

## Bibliography

- Aleinikoff A, 'Constitutional Law in the Age of Balancing' (1987) 96 *Yale Law Journal* 943
- Alston P and Knuckey S, 'The Transformation of Human Rights Fact-Finding: Challenges and Opportunities' in Philip Alston and Sarah Knuckey (eds), *The Transformation of Human Rights Fact-Finding* (Oxford University Press 2016)
- Altwicker T, 'Evidenzbasiertes Recht und Verfassungsrecht' (2019) 138(2) *Zeitschrift für Schweizerisches Recht* 181
- , 'Völkerrecht und Rechtspositivismus - Eine Annäherung mit Kelsen und Hart' (2012) 10 *Zeitschrift für Rechtsphilosophie* 46
- Altwicker T and Diggelmann O, 'How Is Progress Constructed in International Legal Scholarship?' (2014) 25 *European Journal of International Law* 425
- Altwicker T and Hansen AE, 'Presumptions in International Human Rights Adjudication' (forthcoming, on file with author)
- Alvarez JE, 'Are International Judges Afraid of Science?: A Comment on Mbengue' (2011) 34 *Loyola of Los Angeles International and Comparative Law Review* 81
- Amerasinghe CF, *Evidence in International Litigation* (Martinus Nijhoff 2005)
- Arnardóttir OM, 'Res Interpretata, Erga Omnes Effect and the Role of the Margin of Appreciation in Giving Domestic Effect to the Judgments of the European Court of Human Rights' (2017) 28 *European Journal of International Law* 819
- Baade HW, 'Social Science Evidence and the Federal Constitutional Court of West Germany' (1961) 23 *The Journal of Politics* 421
- Barceló III JJ, 'Burden of Proof, Prima Facie Case and Presumption in WTO Dispute Settlement' (2009) Paper 119 Cornell Law Faculty Publications 23
- Behboodi R, "'Should" Means "Shall": A Critical Analysis of the Obligation to Submit Information Under Article 13.1 of the DSU in the Canada - Aircraft Case' (2000) 3 *Journal of International Economic Law* 563
- Benvenisti E, 'Margin of Appreciation, Consensus and Universal Standards' 31 *New York Journal of International Law and Policy* 843
- Bernardino AL, 'The Discursive Construction of Facts in International Adjudication' [2020] *Journal of International Dispute Settlement* 175
- Besson S, 'Subsidiarity in International Human Rights Law-What Is Subsidiary About Human Rights?' (2016) 61 *American Journal of Jurisprudence* 69
- Besson S and Martí JL, 'Legitimate Actors of International Law-Making: Towards a Theory of International Democratic Representation' (2018) 9 *Jurisprudence* 504

