

Bibliography

Monographs

- Alebeek, Rosanne van, *The Immunity of States and Their Officials in International Criminal Law and International Human Rights Law* (Oxford University Press 2008).
- Alexy, Robert, *Theorie der juristischen Argumentation Die Theorie des rationalen Diskurses als Theorie der juristischen Begründung* (Suhrkamp 1978).
- *Theorie der Grundrechte* (Nomos-Verl-Ges 1985).
 - *Recht, Vernunft, Diskurs: Studien zur Rechtsphilosophie* (Suhrkamp 1995).
 - *A Theory of Constitutional Rights* (Oxford University Press 2002).
- Ambos, Kai, *Der Allgemeine Teil des Völkerstrafrechts: Ansätze einer Dogmatisierung* (Duncker & Humblot 2002).
- *Treatise on International Criminal Law: Vol. I: Foundations and General Part* (Oxford University Press 2013).
 - *Treatise on International Criminal Law: Vol. I: Foundations and General Part* (2nd edn, Oxford University Press 2021).
- Amerasinghe, Chittharanjan Felix, *Diplomatic Protection* (Oxford University Press 2008).
- American Law Institute, *Restatement of the law, The Foreign Relations Law of the United States* (vol 1, 1987).
- Ammann, Odile, *Domestic Courts and the Interpretation of International Law* (2nd edn, Brill Nijhoff 2019).
- Anghie, Antony, *Imperialism, Sovereignty and the Making of International Law* (Cambridge University Press 2005).
- Anzilotti, Dionisio, *Corso di Diritto Internazionale* (vol 1, Athenaeum 1912).
- *Cours de droit international 1: Introduction, théoriés, générales* (Gidel, Gilbert tr, Sirey 1929).
 - *Lehrbuch des Völkerrechts* (Bruns, Cornelia and Schmid, Karl trs, de Gruyter 1929).
- Arajärvi, Noora, *The changing nature of customary international law: methods of interpreting the concept of custom in international criminal tribunals* (Routledge 2014).

Bibliography

- Asamoah, Obed Y, *The Legal Significance of the Declaration of the General Assembly of the United Nations* (Martinus Nijhoff 1966).
- Aust, Helmut Philipp, *Complicity and the law of state responsibility* (Cambridge University Press 2011).
- Austin, John, *The province of jurisprudence determined* (John Murray 1832).
– *Lectures on jurisprudence. Being the sequel to "The province of jurisprudence determined", Vol II* (J Murray 1863).
- Baade, Björnstjern, *Der Europäische Gerichtshof für Menschenrechte als Diskurswächter: zur Methodik, Legitimität und Rolle des Gerichtshofs im demokratisch-rechtsstaatlichen Entscheidungsprozess* (Springer 2017).
- Bates, Ed, *The Evolution of the European Convention on Human Rights. From Its Inception to the Creation of a Permanent Court of Human Rights* (Oxford University Press 2010).
- Bello, Andrés, *Principios De Derecho De Jentes* (Imprenta De La Opinion 1832).
– *Principios de Derecho Internacional* (2nd edn, Almacen de JM de Rojas 1847).
- Bentham, Jeremy, *Of Laws in General* (Hart, Herbert LA ed, Athlone Press 1970).
– *A Comment on The Commentaries and A Fragment on Government* (Burns, James Henderson and Hart, Herbert LA eds, Athlone Press 1977).
- Bergbohm, Karl, *Jurisprudenz und Rechtsphilosophie: kritische Abhandlungen* (vol 1, Duncker & Humblot 1892).
- Bernstorff, Jochen von, *The public international law theory of Hans Kelsen: believing in universal law* (Dunlap, Thomas tr, Cambridge University Press 2010).
- Binder, Christina, *Die Grenzen der Vertragstreue im Völkerrecht* (Springer 2013).
- Binding, Karl, *Die Gründung des norddeutschen Bundes. Ein Beitrag zur Lehre von der Staatenschöpfung* (Duncker & Humblot 1889).
- Björge, Eirik, *The evolutionary interpretation of treaties* (Oxford University Press 2014).
- Blackstone, William, *Commentaries on the Laws of England* (vol 1, Oxford, 1765).
- Borchard, Edwin Montefiore, *The diplomatic protection of citizens abroad* (The Banks law publishing Company 1915).
- Bos, Maartens, *A methodology of international law* (North-Holland 1984).
- Bower, Adam, *Norms without the great powers: international law and changing social standards in world politics* (Oxford University Press 2017).

