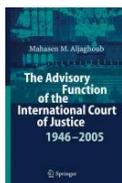


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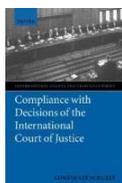
The Advisory Function of the International Court of Justice 1946 - 2005 by Mahasen M. Aljaghoub
Berlin ; New York : Springer, c2006
KZ6275 .A45 2006 Basement

This book provides a comprehensive analysis of the advisory role of the International Court of Justice in light of its jurisprudence and overall contribution over a period of more than 55 years. The author highlights the "organic connection" between UN organs and the Court and the Court's contribution as one of the UN's principal organs to the Organisation. The basic argument of this study is that the advisory function should be understood as a two-sided process involving the interplay between UN organs and the ICJ. The request for and the giving of an advisory opinion is a collective coordinated process, involving more than one organ or part of the Organisation.



The Authority of the Security Council Under Chapter VII of the UN Charter: Legal Limits and the Role of the International Court of Justice by David Schweigman
The Hague ; Boston : Kluwer Law International, c2001
KZ5038 .S39 2001 Sohn Library

This volume discusses the legal limits to the authority of the Security Council under Chapter VII of the United Nations Charter. The interest in this topic regained importance when the Security Council started to play an increasingly active role after a period of dormancy between 1945 and 1990. The work describes various approaches to Charter interpretation, provides an overview of the Council's powers under the Charter and surveys the Council's recent practice with regard to the maintenance of international peace and security. Subsequently the sources and contents of the limits to the Council's authority are analyzed. This is followed by an analysis of the role of the International Court of Justice, which includes an overview of the main obstacles to, and possibilities of, judicial review by the Court of Council decisions taken under Chapter VII. Finally, the work discusses recent proposals to enhance the Council's legitimacy.



Compliance with Decisions of the International Court of Justice by Constanze Schulte
Oxford ; New York : Oxford University Press, 2004
KZ6275 .S38 2004 Basement

This book examines the compliance record of states parties to proceedings before the International Court of Justice (ICJ), the principal judicial body of the United Nations. It undertakes a comprehensive analysis of the follow-up of the ICJ's judgments and interim measures from the Court's creation in 1945 until the present day. ICJ judgments and provisional measures from the Corfu Channel case in the late 1940s to the Arrest Warrant Case decided in 2002 are examined, with particular focus on state practice. After explaining the legal bases for the obligation of compliance and the enforcement of ICJ decisions, the author analyses all decisions that gave rise to an obligation of compliance. The analysis is contextual, taking into account the history of the dispute, the underlying political interests, the parties' attitudes towards involvement of the ICJ, and the substance of the applicable law. This analysis reveals that the compliance record for judgments is generally satisfactory, whereas that for provisional measures is at first sight rather poor. Yet the record for provisional measures must be understood in a more nuanced light. In several cases, the applicant gained at least a certain benefit from the decision even though it was not (or was not fully) implemented. The author examines the reasons for the difference in the track records of judgments and provisional measures and explores mechanisms that could be conducive to

enhanced compliance.



The Compulsory Jurisdiction of the International Court of Justice by Renata Szafarz
Dordrecht ; Boston : M. Nijhoff ; Norwell, MA, U.S.A. : Sold and distributed in the U.S.A. and Canada by Kluwer Academic Publishers, 1993
KZ6283 .S93 1993 Basement

States are increasingly accepting the idea of compulsory jurisdiction for the International Court of Justice and the Court has more cases on its docket than ever before. This book is the first monograph in English dealing with the topic in a concise and accurate manner. Chapter I deals with basic general problems, such as the notion and bases of and the decisions on the ICJ jurisdiction. Chapter II presents the question of ICJ compulsory jurisdiction based on treaty provisions. The central issue, i.e. the ICJ compulsory jurisdiction based on the optional clause, is dealt with in Chapter III. After presenting specific questions, such as the essence of declarations accepting the optional clause, the principle of reciprocity, reservations, formal conditions, etc., the author concentrates in this chapter on the characteristics of the legal system created on the basis of the optional clause.



Developments in Customary International Law : Theory and the Practice of the International Court of Justice and the International ad hoc Criminal Tribunals for Rwanda and Yugoslavia by Birgit Schlütter
Leiden ; Boston : Martinus Nijhoff Publishers, 2010
KZ1277 .S35 2010 Basement

Customary international law is the most important source of international criminal law. Fifty years after the Nuremberg trials, many convictions imposed by the tribunals for the former Yugoslavia and Rwanda are still based on customary international law alone. The International Criminal Court, by contrast, has not yet had much opportunity to give more guidance on this matter. Hence, it is worthwhile to provide an overview of the current status of custom by analysing the ad hoc tribunal's case law on this point. Including a comprehensive synopsis of current literature and a contrast of the ad hoc tribunal's case law with the jurisprudence of the International Court of Justice, this book offers an inclusive insight into the sources past and future.