- Bianchi A, *International Law Theories* (Oxford University Press 2016)
- Bowett DW and others, 'Efficiency of Procedures and Working Methods: Report of the Study Group Established by the British Institute of International and Comparative Law as a Contribution to the UN Decade of International Law' (1996) 45 *International and Comparative Law Quarterly* 1
- Bratcher Goodwin M (ed), *Baby Markets - Money and the New Politics of Creating Families* (Cambridge University Press 2010)
- Brems E, 'Moving Away from N v UK – Interesting Tracks in a Dissenting Opinion (Tatar v Switzerland)' (*Strasbourg Observers*) <<https://strasbourgobservers.com/2015/05/04/moving-away-from-n-v-uk-interesting-tracks-in-a-dissenting-opinion-tatar-v-switzerland/>>, last accessed on 12 July 2021
- , 'Thank You, Justice Tulkens: A Comment on the Dissent in N v UK' (*Strasbourg Observers*) <<https://strasbourgobservers.com/2012/08/14/thank-you-justice-tulkens-a-comment-on-the-dissent-in-n-v-uk/#more-1685>>, last accessed on 12 July 2021
- Breuer M, "'Principled Resistance" to ECtHR Judgments: An Appraisal' in Marten Breuer (ed), *Principled Resistance to ECtHR Judgments - A New Paradigm?* (Springer 2019)
- Brown C, *A Common Law of International Adjudication* (Oxford University Press 2009)
- Brunner A, 'Subsidiaritätsgrundsatz und Tatsachenfeststellung unter der Europäischen Menschenrechtskonvention', *Max-Planck-Institut für ausländisches öffentliches Recht und Völkerrecht, Beiträge zum ausländischen öffentlichen Recht und Völkerrecht* 283 (Springer 2019)
- Bürli N, *Third-Party Interventions before the European Court of Human Rights: Amicus Curiae, Member-State and Third-Party Interventions* (Intersentia 2017)
- Cassese S, 'Ruling Indirectly Judicial Subsidiarity in the ECtHR' Paper for the Seminar on "Subsidiarity: a double sided coin?" held to coincide with the ceremony marking the official opening of the judicial year of the European Court of Human Rights, 30 January 2015 1
- Chang YC, 'How Does the Amicus Curiae Submission Affect a Tribunal Decision?' (2017) 30 *Leiden Journal of International Law* 647
- Charney JI and others, 'The "Horizontal" Growth of International Courts and Tribunals: Challenges Or Opportunities?' (2002) 96 *Proceedings of the Annual Meeting* (American Society of International Law)
- Christoffersen J, *Fair Balance: Proportionality, Subsidiarity and Primarity in the European Convention on Human Rights* (Nijhoff 2009)
- Clermont KM and Sherwin E, 'A Comparative View of Standards of Proof' (2002) 50 *American Journal of Comparative Law* 243
- Crawford J, *Brownlie's Principles of Public International Law* (9th edn, Oxford University Press 2019)
- D'Aspremont J, *Participants in the International Legal System - Multiple Perspectives on Non-State Actors in International Law* (Jean D'Aspremont ed, 2011)

- D'Aspremont J and Mbengue MM, 'Strategies of Engagement with Scientific Fact-Finding in International Adjudication' (2013) 05 Amsterdam Center for International Law Research Paper
- Damaška M, 'Truth in Adjudication' (1998) 49 *Hastings Law Journal* 289
- Danisch R, *Pragmatism, Democracy, and the Necessity of Rhetoric* (University of South Carolina Press 2007)
- David V and Ganty S, 'Strasbourg Fails to Protect the Rights of People Living in or at Risk of Poverty: The Disappointing Grand Chamber Judgment in *Garib v the Netherlands*' (*Strasbourg Observers*) <<https://strasbourgobservers.com/2017/11/16/strasbourg-fails-to-protect-the-rights-of-people-living-in-or-at-risk-of-poverty-the-disappointing-grand-chamber-judgment-in-garib-v-the-netherlands/#more-4046>>, last accessed on 12 July 2021
- Davis KC, 'An Approach to Problems of Evidence in the Administrative Process' (1942) 55 *Harvard Law Review* 364
- de Been W, Taekema S and van Klink B, 'Introduction: Facts, Norms and Interdisciplinary Research' in Wouter de Been, Sanne Taekema and Bart van Klink (eds), *Facts and Norms in Law - Interdisciplinary Reflections on Legal Method* (Edward Elgar 2016)
- Dellavalle S, 'International Law and Interdisciplinarity' (2020) MPIL Research Paper Series
- Descartes, R, *Discourse on the Method of Rightly Conducting the Reason, and Seeking Truth in the Science* (John Veitch trans., Cosimo Books 1st ed. 2008) (1924)
- Devaney JG, *Fact-Finding before the International Court of Justice* (Cambridge University Press 2016)
- Dewey J, 'Context and Thought' (1931) 12 *University of California Publications in Philosophy* 203
- , 'The Quest for Certainty' in Jo Ann Boydston (ed), *The Later Works, 1925-1953, Volume 4* (Southern Illinois University Press 1984)
- Dodge WS, 'Res Judicata' (January 2006), in Peters A and Wolfrum R (eds), *Max Planck Encyclopedia of Public International Law* (online edn)
- Dworkin R, 'Pragmatism, Right Answers and True Banality' in Michael Brint and William Weaver (eds), *Pragmatism in Law and Society* (Westview Press 1991)
- Dwyer D, *The Judicial Assessment of Expert Evidence* (Cambridge University Press 2008)
- Dzehtsiarou K, 'European Consensus and the Evolutive Interpretation of the European Convention on Human Rights' (2011) 12 *German Law Journal* 1730
- ECtHR, 'Practical Guide on Admissibility Criteria' (2019)
- Engisch K, *Logische Studien zur Gesetzesanwendung* (3rd edn., Winter 1963)
- Fischer-Kowalski M and Erb K, 'Epistemologische Und Konzeptuelle Grundlagen Der Sozialen Ökologie' (2006) 148 *Mitteilungen der Österreichischen Geographischen Gesellschaft* 33

