

LAWSG076: Law and Policy of International Courts and Tribunals: Philippe Sands

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1.

Mackenzie, R., Romano, C., Shany, Y. & Sands, P. Manual on international courts and tribunals. (Oxford University Press, 2010).

2.

The Oxford handbook of international adjudication. (Oxford University Press, 2014).

3.

Merrills, J. G. International dispute settlement. (Cambridge University Press, 2011).

4.

Collier, J. G. & Lowe, A. V. The settlement of disputes in international law: institutions and procedures. (Oxford University Press, 1999).

5.

Webb, P. International judicial integration and fragmentation. vol. International courts and tribunals series (Oxford University Press, 2013).

6.

Boisson de Chazournes, L., Kohen, M. G. & Viñuales, J. E. Diplomatic and judicial means of dispute settlement. (Martinus Nijhoff Publishers, 2013).

7.

Shany, Y. Assessing the Effectiveness of International Courts. (Oxford Scholarship, 2013).

8.

Sands, P. Lawless world: making and breaking global rules. (Penguin, 2006).

9.

Evans, M. D. Remedies in international law: the institutional dilemma. vol. EC/International law forum (Hart Publishing, 1998).

10.

Treaty Series. No. 9. 1901. International Convention for the Pacific Settlement of International Disputes; signed at the Hague, July 29, 1899. 20th Century House of Commons Sessional Papers.

11.

Treaty Series No. 6 (1971). Convention for the Pacific Settlement of International Disputes, the Hague, 18th October, 1907. 20th Century House of Commons Sessional Papers **I.643**,.

12.

Treaty Series No. 32 (1931). General Act for the Pacific Settlement of International Disputes (Geneva, September, 1928). 20th Century House of Commons Sessional Papers **335**,.

13.

Nations, U. United Nations Charter. <http://www.un.org/en/index.html>.

14.

George H. Aldrich and Christine M. Chinkin. Introduction. The American Journal of International Law **94**, 1-3 (2000).

15.

George H. Aldrich and Christine M. Chinkin. A Century of Achievement and Unfinished Work. The American Journal of International Law **94**, 90-98 (2000).

16.

David D. Caron. War and International Adjudication: Reflections on the 1899 Peace Conference. The American Journal of International Law **94**, 4-30 (2000).

17.

Synoptic Chart. <http://www.pict-pcti.org/>.

18.

Romano, Cesare P.R. Proliferation of International Judicial Bodies: The Pieces of the Puzzle, The. New York University Journal of International Law and Politics **31**, (1998).

19.

Romano, C. The Price of International Justice. The Law & Practice of International Courts and Tribunals **4**, 281-328 (2005).

20.

International Convention for the Pacific Settlement of International Disputes; signed at the Hague, July 29, 1899. 20th Century House of Commons Sessional Papers.

21.

Convention for the Pacific Settlement of International Disputes. the Hague, 18th October

1907. 20th Century House of Commons Sessional Papers.

22.

Nations, U. United Nations Charter. <http://www.un.org/en/>.

23.

Nations, U. Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations - UN Documents: Gathering a body of global agreements. <http://www.un.org/> (1970).

24.

Nations, U. Manila Declaration on the Peaceful Settlement of Disputes.
<http://www.un.org/en/> (1982).

25.

London School of Economics and Political Science. Report of the Rainbow Warrior Affair. International law reports **74**,.

26.

Collier, J. G. & Lowe, A. V. The settlement of disputes in international law: institutions and procedures. (Oxford University Press, 1999).

27.

Merrills, J. G. International dispute settlement. (Cambridge University Press, 2011).

28.

Anderson, D. Negotiation and Dispute Settlement. Remedies in international law: the institutional dilemma vol. EC/International law forum (Hart Publishing, 1998).

29.

Franck, T. M. Administrative Impartiality as Fairness: the UN Secretary-Generals Good Offices and other third party functions. in *Fairness in International Law and Institutions* (Oxford Scholarship, 1995).

30.

Bercovitch, J. *Conflict Resolution in the Twenty-first Century*. (University of Michigan Press, 2009).

31.

S. Ahmed, L. B. *In Pursuit of Sustainable Peace: the Seven Deadly Sins of Mediation*. (2008).

32.

Boisson de Chazournes, L., Kohen, M. G. & Viñuales, J. E. *Diplomatic and judicial means of dispute settlement*. (Martinus Nijhoff Publishers, 2013).

33.

Merrills, J. G. *International dispute settlement*. (Cambridge University Press, 2011).

34.

Developments in Dispute settlement: Inter-State Arbitration since 1945. The British year book of international law **63**, (1992).

35.

Permanent Court of Arbitration. *Hague Convention for the Pacific Settlement of Disputes*, 1899. (1899).

36.

UNCITRAL. UNCITRAL Model Law on International Commercial Arbitration 1985.
http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/1985Model_arbitration.html
(1985).

37.

UN. UN Convention on the Law of the Sea, Annex VII.
http://www.un.org/Depts/los/convention_agreements/convention_overview_convention.htm
.

38.

ICSID. ICSID Convention Arbitration Rules.
<https://icsid.worldbank.org/apps/ICSIDWEB/icsiddocs/Pages/ICSID-Convention-Arbitration-Rules.aspx>.