- Brie, Siegfried, *Die Lehre vom Gewohnheitsrecht: eine historisch-dogmatische Untersuchung. Theil I: Geschichtliche Grundlegung: bis zum Ausgang des Mittelalters* (Marcus 1899).
- Brierly, James Leslie, *The law of nations: an introduction to the international law of peace* (6th, ed. by Humphrey Waldock, Clarendon Press 1963).
- Briggs, Herbert Whittaker, *The international Law Commission* (Cornell University Press 1965).
- Brodherr, Anke, *Alfred Verdross' Theorie des gemäßigten Monismus* (Herbert Utz Verlag 2005).
- Brown, Chester, *A Common Law of International Adjudication* (Oxford University Press 2007).
- Brown, William Jethro, *The Austinian theory of law: being an edition of lectures I, V, and VI of Austin's "Jurisprudence," and of Austin's "Essay on the uses of the study of jurisprudence"* (Murray 1906).
- Brownlie, Ian, *Principles of Public International Law* (2nd edn, 1973).
– *Principles of public international law* (3rd edn, Clarendon Press 1979).
- Brunnée, Jutta and Toope, Stephen John, *Legitimacy and legality in international law: an interactional account* (Cambridge University Press 2010).
- Bryde, Brun-Otto, *Verfassungsentwicklung: Stabilität und Dynamik im Verfassungsrecht der Bundesrepublik Deutschland* (Nomos 1982).
- Bücheler, Gebhard, *Proportionality in investor-state arbitration* (Oxford University Press 2015).
- Bulmerincq, August von, *Das Völkerrecht oder das internationale Recht* (2nd edn, Mohr 1889).
- Bydlinski, Franz, *Fundamentale Rechtsgrundsätze Zur rechtsethischen Verfassung der Sozietät* (Springer 1988).
- Byers, Michael, *Custom, power and the power of rules: international relations and customary international law* (Cambridge University Press 1999).
- Calvo, Carlos, *Derecho Internacional teórico y práctico de Europa y América* (vol 1, D'Amyot/Durand et Pedone-Lauriel 1868).
– *Le droit international théorique et pratique; précédé d'un exposé historique des progrès de la science du droit des gens* (vol 3, A Rousseau 1896).
- Canaris, Claus-Wilhelm, *Die Feststellung von Lücken im Gesetz: eine methodologische Studie über Voraussetzungen und Grenzen der richterlichen Rechtsfortbildung praeter legem* (2nd edn, Duncker und Humblot 1983).
– *Systemdenken und Systembegriff in der Jurisprudenz: entwickelt am Beispiel des deutschen Privatrechts* (2nd edn, Duncker & Humblot 1983).

- Cardozo, Benjamin, *The Nature of the Judicial Process* (13th edn, Yale University Press 1946).
- Cassese, Antonio, *Self-Determination of Peoples. A Legal Reappraisal* (repr., Cambridge University Press 1996).
- *International Law* (2nd edn, Oxford University Press 2005).
 - *Five masters of international law: conversations with R-J Dupuy, E Jiménez de Aréchaga, R Jennings, L Henkin and O Schachter* (Hart 2011).
- Antonio Cassese and Joseph HH Weiler (eds), *Change and Stability in International Law-Making* (de Gruyter 1988).
- Cheng, Bin, *General Principles of Law as applied by International Courts and Tribunals* (reprint, Cambridge Grotius Publications Limited 1987).
- *Studies in International Space Law* (Oxford University Press 1997).
- Clapham, Andrew, *Brierly's Law of Nations* (Oxford University Press 2012).
- Coing, Helmut, *Die obersten Grundsätze des Rechts Ein Versuch zur Neugründung des Naturrechts* (Lambert Schneider 1947).
- Coke, Edward, *The Second Part of the Institutes of the Laws of England* (1824).
- *The first part of the Institutes of the laws of England, or, A commentary upon Littleton: not the name of the author only, but of the law itself* (1st American, from the 19th London ed., corr, Robert H Small 1853).
- Cottier, Thomas, *Equitable Principles of Maritime Boundary Delimitation: The Quest for Distributive Justice in International Law* (Cambridge University Press 2015).
- Crawford, James, *State Responsibility: The General Part* (Cambridge University Press 2013).
- *Brownlie's principles of public international law* (9th edn, Oxford University Press 2019).
- Cross, Rupert, *Precedent in English Law* (Clarendon Press 1961).
- D'Amato, Anthony, *The Concept of Custom in International Law* (Cornell University Press 1971).
- d'Aspremont, Jean, *Formalism and the Sources of International Law* (Oxford University Press 2011).
- *Epistemic forces in international law: foundational doctrines and techniques of international legal argumentation* (Edward Elgar Publishing 2015).
 - *International Law as a Belief System* (Cambridge University Press 2018).
- Damme, Isabelle van, *Treaty interpretation by the WTO Appellate Body* (Oxford University Press 2009).

