You have had the privilege to follow courses given by a great variety of eminent professors belonging to some of the best academic faculties in the world. It is appropriate to thank those professors wholeheartedly for having put their expertise at the benefit of the students of CERIS.

The diploma of CERIS is not one of those that is required for a job. Such a diploma you had already before enrolling in the CERIS programme. Here, it is not the document that is important. What is important is what you have learned by fulfilling the requirements of the CERIS programme. The more you have invested in the programme, the more you benefit from it. I like to thank you also for having been our students. We are convinced that what you learned here will help you in your future professional career. On behalf of CERIS, I wish you all the best.

I know very well that I'm not the guest speaker tonight. I only have been assigned to act as a master of ceremony. But I feel that the times we are living are challenging to an extent that it would be unforgivable not to share some reflections with you.

You are studying international relations in very strange times. Much of what we have taken for granted is now set upside down. It culminated with the invasion of an independent State, Ukraine, by a permanent member of the UN Security Council, the Russian Federation. That invasion is a blatant violation of the UN Charter. According to the UN Charter, the use of armed force is only legitimate in case of self-defence or when authorized by the Security Council. Moreover, this invasion violates not only the *ius ad bellum* (the rules governing recourse to war) but it is done also in a manner which disregards the *ius in bello* (the rules governing warfare). Since the aggressor is a permanent member of the Security Council, the Security Council is paralysed.

Nearly 50 years ago, I started teaching international law. I did it mainly in Belgium (at the University of Antwerp). I did it also at universities in Burundi, in California, in Rwanda and in Taiwan. Moreover, I have been for 35 years a member of UN organs such as the Commission on Human Rights, the Sub-

¹ At the graduation ceremony of CERIS – the Diplomatic School of Brussels on 27 June 2025.

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Commission on Human Rights and the Committee on the Elimination of Racial Discrimination.

Having started my UN career when the Cold War was a reality, I was very happy when the Berlin wall crumbled in 1989. Relations between the Soviet-Union and the Western States improved considerably. I sincerely regret that at a given moment that improvement halted and it has even been reversed. I have no doubt that the West bears its part of responsibility in this unfortunate reversal. But nothing can excuse the flagrant violations of international law and of humanitarian international law committed in the Ukraine.

Unfortunately, Ukraine is not the only place where humanitarian international law is violated. On 7 October 2023, several civilians have been killed in Israel in a gruesome manner. Hostages have been taken and some of them are not yet released. Following that attack by Hamas, the Israeli army has undertaken actions of reprisal which go beyond what can be considered acceptable under humanitarian international law.

The turmoil in which international relations find themselves worsened since Mr Donald Trump started a second term as US President. In the few months that he is in the White House, he has adopted a behaviour which deviates from about everything what diplomatic handbooks prescribes or recommends. And it is not only his style which is unusual. By his actions too, he shows that respect for international law is not high on his agenda. His unreserved support of Israeli actions in Gaza and his bombing of Iran raises serious questions about their compatibility with international law. Moreover, he has taken several decisions affecting the funding of UN bodies and UN specialised agencies compromising many activities carried out for the benefit of mankind.

All those developments create a lot of uncertainty. Predictability, an important value in international relations, has been considerably undermined by those new developments. An important casualty of those developments is international law. I have been lucky to have been able to teach international law in times the world was not in a crisis as it is today. I wonder how you - who belong generally to a much younger generation - look upon those developments.

I hope you are still convinced that international law has rendered - and will continue to render in the future - precious services to mankind. That's why I like to remind you of some of the basic tenets of international law. In my teaching, I always insisted not to overlook how rules of international law come into being. That's by way of what we call the formal sources of international law, the methods by which rules of international law are created. The two principal formal sources of international law are treaties and customs.

Treaties are agreements concluded among States. They are binding because States have accepted them as binding. States are free to conclude or not to conclude treaties. If they do, it is because they are willing to enter into binding agreements. Otherwise, they should not become parties to treaties. Once States have accepted to become bound by a treaty, they cannot unilaterally withdraw from a treaty they have accepted. There is no point in becoming parties to treaties if one considers to be entitled not to respect the obligations they contain.

The other principal source of international law is custom. A customary rule of international law comes into being when two conditions are fulfilled: a consistent State practice and *opinio juris*, the conviction that the rule is binding. Here, it is even more natural that the rule is to be respected. It is because the States believe that the rule is binding that they behave in the way prescribed by the rule. The rule must be observed because it is generally observed. Consequently, respect for international law is the natural behaviour which may be expected. Conscious of how rules of international law are made, great reservation should be applied by interpreting those rules. They should not be interpreted in a manner which goes beyond what States have accepted knowingly and willingly.

As I have taught it for many years, States generally respect international law because they are aware that abiding by its rules is in the interest of all, at least in the long run. It may sometimes seem advantageous at a particular occasion not to respect international law. But one must always be aware that international law is based on the principle of reciprocity. If you do something, other States may do the same thing. The occasional advantage in not respecting international law is greatly outweighed by the disadvantages you may incur when others do not respect the rules in respect of your rights or your interests.

Mr Putin and Mr Trump do upset the rules of international law. But even the leaders of powerful States do not enjoy eternal life. We should not admit that their approach becomes the new international order. Otherwise, there is a real risk that the world will end in chaos. The price for it could be death and destruction for many millions. The reckless behaviour of some world leaders should not make us lose faith in what we have learned and is based on the experience over some centuries of the great majority of States. That's the message I want to give you at this very moment that - equipped with your CERIS diploma - you will pursue your career in the troubled times we live in at present.