39.

Government of the Republic of Slovenia. Arbitration agreement between the government of the Republic of Slovenia and the government of the Republic of Croatia. (2009).

40.

Commission, O. OSPAR Convention - Convention on the Protection of the Marine Environment of the North-East Atlantic.
http://www.ospar.org/content/content.asp?menu=01481200000000_000000_000000
(1992).

41.

PCA. Ireland-UK, Rules of procedure for the Arbitral Tribunal Constituted under the OSPAR Convention pursuant to the Request of Ireland dated 15 June 2001. (2001).

42.

PCA. Republic of Ecuador v United States of America. <http://www.pca-cpa.org/>.

43.

Collier, J. G. & Lowe, A. V. The settlement of disputes in international law: institutions and procedures. (Oxford University Press, 1999).

44.

Hirsch, M. The International Centre for the Settlement of Investment Disputes. in The arbitration mechanism of the International Centre for the Settlement of Investment Disputes vol. International arbitration law library (M. Nijhoff, 1993).

45.

ICC. ICC Statute - Rome Statute. http://www.icc-cpi.int/en_menus/icc/Pages/default.aspx.

46.

Mackenzie, R., Romano, C., Shany, Y. & Sands, P. Manual on international courts and tribunals. (Oxford University Press, 2010).

47.

ICJ. ICJ Statute. <http://www.icj-cij.org/homepage/index.php>.

48.

ICC. ICC Statute - The Rome Statute.
http://www.icc-cpi.int/en_menus/icc/Pages/default.aspx.

49.

CCJ. Agreement establishing the Caribbean Court of Justice.
<http://www.caribbeancourtjustice.org/>.

50.

ECHR. ECHR, Advisory opinion on certain legal questions concerning the lists of candidates submitted with a view to the election of judges to the European Court of Human Rights, 12 February 2008. <http://www.echr.coe.int/Pages/home.aspx?p=home&c=> (2008).

51.

Council of Europe. Resolution CM/Res (2010) 26 on the establishment of an Advisory Panel of Experts on Candidates for Election as Judge to the European Court of Human Rights. <https://wcd.coe.int/ViewDoc.jsp?id=1704555&Site=CM> (2010).

52.

CJEU. Treaty on the Functioning of the European Union,. http://europa.eu/index_en.htm.

53.

Court, S. Speech by Lord Mance - The Composition of the European Court of Justice, 19 October 2011. <https://www.supremecourt.uk/> (2011).

54.

Sands, Philippe. Global Governance and the International Judiciary: Choosing Our Judges. Current Legal Problems **56**, (2003).

55.

Selecting International Judges: Principle, Process, and Politics - Oxford Scholarship.

56.

Limbach, J. Judicial Independence: Law and Practice of Appointments to the European Court of Human Rights. (Interights).

57.

Mowbray, A. The Consideration of Gender in the Process of Appointing Judges to the

European Court of Human Rights. *Human Rights Law Review* **8**, 549–559 (2008).

58.

Kate Malleson. Promoting Judicial Independence in the International Courts: Lessons from the Caribbean. *The International and Comparative Law Quarterly* **58**, 671–687 (2009).

59.

Lauterpacht, E. The International Lawyer as Judge. in *The International Lawyer as Practitioner* 125–144 (British Institute of International and Comparative Law, 2000).

60.

Elsig, M. & Pollack, M. A. Agents, trustees, and international courts: The politics of judicial appointment at the World Trade Organization. *European Journal of International Relations* **20**, 391–415 (2014).

61.

Von Bogdandy, A. & Venzke, I. On the Functions of International Courts: An Appraisal in Light of Their Burgeoning Public Authority. *Leiden Journal of International Law* **26**, 49–72 (2013).

62.

Stephen M. Schwebel. Ad Hoc Chambers of the International Court of Justice. *The American Journal of International Law* **81**, 831–854 (1987).

63.

Valencia-Ospina, E. The Use of Chambers of the International Court of Justice. in *Fifty years of the International Court of Justice: essays in honour of Sir Robert Jennings* 503–527 (Cambridge University Press, 1996). doi:10.1017/CBO9780511560101.030.

64.

Shelton, D. Legal Norms for Independence and Accountability of International Tribunals. *The Law & Practice of International Courts and Tribunals* **2**, 27–62 (2003).

65.

Brown, C. Evolution and Application of Independence Rules of International Judiciary. *The Law & Practice of International Courts and Tribunals* **2**, 63–96 (2003).

66.

Guillaume, G. Some Thoughts on Independence of International Judges. *The Law & Practice of International Courts and Tribunals* **2**, 163–168 (2003).

67.

de Bertodano, S. Judicial Independence in the International Criminal Court. *Leiden Journal of International Law* **15**, 409–430 (2002).

68.

Charnovitz, S. Judicial Independence in the World Trade Organization. in *International organizations and international dispute settlement: trends and prospects* (Transnational Publishers, 2002).

69.

Mackenzie, Ruth. International Courts and Tribunals and the Independence of the International Judge. *Harvard International Law Journal* **44**, (2003).

70.

International Law Association Study Group on the Law and Procedure of International Tribunals. *Burgh House Principles on the Independence of the International Judiciary*. <http://www.ucl.ac.uk/laws/cict/>.

