PART IV

GENERAL CONCLUSION
The present study addresses the issue whether there is State succession to rights and obligations arising from internationally wrongful acts committed before the date of succession. The analysis of this issue is twofold:

- Whenever an internationally wrongful act is committed by the predecessor State against a third State before the date of succession, what happens to the obligation to repair for which the predecessor State is the debtor before the date of succession?
- Whenever an internationally wrongful act is committed by a third State against the predecessor State, what happens to the right to reparation for which the predecessor State is the creditor before the date of succession?

There are three possible different sets of answers with respect to the obligation to repair and the right to reparation in the context of succession of States:

- the obligation and the right simply vanish along with the defunct State (in the context where the predecessor State ceases to exist, such as a dissolution of State); or
- the obligation and the right remain that of the continuing State (in the context where the predecessor State does not cease to exist, such as in cases of secession); or
- the obligation and the right are transferred to the successor State(s).

Any question of State succession involves two contradictory principles: continuity and break. The central issue is therefore whether the factual changes affecting a State lead to continuity or break of its legal rights and obligations existing prior to the date of succession. The study of any question of succession of States is therefore to determine the point of equilibrium between two extreme principles: tabula rasa and universal succession.1 In the present study, the aim is to determine the point of equilibrium between the solution of succession or non-succession to

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*Patrick Dumberry, State Succession to International Responsibility, pp. 419–435.*