

The International Court of Justice

Its Future Role After Fifty Years

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The International Court Of Justice's Future Role After Fifty Years

Daphné Richemond-Barak



The International Court Of Justice's Future Role After Fifty Years:

The International Court of Justice A. Sam Muller, Sam Muller, David Raič, J. M. Thuránszky, 1997-01-01 This is the third volume in the series by the Leiden Journal of International Law dealing with the Decade of International Law and International Dispute Settlement In this book the 50th anniversary of the International Court of Justice is commemorated Its past and future role is examined from various angles which have been defined as roles played by the Court First and foremost its role as a mechanism for the settlement of disputes is examined The analysis goes beyond the traditional frontiers of disputes between states and also explores the possibilities of granting international organizations and individuals access to the Court The second role that is looked into is its supervisory role or in other words its possible role as supreme court in international law Thirdly the Court in its advisory function is examined The last role that is focused upon is the Court in its role as developer of rules of international law The book ends with a conclusion from both a legal and a political perspective

The Advisory Function of the International Court of Justice 1946 - 2005 Mahasen Mohammad

Aljaghoub, 2007-06-21 I am pleased to write these words by way of a foreword to Dr Mahasen Aljaghoub's book *The Advisory Function of the International Court of Justice* I do so with a sense of pride in the achievement of a fellow countrywoman and metaphorically speaking a sister in law My pride is coupled with hope and a nascent optimism that she and a group of young Jordanian academics mostly recent graduates of universities in the United Kingdom will contribute further and significantly to the teaching and dissemination of international law in Jordan and if I do not strain hope by hoping too much in a region in which notwithstanding its past glory the culture of law has for too long been superseded by the logic of power politics and unbridled rationalism My only hesitation in writing this foreword is that a particularly heavy Court schedule has permitted me only a chance at a perusal of the contents of the book A perusal which whilst more than casual falls short of the serious study that it deserves Yet I can unhesitatingly concur with the verdict of the internal and external examiners who praised Dr Aljaghoub's thesis as it then was for its thoroughness detail and authoritativeness on this important area of international law

The Pillars of Global Law Giuliana Ziccardi Capaldo, 2016-02-24 This book deals with the transformation of the international legal system into a new world order Looking at concepts and principles processes and emerging problems it examines the impact of global forces on international law In so doing it identifies a unified set of legal rules and processes from the great variety of state practice and jurisprudence The work develops a new framework to examine the key elements of the global legal system termed the four pillars of global law verticalization legality integration and collective guarantees The study provides an in depth analysis of the differences between traditional international law and the new principles and processes along which the universal society and world power are organized and how this is related to domestic power The book addresses important changes in key legal issues it reconstructs a complex legal framework and the emergence of a new international order that has still not been studied in depth providing a compass that will prove a useful resource for students