- Danilenko, Gennady M, *Law-Making in the International Community* (Martinus Nijhoff Publishers 1993).
- Davis, Calvin DeArmond, *The United States and the First Hague Peace Conference* (Cornell Univ Press for the American Historical Association 1962).
- Degan, Vladimir-Djuro, *L'interprétation des accords en droit international* (Nijhoff 1963).
- *Sources of International Law* (Martinus Nijhoff Publishers 1997).
- Del Vecchio, Giorgio, *Die Grundprinzipien des Rechts* (Rothschild 1923).
- Dicey, Albert Venn, *Introduction to the study of the law of the constitution* (Macmillan 1915).
- Dickson, Brice, *Human rights and the United Kingdom Supreme Court* (Oxford University Press 2013).
- Diggelmann, Oliver, *Anfänge der Völkerrechtssoziologie Die Völkerrechtskonzeptionen von Max Huber und Georges Scelle im Vergleich* (Schulthess 2000).
- Dinstein, Yoram, *Non-International Armed Conflict in International Law* (Cambridge University Press 2014).
- Djefal, Christian, *Static and evolutive treaty interpretation: a functional reconstruction* (Cambridge University Press 2015).
- Dolzer, Rudolf, Kriebaum, Ursula, and Schreuer, Christoph, *Principles of International Investment Law* (3rd edn, Oxford University Press 2022).
- Dolzer, Rudolf and Schreuer, Christoph, *Principles of International Investment Law* (Oxford University Press 2012).
- Dordeska, Marija, *General principles of law recognized by civilized nations (1922-2018). The evolution of the third source of international law through the jurisprudence of the Permanent Court of International Justice and the International Court of Justice* (Brill Nijhoff 2019).
- Duguit, Léon, *Traité de Droit Constitutionnel La règle du droit: le problème de l'Etat* (vol 1, Ancienne Libr Fontemoing 1921).
- Dumberry, Patrick, *State succession to international responsibility* (Martinus Nijhoff 2007).
- *The Formation and Identification of Rules of Customary International Law in International Investment Law* (Cambridge University Press 2016).
- *Fair and Equitable Treatment. Its Interaction with the Minimum Standard and Its Customary Status* (Brill 2018).
- Dworkin, Ronald, *Taking Rights Seriously* (Harvard Univ Press 1977).
- *Law's Empire* (Harvard Univ Press 1986).

- Dzehtsiarou, Kanstantsin, *European Consensus and the Legitimacy of the European Court of Human Rights* (Cambridge University Press 2015).
- Eisenberg, Melvin Aron, *The Nature of the Common Law* (Harvard Univ Press 1988).
- Esser, Josef, *Grundsatz und Norm in der richterlichen Fortbildung des Privatrechts Rechtsvergleichende Beiträge zur Rechtsquellen- und Interpretationslehre* (Mohr Siebeck 1956).
- *Vorverständnis und Methodenwahl in der Rechtsfindung: Rationalitätsgarantien der richterlichen Entscheidungspraxis* (Altenhäum Verlag 1970).
- Farahat, Anuscheh, *Progressive Inklusion* (Springer 2014).
- Feichenfeld, Ernst H, *Public Debts and State Succession* (The MacMillan Company 1931).
- Fikentscher, Wolfgang, *Methoden des Rechts in Vergleichender Darstellung Frühe und Religiöse Rechte, Romanischer Rechtskreis* (vol 1, Mohr Siebeck 1975).
- *Methoden des Rechts in vergleichender Darstellung. Anglo-amerikanischer Rechtskreis* (vol 2, Mohr Siebeck 1975).
- *Methoden des Rechts in Vergleichender Darstellung Mitteleuropäischer Rechtskreis* (vol 3, Mohr Siebeck 1976).
- Finch, George A, *The Sources of Modern International Law* (Carnegie Endowment for International Peace 1937).
- Forlati, Serena, *The International Court of Justice An Arbitral Tribunal or a Judicial Body?* (Springer 2014).
- Forowicz, Magdalena, *The Reception of International Law in the European Court of Human Rights* (Oxford University Press 2010).
- Franck, Thomas M, *Fairness in International Law and Institutions* (Clarendon Press 1995).
- Friedmann, Wolfgang, *The Changing Structure of international law* (Stevens 1964).
- *Legal Theory* (5th edn, Stevens & Sons 1967).
- Fuller, Lon L, *The Morality of Law: Revised Edition* (Yale University Press 1969).
- Galand, Alexandre Skander, *UN Security Council Referrals to the International Criminal Court* (Brill Nijhoff 2019).
- García-Amador, Francisco, *The changing law of international claims* (vol 1, Oceana-Publ 1984).
- García-Salmones Rovira, Mónica, *The Project of Positivism in International Law* (Oxford University Press 2013).

