

Rudolf Bernhardt (Ed.)

**Interim Measures
Indicated by
International Courts**



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Interim Measures Indicated By International Courts

**Andreas Zimmermann, Christian
Tomuschat, Karin Oellers-
Frahm, Christian J. Tams**



Interim Measures Indicated By International Courts:

Interim Measures Indicated by International Courts Rudolf Bernhardt, 1994-10-24 Professor Hermann Mosler former Director of the Max Planck Institute for Comparative Public Law and International Law former Judge and Vice President of the European Court of Human Rights Judge of the International Court of Justice from 1976 to 1985 celebrated his 80th birthday at the end of the year 1992 On 22nd January 1993 the Max Planck Institute organized a colloquium in honour of Hermann Mosler on a topic which is of theoretical as well as practical interest Interim Measures Indicated by International Courts The participants of the colloquium were outstanding scholars and experts in the area of international dispute settlement The present publication is based on the colloquium of January 1993 It contains four reports namely on the International Court of Justice Thirlway the Court of Justice of the European Communities Jacobs the Inter American Court of Human Rights Buergenthal and the European Court of Human Rights Bernhardt Three of the reports were orally presented and discussed and they have been revised and expanded for this publication the report by Thomas Buergenthal could only be submitted in writing In preparing the colloquium the authors were requested to concentrate their contributions on the following questions 1 Legal bases for the indication of interim measures convention statute rules of court 2 Conditions for the indication of interim measures jurisdiction competence admissibility urgency necessity irreparable damage request of the parties and/or indication by the court proprio motu *Provisional Measures before International Courts and Tribunals* Cameron A. Miles, 2017-01-26 2 Dispute Settlement Under UNCLOS *Provisional Measures Issued by International Courts and Tribunals* Fulvio Maria Palombino, Roberto Virzo, Giovanni Zarra, 2020-12-02 This book makes a significant contribution to the comprehension of the law and practice of provisional measures issued by international courts and tribunals including international commercial arbitration After having analyzed the common features of provisional measures it provides an overview of the peculiarities of these orders within the context of different international proceedings e.g. the ICJ the ITLOS the CJEU the ICC human rights courts and investment arbitration In this regard the book is valuable in offering a broad and rigorous comparative analysis between the various forms of provisional measures Owing to its original cross cutting and case driven approach the book will be an essential tool for both scholars and practitioners dealing with the law of provisional measures in international adjudication Indeed this book will be an important novelty in international law libraries due to the broad range of regimes scrutinized and to a detailed analysis of the general trends within the contemporary law of provisional measures Fulvio Maria Palombino is Professor of International Law in the Department of Law at the University of Naples Federico II Naples Italy Roberto Virzo is Associate Professor of International Law in the Department of Law Economics Management and Quantitative Methods DEMM at the University of Sannio Benevento Italy Giovanni Zarra is Adjunct Professor of International Law in the Department of Law at the University of Naples Federico II Naples Italy **The Statute of the International Court of Justice** Andreas Zimmermann, Christian Tomuschat, Karin Oellers-Frahm, Christian J.

Tams, 2012-10-11 The International Court of Justice is the principal judicial organ of the United Nations and plays a central role in the settlement of disputes and the development of international law This commentary analyses the Statute of the Court and the related provisions of the UN charter and the Court's Rules of Procedure *The Rights and Obligations of States in Disputed Maritime Areas* Youri van Logchem, 2021-10-14 A comprehensive treatment of the rights and obligations of States within disputed maritime areas under international law **Essays in International Litigation and the Conflict of Laws** Lawrence Antony Collins, 1996 This is the paperback edition of Lawrence Collins very well received hardback Essays in International Litigation and the Conflict of Laws The book offers academics and practitioners a selection of the best essays written over a twenty year period updated where necessary with introductory prefaces outlining the most important subsequent developments Among the highlights is a report of the author's recent Hague lecture on Provisional and Protective Measures in International Litigation Scholarly and incisive these essays will be required reading for all academics and practitioners interested in international litigation **The Role and Record of the International Court of Justice** Nagendra Singh, 2023-12-04 **Legal Resolution of Nuclear Non-Proliferation Disputes** James D. Fry, 2013-12-19 James Fry explores the use of international courts and tribunals to settle disputes over nuclear weapons and nuclear material **Akehurst's Modern Introduction to International Law** Peter Malanczuk, 2002-04-12 First published in 2002 Routledge is an imprint of Taylor Francis an informa company **Promoting Peace Through International Law** Cecilia Marcela Bailliet, Kjetil Mujezinovic Larsen, 2015-01-29 Within international law there is no unified concept of peace This book addresses this gap by considering the liberal conception of peace within Western philosophy alongside the principle of peaceful coexistence supported in the East By tracing the evolution of the international law of peace through its historical and philosophical origins this book investigates whether there is a right to peace The book explores how existing international law and institutions contribute to the establishment of peace or how they fail to do so It sets out how international law promotes the negative dimension of peace the absence of violence as well as its positive dimension the presence of underlying conditions for peace It also investigates whether international actors and institutions have particular obligations in relation to the establishment and maintenance of peace Discussions include the relationships between the different regimes of human rights trade development the environment and regulation of arms trade with peace the role of women refugees and other groups seeking equal treatment the role of peacekeepers transitional justice mechanisms international courts fact finding missions and national constitutional frameworks in upholding peace in practice and how civil society participates in the promotion and safeguarding of peace The book's comprehensive treatment of the concept of peace in international law makes it an ideal reference work for those working in the field as well as for students *International Courts and Environmental Protection* Tim Stephens, 2009-02-12 A comprehensive examination of international environmental litigation which addresses the major environmental challenges of the twenty first century *Remedies for Human Rights*