Fifty Years of the International Court of Justice: Essays in Honour of Sir Robert Jennings edited by Vaughan Lowe and Malgosia Fitzmaurice
Cambridge [England] ; New York : Cambridge University Press, 1996
KZ6275 .F54 1996 Basement

To mark the fiftieth anniversary of the International Court of Justice, a distinguished group of international judges, practitioners and academics has undertaken a major review of its work. The chapters discuss the main areas of substantive law with which the Court has been concerned, and the more significant aspects of its practice and procedure in dealing with cases before it. It discusses the role of the Court in the international legal order, and its relationship with the UN's political organs. The thirty three chapters are presented under five headings: the Court; the sources and evidences of international law; substance of international law; procedural aspects of the Court's work; the Court and the UN. It has been prepared in honour of Sir Robert Jennings, judge and sometime President of the Court.



Increasing the Effectiveness of the International Court of Justice: Proceedings of the ICJ/UNITAR Colloquium to Celebrate the 50th Anniversary of the Court edited by Connie Peck and Roy S. Lee
The Hague ; Boston : M. Nijhoff Publishers ; Cambridge, MA : Sold and distributed in the U.S.A. and Canada by Kluwer Law International, c1997
KZ6275 .I29 1996 Basement

In April 1996 the ICJ/UNITAR Colloquium on Increasing the Effectiveness of the Court brought together from all corners of the world judges, legal advisers, practitioners of international law and jurists. It provided an unprecedented opportunity for an in-depth and detailed exchange of views not only on the Courts performance to date, but also on its future role, as well as on possible ways and means of enhancing its operation. There were some fifteen panels, covering subjects ranging from the Courts

jurisprudence to its working methods, from assessment of its achievements to evaluation of its ability to handle issues arising from space exploration and the growing concern for the environment. All in all, it was a most comprehensive approach to the subject. This publication, which presents the papers delivered at the Colloquium and the discussions which took place around them, accordingly constitutes instructive reading for all who are concerned with the management and peaceful resolution of disputes. I hope for its widest possible dissemination. From the Foreword by Kofi A. Annan, Secretary-General of the United Nations.

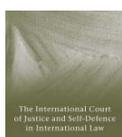


The International Court of Justice and Judicial Review: A Study of the Court's Powers with Respect to Judgments of the ILO and UN Administrative Tribunals by Kaiyan Homi Kaikobad
The Hague ; Boston, Mass. : Kluwer Law International, c2000
KZ6287 .K35 2000 Basement

This monograph provides an extensive analysis of the powers of judicial review exercised by the International Court of Justice with respect to judgments of the Administrative Tribunals of the International Labour Organization and the United Nations. The grounds on which these judgments can be challenged include excess jurisdiction, procedural errors and errors of law relative to the Charter of the United Nations. The system, however, suffers from a number of difficulties, including lack of procedural equality, the propriety of employing the Court's advisory jurisdiction in employer-employee disputes, and the nature of the activities of the Review Committee of the General Assembly. These problems are examined with a view to shedding light on the nature, scope and extent of the Court's powers of judicial review. The main study is preceded by an exhaustive survey of the genesis of the review system established by the Statutes of these Tribunals. Included also in this volume is an account of the informal and rudimentary judicial review arrangement the Court enjoys by way of its advisory and contentious jurisdiction with respect to institutional action other than that of UNAT and ILOAT judgments. When in 1995 the General Assembly abolished the UNAT review system, various considerations were in the forefront: a detailed survey of which is provided in the penultimate part of the book. Several significant themes are explored in the concluding chapter. These include issues dealing with the motivation for establishing the review system, the divisions within the Court and possible reform, as opposed to abolition, of the system.

The International Court of Justice at a Crossroads edited by Lori F. Damrosch
Dobbs Ferry, N.Y. : Transnational Pub., 1987
KZ6283 .I58 1987 Basement

Published under the auspices of the American Society of International Law. Winner of the Certificate of Merit by the American Society of International Law in 1988. This major study of the International Court of Justice was the first comprehensive analysis of the issues confronting governments in reexamining the scope of their consent to the Court's jurisdiction. Topics include the suitability of various kinds of disputes for resolution by the Court; problems of non-appearance, non-participation, & non-performance; provisional measures; & more.