71.

ICTY. Prosecutor v. Anto Furundzija, Appeals Chamber, Judgment of 21 July 2000.
<http://www.icty.org/> (21AD).

72.

ICJ. Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=4&k=5a&PHPSESSID=63fe2ddc2f12b8922fe3eff89c4e0691&case=131&code=mwp&p3=3>.

73.

Prosecutor v Sesay, Decision on defence motion, seeking the disqualification of Justice Robertson from the Appeals Chamber, Special Court for Sierra Leone. **16**, (13AD).

74.

Prosecutor v Sam Hinga Norman, Decision on Preliminary Motion Based on Lack of Jurisdiction (Judicial Independence), Appeals Chamber. **3**, (13AD).

75.

ICSID. Urbaser S.A. and Consorcio de Aguas Bilbao Bizkaia, Bilbao Biskaia Ur Partzuergoa v. Argentine Republic, ICSID Case No. ARB/07/26. Decision on Claimants' Proposal to Disqualify Professor Campbell McLachlan, Arbitrator.
<https://icsid.worldbank.org/apps/ICSIDWEB/Pages/default.aspx> (12AD).

76.

PCA. Republic of Mauritius v United Kingdom, Reasoned Decision on Challenge to Judge Greenwood, 30 November 2011. http://www.pca-cpa.org/showpage.asp?pag_id=363 (30AD).

77.

Mackenzie, R., Romano, C., Shany, Y. & Sands, P. Manual on international courts and tribunals. (Oxford University Press, 2010).

78.

Sands, Philippe. Treaty, Custom and the Cross-fertilization of International Law. **1**, (1998).

79.

Collier, J. G. & Lowe, A. V. The settlement of disputes in international law: institutions and procedures. (Oxford University Press, 1999).

80.

WTO. European Communities – Measures Affecting the Approval and Marketing of Biotech Products, WT/DS291/R, WT/DS292/R, WT/DS293/R, Reports of the Panel, 29 September 2006. https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds291_e.htm (29AD).

81.

WTO. United States – Import Prohibition of Certain Shrimp and Shrimp Products, DS58/AB/R, 12 October 1998. https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds58_e.htm (12AD).

82.

World Trade Organization Appellate body: report of the Appellate Body in United States - Standards for reformulated and conventional gasoline. International Legal Materials **35**, 603–634 (1996).

83.

ICJ. Case Concerning the Gabčíkovo-Nagymaros Project (Hungary/Slovakia), ICJ Reps 1997. <http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=92&code=hs&p3=4> (1997).

84.

ICJ. Oil Platforms Case (Iran v US), Judgment of 6 November 2003. <http://www.icj-cij.org/docket/?p1=3&p2=3&case=90&code=op&p3=4> (6AD).

85.

PCA. The MOX Plant Case (Ireland v United Kingdom), Annex VII Tribunal, Order of June 2003. http://www.pca-cpa.org/showpage.asp?pag_id=363.

86.

Guyana v Suriname, Arbitral Award of 17 September 2007. <http://www.pca-cpa.org/>.

87.

International Law Commission. Fragmentation of International Law: Difficulties arising from the Diversification and Expansion of International Law, 13 April 2006.
<http://www.un.org/law/ilc/> (13AD).

88.

Teitel, Ruti. Cross-Judging: Tribunalization in a Fragmented but Interconnected Global Order. *New York University Journal of International Law and Politics* **41**, (2009).

89.

Pellet, A. The role of the international lawyer in international litigation. in *The International Lawyer as Practitioner* 147–162 (British Institute of International and Comparative Law, 2000).

90.

Bowett, D. The Conduct of International Litigation. in *International Court of Justice: Process, Practise and Procedure* 1–20 (BIICL, 1997).

91.

Shaw, Malcolm N. *International Court of Justice: A Practical Perspective*, The. *International and Comparative Law Quarterly* **46**, (1997).

92.

WTO. European Communities Regime for the Importation, Sale and Distribution of Bananas, 2 August 1997, WT/DS27/AB/R, 9 September 1997.
https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds27_e.htm (9AD).

93.

ICJ. ICJ, Practice Directions VII and VIII. <http://www.icj-cij.org/homepage/index.php?lang=en> (2002).

94.

ICC. Code of Professional Conduct for Counsel, Resolution 1 of the fourth meeting of the Assembly of States Parties to the ICC Statute. <http://www.icc-cpi.int/Pages/default.aspx>.

95.

International Law Association Study Group on the Practice and Procedure of International Tribunals. The Hague Principles on Ethical Standards for Counsel appearing before International Courts and Tribunals. <http://www.ucl.ac.uk/laws/cict/> (2010).

96.

Mackenzie, R., Romano, C., Shany, Y. & Sands, P. Manual on international courts and tribunals. (Oxford University Press, 2010).

97.

Collier, J. G. & Lowe, A. V. The settlement of disputes in international law: institutions and procedures. (Oxford University Press, 1999).

98.

Mackenzie, R., Romano, C., Shany, Y. & Sands, P. Manual on international courts and tribunals. (Oxford University Press, 2010).

99.

Merrills. The Optional Clause Today. The British year book of international law **50**, (1979).

100.