- Gardiner, Richard K, *Treaty interpretation* (2nd, Oxford University Press 2015).
- Gény, François, *Science et technique en droit privé positif: nouvelle contribution à la critique de la méthode juridique* (vol 1, Recueil Sirey 1914).
– *Méthode D'Interprétation et Sources en Droit Privé Positif: Essai Critique* (2nd edn, vol 1, Pichon et Durand_Auzias 1954).
- Giddens, Anthony, *The constitution of society: outline of the theory of structuration* (Polity Press 1984).
- Goldmann, Matthias, *Internationale öffentliche Gewalt* (Springer 2015).
- Goldsmith, Jack L and Posner, Eric A, *The limits of international law* (Oxford University Press 2005).
- Goodman, Ryan and Jinks, Derek, *Socializing states: promoting human rights through international law* (Oxford University Press 2013).
- Grapin, Pierre, *Valeur internationale des principes généraux du droit: contribution à l'étude de l'article 38, § 3 du Statut de la Cour permanente de Justice internationale* (Domat-Montchrestien 1934).
- Gray, John Chipman, *The Nature and Sources of the Law* (2nd edn, The MacMillan Company 1931).
- Greenawalt, Kent, *Statutory and Common Law Interpretation* (Oxford University Press 2012).
- Greenhill, Brian, *Transmitting Rights: International Organizations and the Diffusion of Human Rights Practices* (Oxford University Press 2015).
- Grimm, Dieter, *Solidarität als Rechtsprinzip: Die Rechts- und Staatslehre Léon Duguits in ihrer Zeit* (Altenhäum Verlag 1973).
- Grover, Leena, *Interpreting Crimes in the Rome Statute of the International Criminal Court* (Cambridge University Press 2014).
- Guggenheim, Paul, *Lehrbuch des Völkerrechts: unter Berücksichtigung der internationalen und schweizerischen Praxis* (vol 1, Verlag für Recht und Gesellschaft 1948).
– *Traité de droit international public: avec mention de la pratique internationale et suisse* (vol 1, Georg 1953).
– *Traité de droit international public: avec mention de la pratique internationale et suisse* (2nd edn, vol 1, Georg 1967).
- Günther, Herbert, *Zur Entstehung von Völkergewohnheitsrecht* (Duncker & Humblot 1970).
- Guzman, Andrew T, *How international law works: a rational choice theory* (Oxford University Press 2008).
- Habermas, Jürgen, *Faktizität und Geltung: Beiträge zur Diskurstheorie des Rechts und des demokratischen Rechtsstaats* (Suhrkamp 1992).