Violations Kent Roach,2021-04-08 Justifies a two track approach that includes individual and systemic remedies in both domestic and international human rights law **Latin America and the International Court of Justice** Paula

Wojcikiewicz Almeida,Jean-Marc Sorel,2016-11-25 This book aims to evaluate the contribution of Latin America to the development of international law at the International Court of Justice ICJ This contemporary approach to international adjudication includes the historical contribution of the region to the development of international law through the emergence of international jurisdictions as well as the procedural and material contribution of the cases submitted by or against Latin American states to the ICJ to the development of international law The project then conceives international jurisdictions from a multifunctional perspective which encompasses the Court as both an instrument of the parties and an organ of a value based international community This shows how Latin American states have become increasingly committed to the peaceful settlement of disputes and to the promotion of international law through adjudication It culminates with an expansion of the traditional understanding of the function of the ICJ by Latin American states including an analysis of existing challenges in the region The book will be of interest to all those interested in international dispute resolution including academic libraries the judiciary practitioners in international law government institutions academics and students alike **Dispute**

Resolution in the Law of the Sea Igor V. Karaman,2012-02-17 The 1982 United Nations Convention on the Law of the Sea has been frequently referred to as the constitution for the oceans and as one of the most important events in the history of modern international law Representing one of the treaties most widely accepted by the international community the adoption of the Convention had a long and difficult passage explained in part by the varied and often irreconcilable interests at stake during the Third United Nations Conference on the Law of the Sea In this context one of the primary merits of the Convention is its successful accommodation of the interests involved an accomplishment which has contributed to the view that the Convention constitutes one of the major compromises in the history of international treaty law making A detailed dispute settlement system represents a significant achievement of the Convention an aspect on which Dispute Resolution in the Law of the Sea focuses The book aims at examining the resolution of disputes which have emerged since the Convention s entry into force and at analyzing the role of compulsory procedures entailing binding decisions through the prism of general international law and jurisprudence An overall evaluation of the effectiveness of the functioning of the dispute settlement system under the Convention is presented and annexes offer a compendium of the LOSC related disputes together with various means involved in their resolution as well as maritime delimitation agreements and the provisional arrangements negotiated by States The ICSID Convention Christoph Schreuer (juriste),2009 This is a practice oriented guide including text commentary tables and index for anyone dealing with the International Centre for Settlement of Investment Disputes ICSID The ICSID Convention Christoph H. Schreuer,2009-07-23 This unique compendium offers an article by article commentary to the Convention on the Settlement of Investment Disputes between States and Nationals of Other States

Providing a comprehensive explanation of the functioning of this important mechanism for the settlement of investor host State disputes it incorporates the preparatory work the Convention s text various rules and regulations adopted under the Convention the practice of arbitral tribunals under the Convention and academic writings on the subject The first edition of this work has been relied upon by numerous arbitral tribunals This second edition follows the same system and approach but extensive updates reflect the vast increase in arbitral practice since the publication of the first edition A number of novel issues that have emerged through this practice are now addressed making this practice oriented guide an indispensable tool for anyone dealing with the ICSID Convention