Merrills. The Optional Clause Revisited. The British year book of international law **64**, (1993).

101.

ICJ. Speech of HE Judge Rosalyn Higgins, President of the ICJ, to the Sixth Committee of the United Nations, 31 October 2008. (31AD).

102.

ICJ. ICJ, Fisheries Jurisdiction Case (Spain v Canada), Jurisdiction of the Court, Judgment of 4 December 1998.

<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=ac&case=96&code=ec&p3=4> (4AD).

103.

ICJ. Application of the Convention on the Elimination of All Forms of Racial Discrimination (Georgia v Russian Federation), Judgment on Preliminary Objections, 1 April 2011.

<http://www.icj-cij.org/docket/index.php?p1=3&p2=1&case=140&code=GR&p3=4> (1AD).

104.

ICJ. Armed Activities on the Territory of the Congo (New Application 2002) (Democratic Republic of Congo v. Rwanda) Judgment on Jurisdiction and Admissibility, 3 February 2006.

<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=19&case=126&code=crw&p3=4> (3AD).

105.

PCA. The Republic of Mauritius v. The United Kingdom of Great Britain and Northern

Ireland. <http://pca-cpa.org/>.

106.

PCA. Mauritius v United Kingdom (Procedural Order No. 2) 15th of January 2013, Decision on Bifurcation (joining jurisdiction to the merits). <http://www.pca-cpa.org/> (15AD).

107.

ITLOS. ARA Libertad (Ghana v Argentina) Order of the 15th December 2012. <https://www.itlos.org/en/main/latest-news/> (15AD).

108.

ICSID. Southern Bluefin Tuna Case - Australia and New Zealand v. Japan. <https://icsid.worldbank.org/apps/ICSIDWEB/about/Pages/Southern-Bluefin-Tuna-Case---Australia-and-New-Zealand-v.-Japan.aspx>.

109.

ITLOS. MOX Plant Case (Ireland v. UK) ITLOS, Order of 3 Dec. 2001. <https://www.itlos.org/> (3AD).

110.

ECHR. Bankovic v. Belgium et al, Eur.Ct.H.R. Admissibility Decision, 12th Dec. 2001. <http://www.echr.coe.int/Pages/home.aspx?p=home> (12AD).

111.

ICJ. Case concerning Application of the International Convention on the Elimination of All Forms of Racial Discrimination, (Georgia v. Russia), Judgment on Preliminary Objections, 1 April 2011. <http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=4d&case=140&code=GR&p3=4> (1AD).

112.

ICJ. Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation).
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=4d&case=140&code=GR&p3=1>.

113.

ICJ & ICJ. Oral Proceedings, CR 2010/9, 14 September 2010.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=4d&case=140&code=GR&p3=2>
(14AD).

114.

ICJ. Oral Proceedings, CR 2010/10, 15 September 2010.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=4d&case=140&code=GR&p3=2>
(15AD).

115.

ICJ. Oral Proceedings, CR 2010/11, 16 September 2010.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=4d&case=140&code=GR&p3=2>
(16AD).

116.

Collier, J. G. & Lowe, A. V. The settlement of disputes in international law: institutions and procedures. (Oxford University Press, 1999).

117.

Mackenzie, R., Romano, C., Shany, Y. & Sands, P. Manual on international courts and tribunals. (Oxford University Press, 2010).

118.

Collier, J. G. & Lowe, A. V. The settlement of disputes in international law: institutions and procedures. (Oxford University Press, 1999).

119.

Jennings, R. Reflections on the Term 'Dispute'. in Essays in Honour of Wang Tieya.

120.

ICJ. Case Concerning East Timor (Portugal v. Australia) 1995 ICJ Rep. 13.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=84&code=pa&p3=4>.

121.

ICJ. US Diplomatic and Consular Staff in Tehran (United States v. Iran) 1980.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=64&code=usir&p3=4>.

122.

ICJ. Nuclear Tests Case (Australia v. France; New Zealand v. France) 1974.
<http://www.icj-cij.org/>.

123.

ICJ. Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970) (1970-1971) 1970.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=4&k=a7&case=53&code=nam&p3=4>.

124.

ICJ. Legality of the Use of Force (Yugoslavia v. Belgium) 1999 ICJ Rep.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=25&case=105&code=ybe&p3=3>.

125.

ICJ. Nottebohm Case, 1955 ICJ Reports, 4.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=5&p3=-1&y=1955>.

126.

Barcelona Traction, Light and Power Company, Limited (New Application: 1962) (Belgium v. Spain) 1970, ICJ Reports 3.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=50&code=bt2&p3=4>.

127.

ICJ. Northern Cameroons, ICJ Rep. 1963, 15.
<http://www.icj-cij.org/docket/index.php?sum=289&code=cuk&p1=3&p2=3&case=48&k=1c&p3=5>.

128.

ICJ, Nuclear Tests (Australia v France), ICJ Rep. 1974, 327.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=78&case=58&code=af&p3=4>.

129.

ECHR, E. C. of H. R. ECHR, Ireland v. United Kingdom,. vol. 25 (1978).

130.

ICJ. ICJ, South West Africa cases , ICJ Rep. 1966, 6 (Ethiopia v. South Africa) (Liberia v. South Africa). <http://www.icj-cij.org/docket/index.php?p1=3&p2=5&p3=-1&y=1966> (1966).