- Habermas, Jürgen, *Between Facts and Norms. Contributions to a Discourse Theory of Law and Democracy* (Rehg, William tr, 2nd edn, MIT Press 1996).
- Hackworth, Green Haywood, *Digest of International Law* (vol III, Department of State 1942).
- Hale, Matthew, *The history of the common law of England ; and, An analysis of the civil part of the law* (6th edn, Henry Butterworth 1820).
- Hall, William Edward, *Treatise on International Law* (4th edn, Clarendon Press 1895).
- Härle, Elfried, *Die allgemeinen Entscheidungsgrundlagen des Ständigen Internationalen Gerichtshofes: eine kritisch-würdigende Untersuchung über Artikel 38 des Gerichtshof-Statuts* (Vahlen 1933).
- Hart, Herbert L, *The concept of law: With a postscript* (2nd edn, Clarendon Press 1994).
- Harten, Gus van, *Investment Treaty Arbitration and Public Law* (Oxford University Press 2008).
- Heffter, August Wilhelm, *Das Europäische Völkerrecht der Gegenwart auf den bisherigen Grundlagen* (vol 5, first publ. 1844, Schroeder 1867).
- Heilborn, Paul, *Das System des Völkerrechts entwickelt aus den völkerrechtlichen Begriffen* (Verlag von Julius Springer 1896).
- Heller, Hermann, *Die Souveränität: ein Beitrag zur Theorie des Staats- und Völkerrechts* (de Gruyter 1927).
- Heller, Kevin Jon, *The Nuremberg Military Tribunals and the Origins of International Criminal Law* (Oxford University Press 2011).
- Henckaerts, Jean-Marie and Doswald-Beck, Louise, *Customary International Humanitarian Law: Rules* (vol 1, Cambridge University Press 2005).
- Herczegh, Géza, *General Principles of Law and the International Legal Order* (Kiadó 1969).
- Hesse, Konrad, *Grundzüge des Verfassungsrechts der Bundesrepublik Deutschland* (20th edn, Müller 1999).
- Higgins, Rosalyn, *Problems and Process: International Law and How We Use It* (Clarendon Press 1995).
- Ho, Jean, *State Responsibility for Breaches of Investment Contracts* (Cambridge University Press 2018).
- Hobbes, Thomas, *Hobbes's Leviathan: reprinted from the edition of 1651* (Clarendon Press 1909).
- Holland, Thomas Erskine, *The elements of jurisprudence* (Clarendon Press 1916).

- Hoof, Godefridus Josephus Henricus van, *Rethinking the sources of international law* (Kluwer Law and Taxation Publ 1983).
- Huber, Max, *Die Staatensuccession. Völkerrechtliche und staatsrechtliche Praxis im XIX. Jahrhundert* (Duncker & Humblot 1898).
- Hudson, Manley O, *The Permanent Court of International Justice 1920-1942: a treatise* (Macmillan 1943).
- Hull, William Isaac, *The two Hague conferences and their contributions to international law* (repr. orig. publ. 1908, Kraus 1970).
- ICRC, *Commentary on the First Geneva Convention (2016)* (Cambridge University Press 2017).
- Jacoby, Sigrid, *Allgemeine Rechtsgrundsätze Begriffsentwicklung und Funktion in der Europäischen Rechtsgeschichte* (Duncker & Humblot 1996).
- Jakab, András, *European Constitutional Language* (Cambridge University Press 2016).
- Jansen, Nils, *The Making of Legal Authority: Non-legislative Codifications in Historical and Comparative Perspective* (Oxford University Press 2010).
- Jellinek, Georg, *Die rechtliche Natur der Staatenverträge: ein Beitrag zur juristischen Construction des Völkerrechts* (Hölder 1880).
- *Verfassungsänderung und Verfassungswandlung Eine staatsrechtlich-politische Abhandlung* (Verlag von O Häring 1906).
- Jenks, Clarence Wilfred, *The common law of mankind* (Stevens 1958).
- *The Proper Law of International Organizations* (Stevens & Sons 1962).
- *The Prospects of International Adjudication* (Stevens 1964).
- Jennings, Robert Yewdall and Watts, Arthur, *Oppenheim's International Law: Volume 1 Peace* (9th edn, Oxford University Press 2008).
- Jessup, Philip C, *Transnational Law* (Yale University Press 1956).
- *A modern law of nations: An introduction* (Archon books, reprint 1968).
- Jestaedt, Matthias, *Grundrechtsentfaltung im Gesetz* (Mohr Siebeck 1999).
- Jhering, Rudolf von, *Geist des römischen Rechts auf den verschiedenen Stufen seiner Entwicklung Erster Theil* (2nd ed., Breitkopf und Härtel 1866).
- *Geist des römischen Rechts auf den verschiedenen Stufen seiner Entwicklung Zweiter Theil* (3rd ed., Breitkopf und Härtel 1866).
- *Der Zweck im Recht* (Breitkopf und Härtel 1877).
- Kälin, Walter and Künzli, Jörg, *The Law of International Human Rights Protection* (2nd edn, Oxford University Press 2019).
- Kammerhofer, Jörg, *Uncertainty in international law: a Kelsenian perspective* (Routledge 2011).
- *International investment law and legal theory: expropriation and the fragmentation of sources* (Cambridge University Press 2021).