Fact-Finding before the International Court of Justice James Gerard Devaney, 2016-09-29 Fact Finding before the International Court of Justice examines a number of significant recent criticisms of the way in which the ICJ deals with facts The book takes the position that such criticisms are warranted and that the ICJ s current approach to fact finding falls short of adequacy both in cases involving abundant particularly complex or technical facts and in those involving a scarcity of facts The author skilfully examines how other courts such as the WTO and inter State arbitrations conduct fact finding and makes a number of select proposals for reform enabling the ICJ to address some of the current weaknesses in its approach The proposals include but are not limited to the development of a power to compel the disclosure of information greater use of provisional measures and a clear strategy for the use of expert evidence

La Cour internationale de Justice 1946-1996 Arthur Eyffinger, Arthur Witteveen, 2023-09-14 La Cour internationale de Justice l un des cinq organes principaux de l Organisation des Nations Unies et son organe judiciaire principal est install e La Haye loin du Si ge de l ONU dans la s r nit du Palais de la Paix don d Andrew Carnegie l id al de la paix mondiale Cet ouvrage tr s bien document para t l occasion du jubil des cinquante ans de la Cour L ouvrage comporte douze chapitres et est pr fac par le Pr sident de la Cour Avec une riche iconographie il illustre l id e du r glement pacifique des diff rends travers les ges qui devait trouver sa cons cration lors des conf rences de la paix de La Haye Il voque la cr ation de la Cour remontant l poque de sa devanci re dans l entre deux guerres Il traite du droit et de la proc dure de la Cour internationale de Justice et d crit la composition de la Cour dans sa diversit juridique et culturelle Des statistiques la biographie de tous les juges et une bibliographie compl tent cet hommage remarquable un id al universel et s culaire

The Law of the United Nations as Applied to Intervention Within the Frame Work of Article 2, Paragraph 7 of the Un Charter Agola

Auma-Osolo, 2015-09-08 Ever since the first generation of man whereby our first patriarch Adam and matriarch Eve were commanded by God on what to do if they were to live and enjoy a happy life of perpetual peace and prosperity Genesis 2 1617 right up to our own generation today 2014 numerous prophets prophetesses philosophers statesmen scientists and jurists alike have also arisen echoing the same These include for example Hosea Isaiah Micah Samuel Jeremiah etc prophets Miriam Deborah Anna etc prophetesses Confucious Socrates Zeno Thomas Hobbes Jeremy Bentham John Stuart Mill John Locke etc philosophers Ur Num Hammurabi Marcus Tullis Cicero Woodrow Wilson Mohandas Karamchand Gandhi Marcus

Garvey Rev Dr Martin Luther King Jr Kwame Nkrumah Patrice Lumumba Nelson Madiba Mandela etc statesmen Hugo Grotius L Oppenheim H Lauterpacht Hans Kelsen Louis B Sohn etc jurists Albert Einstein Inis L Claude Jr Robert J Oppenheimer Sir Norman Angell Raymond Aron Henri Saint Simon Immanuel Kant David Easton etc scientists and more so the Founding Fathers of The United Nations in 1945 But like Gods effort all their efforts also have fallen on mans deaf ears leading humanity to a perpetual perish Hosea 4 6 Using a case study methodology this book has established that various forms of conflict perennially scourging the international community are influenced by obsessive self seeking political passions for national interest defined in terms of power that these passions are cunningly packaged in dangerous principles of sovereign equality and domestic jurisdiction and the doctrine of survival of the fittest that it is these viruses that have always undermined and consequently retarded the United Nations efforts to realize fully its mandate as the chief custodian of world peace and security as was intended by its Founding Fathers in 1945 when all nation states had already proved totally incapable of achieving this elusive goal thus leading to the eruption of both World War I and II that this tragedy is a function of mans paradoxical nature his appetite for both peace and war that although man is endowed with a unique natural ability to listen and understand better than all other members of the animal kingdom unfortunately like Adam and Eve man is a perpetual hostage to his own double standard nature which consequently does not allow him to pass an acid test on the virtue of pacta sunt servanda honesty and finally that this is why the wishes of the Founding Fathers of the United Nations contained in both the preamble and entire charter have always failed to bear fruit in full since its inception Hence an urgent need for an emergency revival of the original concept of this world bodys role by depreciating the existing dangerous supremacy of nation states sovereignty and legitimacy in appreciation of the sovereignty and legitimacy of the United Nations as a panacea This pragmatic innovation is cost effective and therefore extremely necessary Like a nation states effectively authoritative responsibility over its intercitizen interaction within its respective nation state jurisdiction this newly revitalized world body could similarly possess an effectively authoritative responsibility over its interstate interaction including acts of all nonstate actors within its international jurisdiction Also it would be able to contain both those viruses stated above and pathological tendencies of certain temporary insane actors from emotionally resorting to thermonuclear biological or any other means of suicide mass terrorism genocide as ones payoff option to the sources of ones long helpless frustration and suffering that could consequently lead humanity to an automatic global Doomsday simply because of absence of such a needed world body to serve as an umpire for all in conformity with the wishes of the UN Founding Fathers