131.

ICJ. ICJ, Barcelona Traction, Light and Power Company, Limited (New Application: 1962) (Belgium v. Spain) 1970 ICJ Reports, 3.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=50&code=bt2&p3=4>.

132.

Paulsson, J. Jurisdiction and Admissibility. in Global Reflections on International Law, Commerce and Dispute Resolution: Liber Amicorum in honour of Robert Briner (ICC Publishing, 2005).

133.

Shany, Y. Jurisdiction and Admissibility. in *The Oxford handbook of international adjudication* (eds. Romano, C., Alter, K. J. & Shany, Y.) 779–805 (Oxford University Press, 2014).

134.

ICJ. Monetary Gold Removed from Rome in 1943 (Italy v. France, United Kingdom of Great Britain and Northern Ireland and United States of America) ICJ Reps 1954, 19.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=19&code=gold&p3=4> (15AD).

135.

ICJ. Certain Phosphate Lands in Nauru (Nauru v. Australia) ICJ Reps 1992, 240.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=e2&case=80&code=naus&p3=4> (26AD).

136.

ICJ. East Timor case (Portugal v Australia), ICJ Reps 1995 , 90.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=66&case=84&code=pa&p3=4> (30AD).

137.

Mackenzie, R., Romano, C., Shany, Y. & Sands, P. *Manual on international courts and tribunals*. (Oxford University Press, 2010).

138.

C. M. Chinkin. Third-Party Intervention Before the International Court of Justice. *The American Journal of International Law* **80**, 495–531 (1986).

139.

Chinkin, C. M. *Third parties in international law*. vol. Oxford monographs in international law (Clarendon Press, 1993).

140.

Schwebel, S. M. Review of 'Third parties in International Law' by Christine Chinkin. The American Journal of International Law **89**, (1995).

141.

ICJ. Case concerning the Continental Shelf (Libya/Malta), Application for Permission to Intervene by Italy, 21 March 1984, 1984 ICJ Reps 3.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=68&code=lm&p3=4> (21AD).

142.

ICJ. Case concerning the Land and Maritime Boundary between Cameroon and Nigeria, Order of 21 October 1999.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=94&code=cn&p3=3> (21AD).

143.

ICJ. Case concerning Sovereignty over Pulau Ligitan and Pulau Sipadan, Application by the Philippines for Permission to Intervene, 23 October 2001.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=df&case=102&code=inma&p3=4> (23AD).

144.

ICJ. Whaling in the Antarctic (Australia v Japan, New Zealand intervening), Declaration of Intervention by New Zealand, Order of 6 February 2013 (Article 63).
<http://www.icj-cij.org/docket/index.php?p1=3&p2=1&case=148&code=aj&p3=3> (6AD).

145.

Angell, E. The Amicus Curiae American Development of English Institutions. The International and Comparative Law Quarterly **16**, 1017–1044 (1967).

146.

Krislov, S. The Amicus Curiae Brief: From Friendship to Advocacy. The Yale Law Journal **72**, 694–721 (1963).

147.

Dinah Shelton. The Participation of Nongovernmental Organizations in International Judicial Proceedings. The American Journal of International Law **88**, 611–642 (1994).

148.

Mackenzie, R. The Amicus Curiae in International Courts: Towards Common Procedural Approaches? in Civil society, international courts and compliance bodies (T.M.C. Asser Press, 2005).

149.

De Brabandere, Eric. NGOs and the 'Public Interest': The Legality and Rationale of Amicus Curiae Interventions in International Economic and Investment Disputes. Chicago Journal of International Law **12**, 85–113.

150.

Mackenzie, R., Romano, C., Shany, Y. & Sands, P. Manual on international courts and tribunals. (Oxford University Press, 2010).

151.

ICJ Practice Direction XII. <http://www.icj-cij.org/documents/index.php?p1=4&p2=4&p3=0>.

152.

WTO. US-Import Prohibition of Certain Shrimp and Shrimp Products, Report of the Appellate Body, WT/DS/58/AB/R, 12 October 1999.
http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds58_e.htm (12AD).

153.

WTO. US – Imposition of Countervailing Duties on Certain Hot Rolled Lead and Bismuth Carbon Steel Products Originating in the UK, Report of the Appellate Body, WT/DS138/AB/R, 10 May 2000.
http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds138_e.htm (10AD).

154.

WTO. WTO, European Communities – Measures Affecting Asbestos and Asbestos-containing Products – Communication from the Appellate Body, WT/DS135/9, 8 November 2000. http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds135_e.htm (8AD).

155.

Amicus Brief Storm Highlights WTO Unease with External Transparency. *Bridges* **4**,.

156.

Appleton, Arthur E. Amicus Curiae Submissions in the Carbon Steel Case: Another Rabbit from the Appellate Body's Hat. *Journal of International Economic Law* **3**, (2000).

157.

Marceau, Gabrielle. Practical suggestions for amicus curiae briefs before WTO adjudicating bodies. *Journal of International Economic Law* **4**, 155–187.

158.

NAFTA. *Methanex Corporation v. USA*, Decision of the Tribunal on Petitions for Third Persons to Intervene as "Amici Curiae" 15 January 2001. <http://www.naftaclaims.com/> (15AD).