- Karl, Wolfram, *Vertrag und spätere Praxis im Völkerrecht: zum Einfluß der Praxis auf Inhalt und Bestand völkerrechtlicher Verträge* (Springer 1983).
- Keller-Kemmerer, Nina, *Die Mimikry des Völkerrechts: Andrés Bellos "Principios de Derecho Internacional"* (Nomos 2018).
- Kelsen, Hans, *Das Problem der Souveränität und die Theorie des Völkerrechts Beitrag zu einer reinen Rechtslehre* (Mohr Siebeck 1920).
- *Allgemeine Staatslehre* (Springer 1925).
 - *Legal Technique in international law: a textual critique of the League Covenant* (Geneva Research Centre 1939).
 - *The Law of The United Nations A Critical Analysis of Its Fundamental Problems* (Stevens 1950).
 - *Principles of International Law* (Rinehart 1952).
 - *Reine Rechtslehre* (2, orig. publ. 1969, Verlag Franz Deuticke 1967).
 - *Allgemeine Theorie der Normen* (Manz 1979).
 - *On the issue of the continental shelf: two legal opinions* (Springer 1986).
 - *Auseinandersetzungen zur reinen Rechtslehre: kritische Bemerkungen zu Georges Scelle und Michel Virally* (Ringhofer, Kurt and Walter, Robert eds, Springer 1987).
 - *General Theory of Norms* (Clarendon Press 1991).
 - *Reine Rechtslehre Studienausgabe der 1. Auflage 1934* (Jestaedt, Matthias ed, Mohr Siebeck 2008).
- Kelsen, Hans and Tucker, Robert W, *Principles of International Law* (2nd edn, Holt, Rinehart, Winston, 1967).
- Kischel, Uwe, *Comparative Law* (Oxford University Press 2019).
- Kiss, Alexandre-Charles, *L'abus de droit en droit international* (Pichon & Durand-Auzias 1953).
- Kjos, Elisabeth, *Applicable law in investor-state arbitration: the interplay between national and international law* (Oxford University Press 2013).
- Kläger, Roland, *'Fair and equitable treatment' in international investment law* (Cambridge University Press 2011).
- Eckart Klein (ed), *Menschenrechtsschutz durch Gewohnheitsrecht: Kolloquium 26.-28. September 2002 Potsdam* (Berlin, 2003).
- Kleinlein, Thomas, *Konstitutionalisierung im Völkerrecht Konstruktion und Elemente einer idealistischen Völkerrechtslehre* (Springer 2012).
- Knop, Karen, *Diversity and Self-Determination in International Law* (Cambridge University Press 2002).
- Kolb, Robert, *La bonne foi en droit international public Contribution à l'étude des principes généraux de droit* (Presses Universitaires de France 2000).