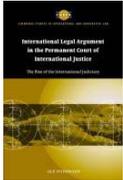
The International Court of Justice and Self-Defence in International Law by James A. Green
Oxford ; Portland, Or. : Hart Publishing, 2009
KZ4043 .G74 2009 Basement

The legal rules governing the use of force between States are one of the most fundamental, and the most controversial, aspects of international law. An essential part of this subject is the question of when, and to what extent, a State may lawfully use force against another in self-defence. However, the parameters of this inherent right remain obscure, despite the best efforts of scholars and, notably, the International Court of Justice. This book examines the burgeoning relationship between the ICJ and the right of self-defence.



The International Court of Justice: Process, Practice and Procedure by D.W. Bowett and others
London : The British Institute of International and Comparative Law, 1997
KZ6275 .I58 1997 Basement

This book is concerned with the efficiency and working practices of the International Court of Justice. Drawing on their unique practical experience, the contributors analyse this issue and propose solutions to the difficult problems which it poses.

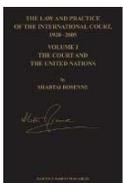


International Legal Argument in the Permanent Court of International Justice: the Rise of the International Judiciary by Ole Spiermann
Cambridge, UK ; New York : Cambridge University Press, 2005
KZ6260 .S65 2005 Basement

The International Court of Justice at The Hague is the principal judicial organ of the UN, and the successor of the Permanent Court of International Justice (1923--1946), which was the first real permanent court of justice at the international level. This 2005 book analyses the groundbreaking contribution of the Permanent Court to international law, both in terms of judicial technique and the development of legal principle. The book draws on archival material left by judges and other persons involved in the work of the Permanent Court, giving fascinating insights into many of its most important decisions and the individuals who made them (Huber, Anzilotti, Moore, Hammerskjöld and others). At the same time it examines international legal argument in the Permanent Court, basing its approach on a developed model of international legal argument that stresses the intimate relationships between international and national lawyers and between international and national law.

Intervention in the International Court of Justice by Shabtai Rosenne
Dordrecht ; Boston : M. Nijhoff, c1993
KZ6275 .R67 1993 Basement

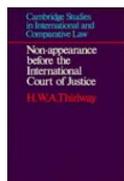
In approaching the writing of *Intervention in the International Court of Justice*, the author soon reached two conclusions. The first was that in order to understand the attitude of the Court today in applying the provisions of Articles 62 and 63 of the Statute, considerable importance attaches to their legislative history. In the *Barcelona Traction (Preliminary Objections)* case the Court referred to the drafting records of certain provisions of the Rules of Court under consideration there. The second conclusion was that examination of the decisions of the Court in intervention proceedings incidentally and in isolation from the case as a whole could put the material out of focus. The Court's position in a case of intervention can only be fully assessed in the context of the proceedings as a whole, when the real influence of the intervention phase on the final decision comes into the open. In addition, a new dimension, that of modern diplomacy, could be added to an understanding of the difficulties posed - for the Court, for individual States and for their legal advisers - by the institution of intervention. The book is based on a series of courses given by the author as Belle van Zuylen Professor in the Humanities at the University of Utrecht in 1986--1987. Nicaragua's intervention in the *Land, Island and Maritime Frontier Dispute* case between El Salvador and Honduras before a Chamber of the International Court led to a complete reexamination of the whole work, and to this current publication.



The Law and Practice of the International Court, 1920-2005 by Shabtai Rosenne, with Yaël Ronen
Leiden ; Boston : M. Nijhoff Publishers, c2006
KZ6275 .R67 2006 Basement

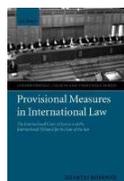
The popularity of his monumental and definitive works have established Shabtai Rosenne as the undisputed expert on the International Court of Justice's law and practice. His broad exchange of correspondence and extensive conversations with members of the Court and its Registrars, as well as with other friends who know the Court and its practices well, and his experience in the Court and in the UN, especially the General Assembly and the Security Council, led him to undertake this major reconstruction of this work in the previous edition. Now divided into several substantive volumes, the work addresses: The Court as one of the principal organs, and as the principal judicial organ of the United Nations. Diplomats and legal advisers who have to deal with matters relating to the Court on a political

level, in different organs of the United Nations and in other offices will appreciate the full discussion of the diplomatic, political, and administrative aspects of the Court's affairs, jurisdiction and the treatment of jurisdictional matters by the Court. This volume also includes the Court's advisory jurisdiction; the advisory work has related to very difficult legal issues in matters of major political import. All of these arenas have undergone significant recent changes. The work's practical features include the English text of the Charter of the United Nations, the Statute of the Court, the Practice Directions, and the 1978 Rules of the Court, together with a full set of indexes. The Fourth Edition (updated until 31 December 2005) of *The Law and Practice of the International Court* is an essential component of all international law libraries and an indispensable work for those practicing in the field, all of whom will appreciate access to the most recent work on the Court from this expert author.