159.

NAFTA. *UPS v. Canada*, Decision of the Tribunal on Petitions for Intervention and Participation as Amici Curiae, 17 October 2001 and Procedural Directions for Amicus Submissions, 4 April 2003. <http://www.naftaclaims.com/> (17AD).

160.

ICSID. Aguas Argentinas S.A., Suez, Sociedad General de Aguas de Barcelona, S.A. and Vivendi Universal, S.A. v. Argentine Republic (ICSID Case No. ARB/03/19). <https://icsid.worldbank.org/apps/ICSIDWEB/Pages/default.aspx> (19AD).

161.

Levine, E. Amicus Curiae in International Investment Arbitration: The Implications of an Increase in Third-Party Participation. *Berkeley Journal of International Law* **29**, 200–224 (2011).

162.

Amerasinghe, C. *Evidence in International Litigation*. (Martinus Nijhoff, 2005).

163.

Hight, K. Evidence and Proof of Facts. in *The International Court of Justice at a crossroads* 355–375 (Transnational Publishers, 1987).

164.

May, Richard. Trends in International Criminal Evidence: Nuremberg, Tokyo, The Hague, and Arusha. *Columbia Journal of Transnational Law* **37**, (1998).

165.

Plant, B. *Evidence before the International Court of Justice*. (BIICL, 2009).

166.

Gattini, Andrea. Evidentiary Issues in the ICJ's Genocide Judgment. *Journal of International Criminal Justice* **5**, (2007).

167.

Cheng, B. General principles of law as applied by international courts and tribunals. vol. Grotius classic reprint series (Cambridge University Press, 1994).

168.

Grando, Michelle T. Allocating the Burden of Proof in WTO Disputes: A Critical Analysis. *Journal of International Economic Law* **9**,.

169.

Keith Highet. Evidence, the Court, and the Nicaragua Case. *The American Journal of International Law* **81**, 1-56 (1987).

170.

Kazazi, M. Burden of Proof and Related Issues – A Study on Evidence Before International Tribunals. (Kluwer Law International, 1996).

171.

Kokott, J. The burden of proof in comparative and international human rights law: civil and common law approaches with special reference to the American and German legal systems. vol. Studies and materials on the settlement of international disputes (Kluwer Law International, 1998).

172.

Lillich, R. B. Fact-Finding before International Tribunals. (Transnational publications, 1991).

173.

May, R. & Wierda, M. International Criminal Evidence. (Transnational Publishers, 2002).

174.

Sandifer, D. V. Evidence before international tribunals. vol. Procedural aspects of international law series (University Press of Virginia, 1975).

175.

Wald, Patricia M. To Establish Incredible Events by Credible Evidence: The Use of Affidavit Testimony in Yugoslavia War Crimes Tribunal Proceedings. *Harvard International Law Journal* **42**, (2001).

176.

ICJ. Case concerning Oil Platforms (Iran v US), Judgment of 6 November 2003.
<http://www.icj-cij.org/docket/?p1=3&p2=3&case=90&code=op&p3=4> (6AD).

177.

ICJ. Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro), Judgment of 26 February 2007,. <http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=91&p3=4> (26AD).

178.

ICJ. Case concerning Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda), Judgment of 19 December 2005.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=51/&case=116&code=co&p3=4> (19AD).

179.

ICTY. Prosecutor v. Brdanin, Trial Chamber Judgment of 1 September 2004.
<http://www.icty.org/sid/8368> (1AD).

180.

ECHR. Nachova and Others v. Bulgaria, Judgment of 6 July 2005.
<http://www.echr.coe.int/Pages/home.aspx?p=home> (6AD).

181.

Inter-American Court of Human Rights. Case of Velásquez-Rodríguez v. Honduras,

Judgment of July 29, 1988. <http://www.corteidh.or.cr/index.php/en> (29AD).

182.

ICJ. Case Concerning Paramilitary Activities In and Against Nicaragua (Nicaragua v. United. <http://www.icj-cij.org/docket/?p1=3&p2=3&case=70&code=nus&p3=4> (27AD).

183.

ICJ. Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v Russian Federation) Judgment of the 1st April 2011. <http://www.icj-cij.org/docket/index.php?p1=3&p2=1&case=140&code=GR&p3=4> (1AD).

184.

ICJ. Whaling in the Antarctic (Australia v Japan, New Zealand intervening). <http://www.icj-cij.org/docket/index.php?p1=3&p2=1&case=148&code=aj&p3=5> (31AD).

185.

ICTY. Prosecutor v. Tadic, Appeals Chamber Judgment of 15 July 1999,. <http://www.icty.org/case/tadic/4> (15AD).

186.

Mackenzie, R., Romano, C., Shany, Y. & Sands, P. Manual on international courts and tribunals. (Oxford University Press, 2010).

187.

Rosenne, S. Provisional Measures in International Law. (Oxford Scholarship, 2005).

188.

Collier, J. G. & Lowe, A. V. The settlement of disputes in international law: institutions and

procedures. (Oxford University Press, 1999).

189.

Collins, L. Interim measures in International Tribunals. in Essays in international litigation and the conflict of laws 214–233 (Clarendon Press, 1993).