Regional Protection of Human Rights Dinah Shelton, Paolo G. Carozza, 2013-05-30 What role do human rights play in the development of regional organizations What human rights obligations do states assume upon joining regional bodies Regional Protection of Human Rights Second Edition is the first text of its kind devoted to the European Inter American and African systems for the protection of human rights It illustrates how international human rights law is interpreted and

implemented across international organizations and offers examples of political economic social problems and legal issues to emphasize the significant impact of international human rights law institutions on the constitutions law policies and societies of different regions Regional Protection of Human Rights provides readers with access to the basic documents of each legal system and their inter relationships enabling readers to apply those documents to ever changing global situations and alerting them to the dynamic nature of regional human rights law and institutions The jurisprudence of the European and Inter American Courts and decisions of the Inter American and African Commissions are emphasized including decisions on the interpretation and application of various human rights procedural requirements and remedies Prospects for regional systems in the Middle East and Asia are also discussed The relevant basic texts are reproduced in a documentary supplement Together Regional Protection of Human Rights and its accompanying Documentary Supplement provide comprehensive access to the basic documents of each legal system and their inter relationships enabling readers to apply those documents to ever changing global situations and alerting them to the dynamic nature of regional human rights law and institutions In addition to serving as a text for courses on human rights law the book will be useful for courses in international law international relations and political science It is also be a helpful resource for lawyers and policy makers concerned with the protection of human rights

Unveiling the Energy of Verbal Artistry: An Emotional Sojourn through **Interim Measures Indicated By International Courts**

In some sort of inundated with screens and the cacophony of instantaneous communication, the profound power and mental resonance of verbal beauty usually fade in to obscurity, eclipsed by the continuous onslaught of sound and distractions. However, located within the lyrical pages of **Interim Measures Indicated By International Courts**, a fascinating work of fictional beauty that impulses with fresh feelings, lies an unforgettable trip waiting to be embarked upon. Composed by way of a virtuoso wordsmith, that interesting opus courses viewers on a psychological odyssey, lightly revealing the latent potential and profound impact embedded within the delicate web of language. Within the heart-wrenching expanse with this evocative examination, we can embark upon an introspective exploration of the book is central themes, dissect their charming writing model, and immerse ourselves in the indelible impact it leaves upon the depths of readers souls.

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Table of Contents Interim Measures Indicated By International Courts

1. Understanding the eBook Interim Measures Indicated By International Courts
 - The Rise of Digital Reading Interim Measures Indicated By International Courts
 - Advantages of eBooks Over Traditional Books
2. Identifying Interim Measures Indicated By International Courts
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Interim Measures Indicated By International Courts
 - User-Friendly Interface

4. Exploring eBook Recommendations from Interim Measures Indicated By International Courts
 - Personalized Recommendations
 - Interim Measures Indicated By International Courts User Reviews and Ratings
 - Interim Measures Indicated By International Courts and Bestseller Lists
5. Accessing Interim Measures Indicated By International Courts Free and Paid eBooks
 - Interim Measures Indicated By International Courts Public Domain eBooks
 - Interim Measures Indicated By International Courts eBook Subscription Services
 - Interim Measures Indicated By International Courts Budget-Friendly Options
6. Navigating Interim Measures Indicated By International Courts eBook Formats
 - ePub, PDF, MOBI, and More
 - Interim Measures Indicated By International Courts Compatibility with Devices
 - Interim Measures Indicated By International Courts Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Interim Measures Indicated By International Courts
 - Highlighting and Note-Taking Interim Measures Indicated By International Courts
 - Interactive Elements Interim Measures Indicated By International Courts
8. Staying Engaged with Interim Measures Indicated By International Courts
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Interim Measures Indicated By International Courts
9. Balancing eBooks and Physical Books Interim Measures Indicated By International Courts
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Interim Measures Indicated By International Courts
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Interim Measures Indicated By International Courts
 - Setting Reading Goals Interim Measures Indicated By International Courts
 - Carving Out Dedicated Reading Time

12. Sourcing Reliable Information of Interim Measures Indicated By International Courts
 - Fact-Checking eBook Content of Interim Measures Indicated By International Courts
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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