## Bibliography

- Føllesdal A, 'Subsidiarity and International Human-Rights Courts: Respecting Self-Governance and Protecting Human Rights - Or Neither?' (2016) 79 *Law and Contemporary Problems* 147
- , 'Exporting the Margin of Appreciation: Lessons for the Inter-American Court of Human Rights' (2017) 15 *International Journal of Constitutional Law* 359
- Føllesdal A and Tsereteli N, 'The Margin of Appreciation in Europe and Beyond' (2016) 20 *International Journal of Human Rights* 1055
- Foster CE, 'Court-Appointed Experts' (February 2019) in Ruiz-Fabri H (ed), *Max Planck Encyclopaedia of Public International Law* (online edn)
- Franck TM and Cherkis LD, 'The Problem of Fact-Finding in International Disputes' (1967) 18 *Western Reserve Law Review* 1483
- Frank J, "'Short of Sickness and Death": A Study of Moral Responsibility in Legal Criticism' (1951) 26 *New York University Law Review* 545
- Gauch Jr HG, *Scientific Method in Brief* (Cambridge University Press 2012)
- Gerards J, 'Margin of Appreciation and Incrementalism in the Case Law of the European Court of Human Rights' (2018) 18 *Human Rights Law Review* 495
- , *General Principles of the European Convention on Human Rights* (Cambridge University Press 2019)
- Glanzberg M, 'Truth' (*Stanford Encyclopedia of Philosophy*, 2018) <<https://plato.stanford.edu/entries/truth/>>, last accessed on 12 July 2021
- Grando MT, *Evidence, Proof, and Fact-Finding in WTO Dispute Settlement* (Oxford University Press 2009)
- Haack S, *Defending Science - Within Reason: Between Scientism and Cynicism* (Prometheus Books 2003)
- Habermas J, *Faktizität und Geltung* (Suhrkamp 1998)
- Hage J, 'Facts, Values and Norms' in Sanne Taekema, Bart van Klink and Wouter de Been (eds), *Facts and Norms in Law: Interdisciplinary Reflections on Legal Method* (2016)
- Hamann H, *Evidenzbasierte Jurisprudenz* (Horst Dreier, Ulrike Müssig and Michael Stolleis eds, Mohr Siebeck 2014)
- Hanson NR, *Patterns of Discovery* (Cambridge University Press 1958)
- Hart HLA, 'Essays on Bentham' [1982] *Studies in Jurisprudence and Political Theory*
- Heinz A and Robert Florence Michèle, 'Sachverhaltsfeststellung Und Sachverhaltsüberprüfung', (2015) 9 *Aktuelle Juristische Praxis (AJP)* 1223
- Helmholz R, 'Ockham's Razor in American Law' (2006) 21 *Tulane European and Civil Law Forum* 109
- Hempel CG and Oppenheim P, 'Studies in the Logic of Explanation' (1948) 15 *Philosophy of Science* 135
- Holmes OW, 'The Path of the Law' (1897) 10 *Harvard Law Review* 457
- Huhn WR, 'The Use and Limits of Deductive Logic in Legal Reasoning' (2002) 42 *Santa Clara Law Review* 813

