This chapter discusses the notion of ‘diplomatic protection’, or the idea that a State may espouse the claims of its nationals and claim on their behalf. Because diplomatic protection by a State to persons necessarily extends beyond its territory, its exercise has potential ramifications for the sovereignty of other States. Certain rules have therefore emerged to avoid the uncomfortable situation where States submit legal claims as a strategic tool in international relations. Many of these are reflected in the Articles on Diplomatic Protection proposed by the International Law Commission (ILC) in 2006. In such situations, even if locus standi or ‘standing’ can be established, the admissibility of a claim before an international tribunal is precluded. The chapter then studies the rules relating to the admissibility of claims of diplomatic protection.
11. Diplomatic protection and issues of standing

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