

A. MARK WEISBURD

Failings of the International Court of Justice

And Failings International Court Justice Weisburd

Carlos Espósito, Kate Parlett



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Failings of the International Court of Justice Arthur Mark Weisburd, 2016 The International Court of Justice is the principal forum for countries seeking to resolve legal disputes with one another Failings of the International Court of Justice argues that ICJ decisions although treated with great respect by international lawyers are often wrong and do not merit the deference they receive In this book A Mark Weisburd explains the legal basis for the Court s work and explores the cases where legal errors are prevalent

The International Court of Justice Hugh Thirlway, 2016-10-13 In recent years States have made more and more extensive use of the International Court of Justice for the judicial settlement of disputes Despite being declared by the Court s Statute to have no binding force for States other than the parties to the case its decisions have come to constitute a body of jurisprudence that is frequently invoked in other disputes in international negotiation and in academic writing This jurisprudence covering a wide range of aspects of international law is the subject of considerable ongoing academic examination it needs however to be seen against the background and in the light of the Court s structure jurisdiction and operation and the principles applied in these domains The purpose of this book is thus to provide an accessible and comprehensive study of this aspect of the Court and in particular of its procedure written by a scholar who has had unique opportunities of close observation of the Court in action This distillation of direct experience and expertise makes it essential reading for all those who study teach or practise international law

The Standard of Review before the International Court of Justice Felix Fouchard, 2024-05-02 This book examines how the International Court of Justice ICJ reviews State behaviour through the prism of the standard of review It develops a novel rationale to support the ICJ s application of deferential standards of review as a judicial avoidance technique based on strategic considerations It then goes on to empirically assess all 31 decisions of the Court in which the standard of review was at issue showing how the Court determines that standard and answering the question of whether it varies its review intensity strategically As a result the book s original contribution is two fold establishing a new rationale for judicial deference that can be applied to all international courts and tribunals and providing the first comprehensive empirical analysis of the ICJ s standards of review It will be beneficial to all scholars of the Court and those interested in judicial strategy

International Law Malcolm N. Shaw, 2021-07-22 An authoritative and engaging work combining straightforward exposition with extensive footnotes for further research

The Cambridge Companion to the International Court of Justice Carlos Espósito, Kate Parlett, 2023-04-06 As international law has become more present in global policy making the International Court of Justice ICJ has come to occupy an essential and increasingly visible role in international relations This collection explores substantive developments within the ICJ and offers critical perspectives on its historical and contemporary role It also examines the growing role of the ICJ in the settlement of international disputes and assesses the impact of the ICJ s jurisprudence on the major areas of international law from the territorial delimitation to human rights With contributions

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The Statute of the International Court of Justice Andreas Zimmermann, Christian J. Tams, Karin Oellers-Frahm, Christian Tomuschat, 2019-03-21 This landmark publication in the field of international law delivers expert assessment of new developments in the important work of the International Court of Justice (ICJ) from a team of renowned editors and commentators. The ICJ 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 comprehensive Commentary on the Statute of the International Court of Justice, now in its third edition, analyses 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. Six years after the publication of the second edition, the third edition of the Commentary embraces current events before the International Court of Justice as well as before other courts and tribunals relevant for the interpretation and application of its Statute. The Commentary provides a comprehensive overview and analysis of all legal questions and issues the Court has had to address in the past and looks forward to those it will have to address in the future. It illuminates the central issues of procedure and substance that the Court and counsel appearing before it face in their day-to-day work. In addition to commentary covering all of the articles of the Statute of the ICJ plus the relevant articles of the Charter of the United Nations, the book includes two scene-setting chapters: Historical Introduction and General Principles of Procedural Law, as well as important and instructive chapters on Counter Claims, Discontinuation and Withdrawal, and Evidentiary Issues.

Remedies before the International Court of Justice Victor Stoica, 2021-03-11 An in-depth analysis of the remedies of international law used by the International Court of Justice to resolve inter-state disputes.

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