- Hume D, *An Enquiry Concerning Human Understanding*, (L A Selby-Bigge ed, Oxford University Press 1902)
- Jachec-Neale A, 'Fact-Finding' (March 2011) in Peters A and Wolfrum R (eds), *Max Planck Encyclopaedia of Public International Law* (online edn)
- Jachtenfuchs M and Krisch N, 'Subsidiarity in Global Governance' (2016) 79 *Law and Contemporary Problems* 1
- James W, 'Pragmatism's Conception of Truth' in Simon Blackburn and Keith Simmons (eds), *Truth* (Oxford Readings in Philosophy 2010)
- Jones KA, 'The WTO and National Sovereignty', *Who's Afraid of the WTO?* (Oxford University Press 2004)
- Jost F, 'Soziologische Feststellungen in der Rechtsprechung des Bundesgerichtshofs in Zivilsachen', *Schriften zur Rechtslehre, Bd. 84* (Duncker & Humboldt 1978)
- Kazazi M, *Burdens of Proof and Related Issues: A Study on Evidence Before International Tribunals* (Kluwer Law International 1996)
- Kelsen H, 'Legal Technique in International Law' (1939) 10 *Geneva Studies*  
 —, *Pure Theory of Law (Max Knight Trans.)* (University of California Press 1967)  
 —, *Reine Rechtslehre* (Matthias Jestaedt ed, Studienaus, Mohr Siebeck 2008)  
 —, *General Theory of Law and State* (3rd ed, The Lawbook Exchange Ltd 2009)
- Kennedy D, 'Challenging Expert Rule: The Politics of Global Governance' (2005) 27 *Sydney Law Review* 1
- Klink B Van and Taekema S, 'A Dynamic Model of Interdisciplinarity. Limits and Possibilities of Interdisciplinary Research into Law' (2008) 8 *Tilburg Working Paper Series on Jurisprudence and Legal History* 1
- Koskenniemi M, *From Apology to Utopia* (Cambridge University Press 2009)  
 —, 'Law, Teleology and International Relations: An Essay in Counterdisciplinarity' (2011) 26 *International Relations* 3  
 —, 'International Law as "Global Governance"' 199
- Krebs S and others, 'The Legalization of Truth in International Fact-Finding' (2017) 211 *Chicago Journal of International Law* 83
- Kriele M, 'Theorie der Rechtsgewinnung' (1976) 41 *Schriften zum Öffentlichen Recht* 367
- Letsas G, 'Two Concepts of the Margin of Appreciation', *A Theory of Interpretation of the European Convention on Human Rights* (Oxford University Press 2007)
- Leurdijk JH, 'Fact-Finding: Its Place in International Law and International Politics' (1967) 14 *Netherlands International Law Review* 141
- Levit N, 'Listening To Tribal Legends: An Essay on Law and the Scientific Method' (1989) 58 *Fordham Law Review* 263
- Lieckweg T, 'Recht und Wirtschaft: Strukturelle Kopplung', *Das Recht der Weltgesellschaft* (de Gruyter 2003)
- Lind D, 'Logic, Intuition, and the Positivist Legacy of H.L.A. Hart 135, 136 (1999)' (1999) 52 *SMU Law Review* 135