researchers and policy makers within the field of law and with an interest in international relations The International Court of Justice and Self-Defence in International Law James A. Green, 2009-07-30 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 Since 2003 there have been three major decisions of the ICJ that have dealt directly with the law governing self defence actions in contrast to only two such cases in the preceding fifty years This then is an opportune moment to reconsider the jurisprudence of the Court on this issue This book is the first of its kind to comprehensively draw together and then assess the merits of this jurisprudence It argues that the contribution of the ICJ has been confused and unhelpful and compounds inadequacies in existing customary international law The ICJ s fundamental conception of a primary criterion of armed attack as constituting a qualitatively grave use of force is brought into question The book then goes on to examine the underlying causes of the problems that have emerged in the jurisprudence on this crucial issue Winner of the American Society of International Law s Lieber Society Book Prize 2009 Dr Green s monograph demonstrates a thorough understanding of the law of self defence coupled with an informed and evaluative discussion of the role and function of the International Court It is an impressive analysis of the International Court of Justice s jurisprudence on self defence Professor Iain Scobbie Judge of the American Society of International Law s Lieber Society Book Prize 2009 Sir Joseph Hotung Research Professor School of Oriental and African Studies London James Green s The International Court of Justice and Self Defence in International Law usefully draws together the jurisprudence of the International Court of Justice on the international law governing self defence The work could not be more timely in light of both contemporary State practice and the Court s recent controversial judgements on the topic Of particular note is his analysis of the very complex and as yet unsettled notion of armed attack Professor Michael Schmitt Chairman of the American Society of International Law s Lieber Society Book Prize Committee Chair of Public International Law Durham University Winner of the University of Reading Faculty of Social Sciences outputs prize for the best research output in 2010 *Resolving Claims to Self-Determination* Andrew Coleman, 2014-01-03 Since the end of World War Two and the formation of the UN the nature of warfare has undergone changes with many wars being intra state wars or wars of secession Whilst wars of secession do not involve the same number or type of combatants as in the last two World Wars their potential for destruction and their danger for the international community cannot be underestimated There are currently many peoples seeking independence from what they perceive as foreign and alien rulers including the Chechens West Papuans Achenese Tibetans and the Kurds The break up of Yugoslavia and the former USSR together with recent conflicts in South Ossetia reveal that the potential for future wars of secession remains high This book explores the

relationship between recognition statehood and self determination and shows how self determination continues to be relevant beyond European decolonisation The book considers how and why unresolved questions of self determination have the potential to become violent The book goes on to investigate whether the International Court of Justice as the primary judicial organ of the United Nations could successfully resolve questions of self determination through the application of legal analysis and principles of international law By evaluating the strengths weaknesses and effectiveness of the Court s advisory jurisdiction Andrew Coleman asks whether the ICJ is a suitable forum for these questions and asks what changes would be necessary to provide an effective means for the peaceful birth of States

The Role of the International Court of Justice as the Principal Judicial Organ of the United Nations Mohamed Sameh M. Amr, 2021-08-04 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

Rosenne's The World Court: What It Is and How It Works Daphné Richemond-Barak, 2021-08-16 Rosenne s The World Court offers a contemporary and interactive take on the UN s main judicial organ The International Court of Justice which has remained largely unchanged since its creation in 1945 operates within a growing network of states and international bodies The book analyzes the institution via the prism of its relationship with states the Court s natural constituency as well as UN organs international and domestic courts academia and non state actors It offers topics for class discussions moot court exercises and model syllabi Direct engagement with the writings of leading scholars in international law and international relations helps uncover the Court s political and legal role in a complex international order The book s novel and multidisciplinary approach make it an essential resource for students teachers and scholars

Constructive Interventions L. Kirchhoff, 2008-05-16 In the contemporary discipline of conflict resolution adjudication and alternative dispute resolution ADR are often seen as antagonistic trends This important book contends that on the contrary it is the bringing together of these trends that holds the most promise for an effective system of international justice With great insight and passion built firmly on a vast knowledge of the field Lars Kirchhoff exposes the contemporary structural barriers to effective conflict resolution defining where adjudication ends and ADR and particularly the recent development of mediated third party intervention from an art to a veritable science must come into play The work starts by defining the

challenges potentials and shortcomings of different approaches to conflict resolution in an interdependent world where the multiplicity of actors topics and interests involved even in seemingly bilateral conflict situations is clearly manifest and goes on to define useful models and connect the various elements relevant for the resolution of conflicts in a transparent way In the course of its investigation the book accomplishes the following illustrates the various departure points and perspectives scholars of conflict resolution have taken as the basis for their work discusses who should become involved in conflicts as a third party and by which techniques this should occur systematically conveys the nature and consequences of intervention through mediation focusing on the method s critical challenges and clarifies the particular model of international mediation under development through UN initiatives In approaching these intertwined topics the author draws concrete conclusions for the realms of international law and related disciplines as well as for the organizational context of the United Nations He explores such diverse scenarios as conflicts between States conflicts involving international organizations and in accordance with the changing parameters of international law even conflicts involving individuals clarifying which constellations can be tackled by international mediation and which conflicts should be dealt with by other forms of diplomacy or adjudication It is the conviction of many intermediaries and scholars that the considerable potential inherent in resolving conflicts peacefully is rarely put into practice Although some of the reasons for this phenomenon are beyond the influence of scholarly debate in many instances the reasons for failure of peaceful resolution processes are more structural or systemic in nature It is the great virtue of this book that it establishes enough clarity in an unclear and complex field to make concrete and workable recommendations in these instances and for that reason it will be of immeasurable value and benefit to all scholars policymakers and activists dedicated to the pursuit of peace

