

**DR. AGATA KLECZKOWSKA**

**"Retorsions in  
International Law:  
Do we still need  
them?"**

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**17:00**

Moot Court- und  
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In the doctrine of law, retorsions are defined as legal but unfriendly measures undertaken in reply to illegal and/or unfriendly acts. Retorsions are not regulated in any legal act, since this collective term refers to virtually any measures falling within the discretionary powers of every State. However, the discretionary nature of these measures means that States are not restricted in their employment only to situations when these measures are preceded by illegal or unfriendly acts of another State; they may apply them under any circumstances. For instance, a State may decide to break diplomatic relations with another State at any moment, not only after the latter State committed an unfriendly or illegal act to the detriment of the former. Moreover, some scholars claim that since retorsions are by definition lawful, they fall outside the scope of international law and that there is nothing like a 'law of retorsions'. Why do we need then such a notion as 'retorsions' at all? Why do the doctrine of law and States keep on using this term? Wouldn't it be more accurate if they referred to specific types of measures (declaring a diplomat persona non grata, restricting import of certain goods, withdrawing voluntary aid programs etc.) than using such a general (and at the end of the day, ambiguous) term as retorsions? If retorsions fall outside the scope of international law, why does the doctrine of law deal with this notion, instead of leaving it to e.g., political scientists? The lecture will seek to address all these issues, explaining the role and place of retorsions under international law.

The **GILDS** is founded and chaired by **Professor Erika De Wet**, Head of the Department of International Law and International Relations. [erika.de-wet@uni-graz.at](mailto:erika.de-wet@uni-graz.at)

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**tomorrow**