- Lippuner R, 'Die Abhängigkeit unabhängiger Systeme: Zum Begriff der Strukturellen Kopplung in Luhmanns Theorie Sozialer Systeme' [2010] <[http://www.uni-jena.de/Roland\\_Lippuner.html](http://www.uni-jena.de/Roland_Lippuner.html)>, last accessed on 12 July 2021.
- Livingston SG, 'The Politics of International Agenda-Setting: Reagan and North-South Relations' (1992) 36 *International Studies Quarterly* 313
- Luhmann N, *Ausdifferenzierung des Rechts. Beiträge zur Rechtssoziologie und Rechtstheorie* (Suhrkamp 1981)
- , *Soziale Systeme* (Suhrkamp 1984)
- , *Die Wissenschaft der Gesellschaft* (Suhrkamp 1990)
- , *Die Gesellschaft der Gesellschaft* (Suhrkamp 1997)
- , *Einführung in die Systemtheorie* (Dirk Baecker ed, Carl-Auer Verlag 2002)
- , *Kontingenz und Recht. Rechtstheorie im interdisziplinären Zusammenhang* (Johannes FK Schmidt ed, Suhrkamp 2013)
- , *Systemtheorie der Gesellschaft* (2nd edn, Suhrkamp 2017)
- Mbengue MM, 'International Courts and Tribunals as Fact-Finders: The Case of Scientific Fact-Finding in International Adjudication' (2011) 34 *Loyola of Los Angeles International and Comparative Law Review* 53
- McCormick MS, *Believing Against the Evidence: Agency and the Ethics of Belief* (Routledge 2015)
- Mégret F, 'Do Facts Exist, Can They Be "Found," and Does It Matter?' in Philip Alston and Sarah Knuckey (eds), *The Transformation of Human Rights Fact-Finding* (Oxford University Press 2016)
- Meyer-Ladewig J, 'Art. 25', *Europäische Menschenrechtskonvention Handkommentar* (4th edn, Nomos 2017)
- Misak C, *Truth and the End of Inquiry* (Oxford University Press 2004)
- , *Cambridge Pragmatism: From Peirce and James to Ramsey and Wittgenstein* (Oxford University Press 2016)
- , 'The Pragmatist Theory of Truth' in Michael Glanzberg (ed), *The Oxford Handbook of Truth* (Oxford University Press 2018)
- Nissani M, 'Fruits, Salads, and Smoothies: A Working Definition of Interdisciplinarity' (1995) 29 *The Journal of Educational Thought* 121
- Novaković M, 'Men in the Age of (Formal) Equality: The Curious Case of Khamtokhu and Aksenchik' (2019) 67 *Belgrade Law Review* 216
- Oellers-Frahm K, 'Article 92 UN Charter' in Andreas Zimmermann and others (eds), *The Statute of the International Court of Justice: A Commentary* (2nd edn, Oxford University Press 2012)
- Palchetti P, 'Opening the International Court of Justice to Third States: Intervention and Beyond' (2002) 6 *Max Planck Yearbook of United Nations Law* 139
- Paul J, *The Legal Realism of Jerome N. Frank: A Study of Fact-Skepticism and the Judicial Process* (Martinus Nijhoff 1959)
- Pauwelyn J, 'Defenses and the Burden of Proof in International Law' in Lorand Bartels and Federica Paddeu (eds), *Exceptions and Defences in International Law* (Oxford University Press)

- , ‘The Use of Experts in WTO Dispute Settlement’ (2002) 51 *International & Comparative Law Quarterly* 325
- Pavčnik M, ‘Das „Hin- und Herwandern des Blickes“ (Über die Natur der Gesetzesanwendung)’ in Shing-I Liu and Ulfrid Neumann (eds), *Gerechtigkeit - Theorie und Praxis. Justice - Theory and Practice* (1st edn, Nomos Verlagsgesellschaft mbH & Co KG 2011)
- Peirce CS, *Collected Papers of Charles Sanders Peirce, Vol. V: Pragmatism and Practicism* (Charles Hartshorne and Paul Weiss eds, Harvard University Press 1934)
- Peters A, ‘The Refinement of International Law: From Fragmentation to Regime Interaction and Politicization’ (2017) 15 *International Journal of Constitutional Law* 671
- Peters A and Altwicker T, *Europäische Menschenrechtskonvention* (2nd edn, Beck 2012)
- , ‘Die Verfahren beim EGMR’ (2018) MPIL Research Paper Series
- Picker C, ‘International Law’s Mixed Heritage: A Common/Civil Law Jurisdiction’ (2008) 41 *Vanderbilt Journal of Transnational Law* 1083
- Plant B, ‘Expert Evidence and the Challenge of Procedural Reform in International Dispute Settlement’ (2018) 28 *Journal of International Dispute Settlement* 464
- Popper K, *The Logic of Scientific Discovery* (Hutchinson & Co 1959)
- Posner R, *Law, Pragmatism, and Democracy* (Harvard University Press 2003)
- Potter J, ‘Testability, Flexibility: Kuhnian Values in Scientists’ Discourse Concerning Theory Choice’ (1984) 14 *Philosophy of the Social Sciences* 303
- Putnam H, *Pragmatism: An Open Question* (Blackwell 1995)
- , *The Collapse of the Fact/Value Dichotomy and Other Essays* (2nd edn, Harvard University Press 2003)
- Ramcharan BG, *International Law and Fact-Finding in the Field of Human Rights* (Bertrand G Ramcharan ed, 2nd edn, Brill Nijhoff 2014)
- Rebsomen E, Recotillet M and Teuma C, ‘Preventive Detention as a “Penalty” in the Case of *Ilseher v. Germany*’ (*Strasbourg Observers*) <<https://strasbourgobservers.com/2017/11/10/preventive-detention-as-a-penalty-in-the-case-of-ilseher-v-germany/#more-4026>>, last accessed on 12 July 2021
- Riddell A, ‘Evidence, Fact-Finding, and Experts’ in Cesare PR Romano, Karen J Alter and Yuval Shany (eds), *The Oxford Handbook of International Adjudication* (Oxford University Press 2014)
- Riddell A and Plant B, *Evidence before the International Court of Justice* (British Institute of International and Comparative Law 2009)
- Ridi N, ‘Precarious Finality? Reflections on Res Judicata and the Question of the Delimitation of the Continental Shelf Case’ (2018) 31 *Leiden Journal of International Law* 383
- Robert H. Schmidt, ‘The Influence of the Legal Paradigm on the Development of Logic’, (1999) 40 *Texas Law Review* 367
- Romano CPR, ‘The Role of Experts in International Adjudication’ (2009) *Legal Studies Paper No . 2011-04, Société française pour le droit international*