- *Case law on equitable maritime delimitation: digest and commentaries = Jurisprudence sur les délimitations maritimes selon l'équité: répertoire et commentaires* (Perry, Alan tr, Martinus Nijhof Publishers 2003).
 - *Interprétation et création du droit international. Esquisse d'une herméneutique juridique moderne pour le droit international public* (Bruylant 2006).
 - *The International Court of Justice* (Perry, Alan tr, Hart 2013).
 - *Peremptory international law - jus cogens: a general inventory* (Hart 2015).
 - *Theory of international law* (Hart Publishing 2016).
 - *Good Faith in international law* (Hart 2017).
 - *The International Law of State Responsibility* (Edward Elgar Publishing 2017).
- Kontou, Nancy, *The Termination and Revision of Treaties in the Light of New Customary International Law* (Clarendon Press 1994).
- Korioth, Stefan, *Integration und Bundesstaat Ein Beitrag zur Staats- und Verfassungslehre Rudolf Smends* (Duncker & Humblot 1990).
- Koskenniemi, Martti, *The Gentle Civilizer of Nations The Rise and Fall of International Law 1870-1960* (Cambridge University Press 2002).
- *From Apology to Utopia: The Structure of International Legal Argument - Reissue With New Epologue* (2nd edn, Cambridge University Press 2007).
- Kriele, Martin, *Theorie der Rechtsgewinnung entwickelt am Problem der Verfassungsinterpretation* (Duncker & Humblot 1967).
- Krisch, Nico, *Beyond Constitutionalism The Pluralist Structure of Postnational Law* (Oxford University Press 2010).
- Kroll, Stefan, *Normgenese durch Re-Interpretation: China und das europäische Völkerrecht im 19. und 20. Jahrhundert* (Nomos 2012).
- Krueger, Anna, *Die Bindung der Dritten Welt an das postkoloniale Völkerrecht: die Völkerrechtskommission, das Recht der Verträge und das Recht der Staatennachfolge in der Dekolonialisierung* (Springer 2018).
- Kulick, Andreas, *Global public interest in international investment law* (Cambridge University Press 2012).
- Küntzel, Walter, *Ungeschriebenes Völkerrecht Ein Beitrag zu der Lehre von den Quellen des Völkerrechts* (Gräfe u Unzer 1935).
- Laband, Paul, *Die Wandlungen der deutschen Reichsverfassung* (Zahn & Jaensch 1895).
- Lachs, Manfred, *The Teacher in International Law: Teachings and Teaching* (2nd edn, Martinus Nijhof Publishers 1987).
- Lando, Massimo, *Maritime Delimitation as a Judicial Process* (Cambridge University Press 2019).

Bibliography

- Larenz, Karl, *Methodenlehre der Rechtswissenschaft* (3rd edn, Springer 1975).
- *Methodenlehre der Rechtswissenschaft* (6th edn, Springer 1991).
- Lauterpacht, Hersch, *Private Law Analogies* (London, 1927).
- *The development of international law by the International Court* (Stevens 1958).
- *The Function of Law in the International Community* (Reprinted with corr., first publ. 1933, Oxford University Press 2012).
- Lawrence, Thomas Joseph, *International Problems and Hague Conferences* (London, 1906).
- Legg, Andrew, *The Margin of Appreciation in International Human Rights Law: Deference and Proportionality* (Oxford University Press 2012).
- Lepard, Brian D, *Customary International Law A New Theory with Practical applications* (Cambridge University Press 2010).
- Lepsius, Oliver, *Verwaltungsrecht unter dem Common Law: amerikanische Entwicklungen bis zum New Deal* (Mohr Siebeck 1997).
- *Relationen: Plädoyer für eine bessere Rechtswissenschaft* (Mohr Siebeck 2016).
- Letsas, George, *A theory of interpretation of the European Convention on Human Rights* (Oxford University Press 2007).
- Lieberman, David, *The province of legislation determined: legal theory in eighteenth century Britain* (Cambridge University Press 2002).
- MacCormick, Neil, *Legal Reasoning and Legal Theory* (Clarendon Press, Oxford University Press 1978).
- *Legal Reasoning and Legal Theory* (Clarendon Press, Oxford University Press 1978).
- Magnússon, Bjarni Már, *The Continental Shelf Beyond 200 Nautical Miles* (Brill Nijhoff 2015).
- Mälksoo, Lauri, *Russian approaches to international law* (Oxford University Press 2015).
- Mann, Francis A, *The legal aspect of money* (4th edn, Clarendon Press 1982).
- Markun, Michael, *Law without Sanctions Order in Primitive Societies and the World Community* (Yale University Press 1968).
- Marro, Pierre-Yves, *Allgemeine Rechtsgrundsätze des Völkerrechts* (Schulthess 2010).
- Martini, Stefan, *Vergleichende Verfassungsrechtsprechung: Praxis, Viabilität und Begründung rechtsvergleichender Argumentation durch Verfassungsgerichte* (Duncker & Humblot 2018).