190.

J. G. Merrills. Interim Measures of Protection in the Recent Jurisprudence of the International Court of Justice. *The International and Comparative Law Quarterly* **44**, 90–146 (1995).

191.

ICJ. Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia-Herzegovina v Yugoslavia (Serbia and Montenegro)), Order of 8 April 1993.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=f4&case=91&code=bhy&p3=3> (8AD).

192.

ITLOS. Southern Bluefin Tuna Cases (Australia and New Zealand v Japan), Order of 27 August 1999. <http://www.itlos.org/en/cases/list-of-cases/case-no-3-4/> (27AD).

193.

ITLOS. MOX Plant case (Ireland v UK), Order of 3 December 2001.
<http://www.itlos.org/index.php?id=102> (3AD).

194.

ICJ. Pulp Mills on the River Uruguay (Argentina v Uruguay), Order of 13 July 2006, Request for the Indication of Provisional Measures.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=135&code=au&p3=3> (13AD).

195.

ICJ. Request for interpretation of the Judgment of 15 June 1962 in the case concerning the Temple of Preah Vihear (Cambodia v. Thailand) (Cambodia v. Thailand).
<http://www.icj-cij.org/docket/index.php?p1=3&p2=1&k=89&case=151&code=ct2&p3=3> (18AD).

196.

ICJ. La Grand Case (Germany v USA), Order of 3 March 1999.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=104&code=gus&p3=3> (3AD).

197.

ICJ. La Grand Case (Germany v USA), Judgment of 27 June 2001.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=104&code=gus&p3=4> (27AD).

198.

ECHR. Mamatkulov and Askarov v Turkey, Judgment of 4 February 2005.
<http://www.echr.coe.int/Pages/home.aspx?p=home> (4AD).

199.

Mackenzie, R., Romano, C., Shany, Y. & Sands, P. Manual on international courts and tribunals. (Oxford University Press, 2010).

200.

Brown, C. Remedies in International Adjudication. in A Common Law of International Adjudication (OUP, 2007).

201.

Gray, C. Chapter 40: Remedies. in The Oxford handbook of international adjudication (eds. Romano, C., Alter, K. J. & Shany, Y.) 871–898 (Oxford University Press, 2014).

202.

Gray, C. D. International Arbitral practice. in International Arbitral Practice (Clarendon, 1990).

203.

ILC. International Law Commission - Articles on State Responsibility.
<http://www.un.org/law/ilc/> (2001).

204.

Schultz, C. Compliance with Decisions of the International Court of Justice - Oxford Scholarship. (Oxford University Press, 2004).

205.

Llamzon, A. Jurisdiction and Compliance in Recent Decisions of the International Court of Justice. European Journal of International Law **18**, 815-852 (2007).

206.

ICJ. La Grand Case (Germany v US).
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=104&code=gus&p3=1>.

207.

Inter-American Court of Human Rights. Advisory Opinion of the Inter-American Court of Human Rights on the Right to Information on Consular Assistance in the Framework of the Guarantees of the Due Process of Law, Advisory Opinion OC-16/99 of October 1, 1999 Requested by the United Mexican States, Inter-American Court of Human Rights. (1AD).

208.

ICJ. Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo v. Belgium),.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=121&p3=4> (14AD).

209.

Mackenzie, R., Romano, C., Shany, Y. & Sands, P. Manual on international courts and tribunals. (Oxford University Press, 2010).

210.

Brown, C. Power of International Courts to Interpret and Revise Judgments and Awards. A Common Law of International Adjudication
<http://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780199206506.001.0001/acprof-9780199206506-chapter-6> (2007).

211.

ICJ. Application for Revision and Interpretation of the Judgment of 24th Feb. 1982 in the Case Concerning the Continental Shelf (Tunisia/Libya) 10 December 1985.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=05&case=71&code=tltl&p3=4> (10AD).

212.

ICJ. Application for Revision of the Judgment in the Genocide Case, Judgment of 3 February 2003.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=8d&PHPSESSID=d8ad9d6013d807680991459a0b88d6f8&case=122&code=ybh&p3=4> (3AD).

213.

ICJ. Case concerning the Use of Force (Serbia and Montenegro v. Belgium), Judgment of 15 December 2004.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=d6&case=105&code=ybe&p3=4> (15AD).

214.

ICJ. Request for Interpretation of the Judgment of 11th June 1998 in the Case Concerning the Land and Maritime Boundary between Cameroon and Nigeria, Judgment of 25 March 1999.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=52&case=101&code=nc&p3=4>

(25AD).

215.

The Courts of British Columbia. United Mexican States v. Metalclad, 2001 BCSC 664.
<http://www.courts.gov.bc.ca/> (2AD).

216.

ECHR. Hatton and Others v. United Kingdom, European Court of Human Rights, 8 July 2003. <http://www.echr.coe.int/Pages/home.aspx?p=home> (8AD).

217.

WTO. Understanding on rules and procedures governing the settlement of disputes.
http://www.wto.org/english/tratop_e/dispu_e/dsu_e.htm.

218.

ICSID. ICSID Convention.
<https://icsid.worldbank.org/apps/ICSIDWEB/icsiddocs/Pages/ICSID-Convention.aspx> (14AD).

219.

