

The decision of the International Court of Justice for the Corfu Channel Incident in light of New Discoveries

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Abstract

The incident of Corfu Channel constitutes, without doubt, one of the most important events of the Albanian diplomatic history issue after World War II, an event that defined or, at least, did much during the following Albania's relations with Western countries, especially with Great Britain.

Regarding several attempts to resolve the incident of October 22, 1946, diplomatically, the British Government addressed a separate letter to the Secretary-General of the UN. In order to investigate this problem as soon as possible by the Council of Security, under chapter VII of the UN Charter, as the situation "jeopardizes international peace and security", British intention was to achieve the adoption of a Security Council resolution, through which Albania declared responsibility for the incident of October 22, "after mines close to the Albanian coast could not be decided without the knowledge of the Albanian authorities".

Regarding the second question posed by the compromise agreement between the parties, the Court unanimously (with parallel reasoning only British judge) stated that the operation of the British battleship mine clearance Corfu Channel, undertaken on 12-13 November 1946, violated the sovereignty of the People's Republic of Albania. The Court dismissed, in this case, the British claims that the operation undertaken for mine clearance could be justified by the right of intervention or self-help, etc. In this article we will analyse some topics related to the incident of Corfu Channel, as one of the most important events of the Albanian diplomatic history issue after World War II.

Keywords: *Corfu Channel Incident, UN Charter, Security Council, Albanian Government, British Government, International Law, Convention on the Law of the Sea, International Court of The Hague.*

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