- Sanders M, 'The Fact / Opinion Distinction: An Analysis of the Subjectivity of Language and Law' (1987) 70 *Marquette Law Review* 673
- Sandifer D V, *Evidence Before International Tribunals* (rev edn, University Press of Virginia 1975)
- Sands PJ and Mackenzie R, 'International Courts and Tribunals, Amicus Curiae' (January 2008), in Peters A and Wolfrum R, *Max Planck Encyclopaedia of Public International Law* (online edn)
- Schlüter A, 'Beweisfragen in der Rechtsprechung des Europäischen Gerichtshofs für Menschenrechte' in Armin von Bogdandy and Anne Peters (eds), *Beiträge zum ausländischen öffentlichen Recht und Völkerrecht*, vol Band 288 (Springer 2019)
- Schürer, S, 'Der Europäische Gerichtshof für Menschenrechte als Tatsacheninstanz – Zur Bedeutung divergierender Sachverhaltsfeststellungen durch den EGMR am Beispiel einiger Schweizer Fälle' (2014) *Europäische Grundrechte Zeitschrift* 512
- Schupbach JN and Sprenger J, 'The Logic of Explanatory Power' (2011) 78 *Philosophy of Science* 105
- Schwebel S, 'A Site Visit of the World Court', *Justice in International Law: Further Selected Writings of Stephen M. Schwebel* (Cambridge University Press 2011)
- Searle J, *Speech Acts: An Essay in the Philosophy of Language* (Cambridge University Press 1969)
- Shany Y, *Question of Jurisdiction and Admissibility before International Courts* (Cambridge University Press 2016)
- Shivakumar D, 'The Pure Theory as Ideal Type: Defending Kelsen on the Basis of Weberian Methodology' (1996) 105 *Yale Law Journal* 1383
- Sinclair MBW, 'The Use of Evolution Theory in Law' (1987) 64 *University of Detroit Law Review* 451
- Slama S and Parrot K, 'Étrangers Malades: L'Attitude de Ponce Pilate de La Cour Européenne Des Droits de L'Homme' (2014) 101 *Plein Droit I*
- Stefanelli JN, 'ICJ Arranges for Expert Opinion on Reparations in DRC v. Uganda' (*American Society of International Law, International Law in Brief*)
- Stoyanova V, 'The Grand Chamber Judgment in S.M. v Croatia: Human Trafficking, Prostitution and the Definitional Scope of Article 4 ECHR' (*Strasbourg Observers*) <<https://strasbourgobservers.com/2020/07/03/the-grand-chamber-judgment-in-s-m-v-croatia-human-trafficking-prostitution-and-the-definitional-scope-of-article-4-echr/>>, last accessed on 12 July 2021
- , 'Dancing on the Borders of Article 4 Human Trafficking and the European Court of Human Rights in the Rantsev Case' (2012) 30 *Netherlands Quarterly of Human Rights* 163
- , *Human Trafficking and Slavery Reconsidered* (Cambridge University Press 2017)
- , 'Sweet Taste with Bitter Roots: Forced Labour and Chowdury and Others v Greece' (2018) 1 *European Human Rights Law Review* 67