Caron, D. Reputation and Reality in the ICSID Annulment Process: Understanding the Distinction between Annulment and Appeal. ICSID Review: Foreign Investment Law Journal **7**, 21–56.

220.

Schreuer, C. From ICSID Annulment to Appeal Half Way Down the Slippery Slope. The Law & Practice of International Courts and Tribunals **10**, 211–225 (2011).

221.

ICSID. CMS Gas Transmission Company v. The Argentine Republic, ICSID Case No.

ARB/01/8, Decision of the Ad Hoc Committee on the Application for Annulment of the Argentine Republic, 25 September 2007.

<https://icsid.worldbank.org/apps/ICSIDWEB/cases/Pages/casedetail.aspx?CaseNo=ARB/01/8&tab=DOC> (25AD).

222.

ICSID. Enron Corp. Ponderosa Asset, L.P. v Argentine Republic, ICSID Case No. ARB/01/3, Decision on the Application for Annulment of the Argentine Republic, 30 July 2010. (30AD).

223.

ICSID. Sempra Energy Int'l v Argentine Republic, ICSID (W. Bank) Case No. ARB/02/16, Decision on Argentine Republic's Request for Annulment of the Award, June 2010.

<https://icsid.worldbank.org/apps/ICSIDWEB/cases/Pages/casedetail.aspx?CaseNo=ARB/02/16&tab=DOC> (29AD).

224.

ICSID. Secretariat, Background Paper on Annulment for the Administrative Council of ICSID, August 10, 2012.

<https://icsid.worldbank.org/apps/ICSIDWEB/resources/Pages/Background-Papers.aspx> (10AD).

225.

Collier, J. G. & Lowe, A. V. The settlement of disputes in international law: institutions and procedures. (Oxford University Press, 1999).

226.

ICJ. Legal Consequences Of The Construction Of A Wall In The Occupied Palestinian Territory, ICJ, Advisory Opinion, 9 July.

<http://www.icj-cij.org/docket/index.php?p1=3&p2=4&case=131&code=mwp&p3=4> (9AD).

227.

ICJ. Western Sahara, Advisory Opinion, I.C.J. Reports 1975.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=4&case=61&code=sa&p3=4> (16AD).

228.

ICJ. Legality of the Use by a State of Nuclear Weapons in Armed Conflict ICJ, 8 July 1996.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=4&k=e1&case=93&code=anw&p3=4> (8AD).

229.

ICJ. Accordance with international law of the unilateral declaration of independence in respect of Kosovo, Advisory Opinion of 22 July 2010.
<http://www.icj-cij.org/docket/index.php?p1=3&p2=4&case=141&p3=4> (22AD).

230.

Roberto Ago. 'Binding' Advisory Opinions of the International Court of Justice. The American Journal of International Law **85**, 439-451 (1991).

231.

ITLOS. Request for Advisory Opinion from the Sub-Regional Fisheries Commission, 27 March 2013. <https://www.itlos.org/en/cases/list-of-cases/> (27AD).

232.

ECHR. Decision on the Competence of the Court to Give an Advisory Opinion ECtHR, 2 June 2004.
http://www.echr.coe.int/Pages/home.aspx?p=caselaw&c=#n1347456340010_pointer (2AD).

233.

IACHR. Other Treaties' subject to the consultative jurisdiction of the Court (art. 64 of the American Convention on Human Rights) Advisory Opinion OC-1/82, 24 September 1982.
<http://www.corteidh.or.cr/index.php/en/advisory-opinions> (24AD).

234.

ICJ. Speech of President Guillaume to the Sixth Committee of UN General Assembly, October 2000. <http://www.icj-cij.org/court/index.php?pr=85&pt=3&p1=1&p2=3&p3=1>.

235.

New York University Journal of International Law and Politics. **31**, (1999).

236.

Hague Academy of International Law. Is International Law Threatened by Multiple International Tribunals?,. *Recueil des cours de l'Académie de Droit International de la Haye: Collected courses of the Hague Academy of International L* **271**, (1998).

237.

Rosalyn Higgins. A Babel of Judicial Voices? Ruminations from the Bench. *The International and Comparative Law Quarterly* **55**, 791-804 (2006).

238.

Shany, Y. *Competing Jurisdictions of International Courts and Tribunals*. (Oxford Scholarship, 2004).

239.

Webb, P. *International judicial integration and fragmentation*. vol. *International courts and tribunals series* (Oxford University Press, 2013).

240.

ICJ. Questions relating to the Obligation to Prosecute or Extradite (Belgium v Senegal). <http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=144&code=bs&p3=4> (20AD).

241.

PCA. The MOX Plant case (Ireland v United Kingdom), Order No. 3, Suspension of Proceedings on Jurisdiction and Merits, and Request for Further Provisional Measures, 24 June 2003. <http://www.pcacases.com/> (24AD).

242.

PCA. The MOX Plant case (Ireland v United Kingdom), Order No. 4, Further Suspension of Proceedings on Jurisdiction and Merits, 14 November 2003. <http://www.pcacases.com/> (14AD).

243.

European Court of Justice. Commission v Ireland, Case C-459/03, Judgment of the Court of 30 May 2006. http://curia.europa.eu/jcms/jcms/j_6/ (30AD).