Boundaries of Discourse in the International Court of Justice Michelle L. Burgis, 2009 How can Third World experiences of colonialism and statehood be expressed within the confines of the International Court of Justice How has the discourse of international law developed to reflect postcolonial realities of universal statehood In a close and critical reading of four territorial disputes spanning the Arab World Burgis explores the extent to which international law can be used to speak for and speak to non European experiences of authority over territory The book draws on recent critical international legal scholarship to question the ability of contemporary international adjudication to address Third World grievances from the past A comparative analysis of the cases suggests that international law remains a discourse only capable of capturing a limited range of non European experiences during and after colonialism

The International Court of Justice Robert Kolb, 2014-07-18 The International Court of Justice in French the Cour internationale de justice also commonly known as the World Court or ICJ is the oldest most important and most famous judicial arm of the United Nations Established by the United Nations Charter in 1945 and based in the Peace Palace in the Hague the primary function of the Court is to adjudicate in disputes brought before it by states and to provide authoritative influential advisory opinions on matters referred to it by various international organisations agencies and the

UN General Assembly This new work by a leading academic authority on international law who also appears as an advocate before the Court examines the Statute of the Court its procedures conventions and practices in a way that will provide invaluable assistance to all international lawyers The book covers matters such as the composition of the Court and elections the office and role of ad hoc judges the significance of the occasional use of smaller Chambers jurisdiction the law applied preliminary objections the range of contentious disputes which may be submitted to the Court the status of advisory opinions relationship to the Security Council applications to intervene the status of judgments and remedies Referring to a wealth of primary and secondary sources this work provides international lawyers with a readable comprehensive and authoritative work of reference which will greatly enhance understanding and knowledge of the ICJ The book has been translated and lightly updated from the French original R Kolb La Cour internationale de Justice Paris Pedone 2013 by Alan Perry Solicitor of the Senior Courts of England and Wales Winner of the 2014 American Society of International Law Certificate of Merit for High Technical Craftsmanship and Utility to Practicing Lawyers and Scholars Robert Kolb s International Court of Justice provides a magisterial lucid study of its subject The breadth and depth of the treatment are impressive Kolb takes the reader from the history of the Court to its role in international society to the more technical questions concerning its composition powers and procedures to the development of its jurisprudence and to its future The finely grained discussion provides much more than a mere survey of the Court s constitutive instruments and decisions It engages the Court as an institution and asks how it actually operates and secures efficacy and authority in doing so The book s careful and detailed coverage of the Court s legal framework and operation will benefit practitioners and scholars alike There is no doubt that Kolb s volume immediately takes a place among the authoritative references on the Court ASIL Book Awards Committee This title is included in Bloomsbury Professional s International Arbitration online service

The International Court Of Justiceits Future Role After Fifty Years Book Review: Unveiling the Power of Words

In a global driven by information and connectivity, the power of words has be much more evident than ever. They have the capability to inspire, provoke, and ignite change. Such may be the essence of the book **The International Court Of Justiceits Future Role After Fifty Years**, a literary masterpiece that delves deep to the significance of words and their affect our lives. Written by a renowned author, this captivating work takes readers on a transformative journey, unraveling the secrets and potential behind every word. In this review, we shall explore the book is key themes, examine its writing style, and analyze its overall effect on readers.

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