- Taekema S, 'Beyond Common Sense: Philosophical Pragmatism's Relevance to Law' (2006) The Tilburg Working Paper Series on Jurisprudence and Legal History. Working Paper 06-02
- Tamanaha BZ, *Realistic Socio-Legal Theory: Pragmatism and a Social Theory of Law* (Claredon Press 1997)
- Tams CJ, 'Art. 50' in Andreas Zimmermann and others (eds), *The Statute of the International Court of Justice: A Commentary* (2nd edn, Oxford University Press 2012)
- Timmer A, 'S.H. and Others v Austria: Margin of Appreciation and IVF' (*Strasbourg Observers*) <<https://strasbourgobservers.com/2011/11/09/s-h-and-others-v-austria-margin-of-appreciation-and-ivf/#more-1268>>, last accessed on 12 July 2021
- Traynor RJ, 'Fact Skepticism and the Judicial Process' (1958) 106 *University of Pennsylvania Law Review* 635
- Vannier M, 'Caught between a Rock and a Hard Place – Human Rights, Life Imprisonment and Gender Stereotyping: A Critical Analysis of Khamtokhu and Aksenchik v. Russia (2017)' in Sandra Walklate and others (eds), *The Emerald Handbook of Feminism, Criminology and Social Change* (Emerald Publishing Limited 2020)
- Vargas-Quesada B and Moya-Anegon F de, *Visualizing the Structure of Science* (Springer 2007)
- Venzke I, 'International Law as an Argumentative Practice: On Wohlrapp's The Concept of Argument' (2016) 7 *Transnational Legal Theory* 9
- Vick DW, 'Interdisciplinarity and the Discipline of Law' (2004) 31 *Journal of Law and Society* 163
- Vogiatzis N, 'The Relationship Between European Consensus, the Margin of Appreciation and the Legitimacy of the Strasbourg Court' [2019] *European Public Law* 445
- von Bogdandy A and Venzke I, *In Whose Name? A Public Law Theory of International Adjudication* (Oxford University Press 2014)
- Vuille J, Lupària L and Taroni F, 'Scientific Evidence and the Right to a Fair Trial under Article 6 ECHR' (2017) 16 *Law, Probability and Risk* 55
- Walker VR, 'Preponderance, Probability and Warranted Factfinding' (1996) 62 *Brooklyn Law Review* 1075
- White GM, *The Use of Experts by International Tribunals* (Syracuse University Press 1965)
- Wieringa S and others, 'Rethinking Bias and Truth in Evidence-Based Health Care' (2018) 24 *Journal of Evaluation in Clinical Practice* 930
- Wiik A, *Amicus Curiae Before International Courts and Tribunals* (Nomos/Hart 2018)
- Wildhaber L, Hjartarson A and Donnelly S, 'No Consensus on Consensus?' (2013) 33 *Human Rights Law Journal* 248
- 'William of Ockham' (*Stanford Encyclopedia of Philosophy*, 2019) <<https://plato.stanford.edu/entries/ockham/>>, last accessed on 12 July 2021

## *Bibliography*

- Wolfrum R and Möldner M, 'International Courts and Tribunals, Evidence' (August 2013) in Peters A and Wolfrum R (eds), *Max Planck Encyclopedia of Public International Law* (online edn)
- Wonnell CT, 'Truth and the Marketplace of Ideas' 19 UC Davis Law Review 669
- Woolhandler A, 'Rethinking the Judicial Reception of Legislative Facts' (1988) 41 Vanderbilt Law Review 111
- Council of Europe (ed.), *Yearbook of the European Convention on Human Rights* (Brill Nijhoff 1969)
- Zippelius R, *Juristische Methodenlehre* (10th edn, Beck 2006)