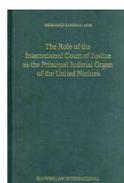
Non-appearance before the International Court of Justice by H.W.A. Thirlway
Cambridge ; New York : Cambridge University Press, 1985
KZ6275 .T45 1985 Basement

A striking feature of the proceedings in the majority of cases before the International Court of justice since 1971 has been the absence from the courtroom of the state against which the proceedings have been brought. The various recent cases in which the possibility of 'non-appearance' has been resorted to by respondent states have given rise to a number of delicate problems of procedural law: and the phenomenon itself has caused disquiet. In this book, the first general study of the question to appear for over twenty years, the phenomenon is studied in the light of the statute and of the fundamental concepts and principles of international judicial procedure. The author, as an official of the court for over fifteen years, is particularly well qualified to expound a question of procedural law which, although apparently small in compass, is far-reaching in its implications for the future of international judicial settlement.



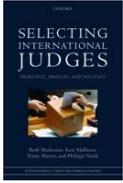
Provisional Measures in International Law : the International Court of Justice and the International Tribunal for the Law of the Sea by Shabtai Rosenne
Oxford [England] ; New York : Oxford University Press, 2005
KZ6275 .R673 2005 Basement

Provisional measures of protection, the international equivalent of an interim injunction, are assuming growing importance in international law. This book re-examines the law and practice of the International Court of Justice and the International Tribunal for the Law of the Sea, and examines their use of provisional measures both for the peaceful settlement of international disputes and, where appropriate, for protecting individual rights.



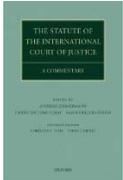
The Role of the International Court of Justice as the Principal Judicial Organ of the United Nations by Mohamed Sameh M. Amr
The Hague ; New York : Kluwer Law International, c2003
KZ6275 .A48 2003 Sohn

The Role of the International Court of Justice as the Principal Judicial Organ of the United Nations is a thought-provoking and valuable addition to the existing literature on the ICJ. The book's originality lies in that it provides both the student and practitioner of international law and relations with a comprehensive evaluation of important but hitherto neglected aspects of the work of the World Court: its contribution to the functioning of the UN system; its role in interpreting and developing the institutional law of the UN and in clarifying its purposes and principles, particularly in the settlement of international disputes; the Court's advisory and contentious competencies and their interrelationship as well as the extent of its supervisory powers over decisions emanating from other UN organs such as the Security Council. The book concludes with practical suggestions on how to develop the Court's role into a better organisation of justice to enable it to face new challenges for the future.



Selecting International Judges: Principle, Process, and Politics by Ruth Mackenzie, et al.
Oxford ; New York : Oxford University Press, 2010
KZ6250 .S45 2010 Basement

A distinctive feature of modern international society is the increase in the number of international judicial bodies and dispute settlement and implementation control bodies; in their case loads; and in the range and importance of the issues that they are called upon to address. These factors reflect a new state in the delivery of international justice. The International Courts and Tribunals series has been established to encourage the publication of independent and scholarly works which address, in critical and analytical fashion, the legal and policy aspects of the functioning of international courts and tribunals, including the institutional, substantive, and procedural aspects.



The Statute of the International Court of Justice: a Commentary edited by Andreas Zimmermann, et al.
Oxford ; New York : Oxford University Press, 2006
KZ6275 .S733 2006 Basement

The International Court of Justice is the principal judicial organ of the United Nations and plays a central role in both the peaceful settlement of international disputes and the development of international law. This first ever comprehensive Commentary on the Statute of the International Court of Justice analyzes in detail not only the Statute of the Court itself but also the related provisions of the United Nations Charter as well as the relevant provisions of the Court's Rules of Procedure. It also includes four scene-setting chapters: Historical Introduction, Relationship with Other International Courts and Tribunals, General Principles of Procedural Law, and Discontinuation and Withdrawal. The combination of expert editors and commentators and the central importance of the work of the ICJ will make this a landmark publication in the field of international law.