- Marxsen, Christian, *Völkerrechtsordnung und Völkerrechtsbruch* (Mohr Siebeck 2021).
- Mayda, Jaro, *Francois Géný and Modern Jurisprudence* (Louisiana State University Press 1978).
- McLachlan, Campbell, Shore, Laurence, and Weiniger, Matthew, *International Investment Arbitration* (2nd edn, Oxford University Press 2017).
- Meder, Stephan, *Ius non scriptum - Traditionen privater Rechtssetzung* (2nd edn, Mohr Siebeck 2009).
- Meier, Ernst, *Über den Abschluss von Staatsverträgen* (Duncker & Humblot 1874).
- Merkel, Adolf, *Die Lehre von der Rechtskraft entwickelt aus dem Rechtsbegriff* (Franz Deuticke 1923).
- Merkouris, Panos, *Article 31(3)(c) vclt and the Principle of Systemic Integration* (Brill Nijhoff 2015).
- Meron, Theodor, *Human Rights and Humanitarian Norms as Customary Law* (Clarendon Press 1989).
- Mettraux, Guénaél, *International Crimes and the ad hoc Tribunals* (Oxford University Press 2005).
- Metzger, Axel, *Extra legem, intra ius: allgemeine Rechtsgrundsätze im Europäischen Privatrecht* (Mohr Siebeck 2009).
- Meyer, Georg and Anschütz, Gerhard, *Lehrbuch des Deutschen Staatsrechtes* (6th edn, Duncker & Humblot 1905).
- Miller, David Hunter, *The Drafting of the Covenant* (2, orig. published 1928, Vol 2, New York, 1969).
- Montt, Santiago, *State Liability in Investment Treaty Arbitration. Global Constitutional and Administrative Law on the BIT Generation* (Hart Publishing 2009).
- Mossop, Joanna, *The Continental Shelf Beyond 200 Nautical Miles: Rights and Responsibilities* (Oxford University Press 2016).
- Mugdan, Benno, *Die gesammten Materialien zum Bürgerlichen Gesetzbuch für das Deutsche Reich. Einführungsgesetz und Allgemeiner Theil* (vol 1, Decker's Verlag 1899).
- Müller, Jörg P, *Vertrauensschutz im Völkerrecht* (Carl Heymanns Verlag KG 1971).
- Nielsen, Fred K, *American-Turkish Claims Settlement: Under the Agreement of December 24, 1923, and Supplemental Agreements between the United States and Turkey* (Government Printing Office 1937).
- Nippold, Otto, *Der völkerrechtliche Vertrag Seine Stellung im Rechtssystem und seine Bedeutung für das internationale Recht* (1894).

Bibliography

- Nowrot, Karsten, *Das Republikprinzip in der Rechtsordnungsgemeinschaft* (Mohr Siebeck 2014).
- Ohlin, Jens David, *The assault on international law* (Oxford University Press 2015).
- Onuf, Nicholas, *Law-making in the global community* (Carolina Acad Press 1982).
- Oppenheim, Lassa Francis Lawrence, *International Law* (vol 1, Longmans, Green 1905).
- Orakhelashvili, Alexander, *Peremptory norms in international law* (Oxford University Press 2008).
- *The Interpretation of Acts and Rules in Public International Law* (Oxford University Press 2008).
- Paddeu, Federica, *Justification and Excuse in International Law* (Cambridge University Press 2018).
- Pallieri, Giorgio Balladore, *I "principi generali del diritto riconosciuti dalle nazioni civili" nell' art. 38 dello statuto della Corte permanente di giustizia internazionale* (Istituto giuridico della R università 1931).
- Paparinskis, Mārtiņš, *The international minimum standard and fair and equitable treatment* (Oxford monographs in international law, Oxford University Press 2013).
- Park, Jeong Hoon, *Rechtsfindung im Verwaltungsrecht: Grundlegung einer Prinzipientheorie des Verwaltungsrechts als Methode der Verwaltungsrechtsdogmatik* (Duncker & Humblot 1999).
- Paulsson, Jan, *Denial of Justice in international law* (Cambridge University Press 2005).
- Paulus, Andreas L, *Die internationale Gemeinschaft im Völkerrecht: eine Untersuchung zur Entwicklung des Völkerrechts im Zeitalter der Globalisierung* (Beck 2001).
- Payandeh, Mehrdad, *Internationales Gemeinschaftsrecht: zur Herausbildung gemeinschaftsrechtlicher Strukturen im Völkerrecht der Globalisierung* (Springer 2010).
- Peat, Daniel, *Comparative Reasoning in International Courts and Tribunals* (Cambridge University Press 2019).
- Peters, Anne, *Beyond Human Rights. The Legal Status of the Individual in International Law* (Cambridge University Press 2016).
- Petersen, Niels, *Demokratie als teleologisches Prinzip: zur Legitimität von Staatsgewalt im Völkerrecht* (Springer 2009).
- Phillimore, Robert, *Commentaries upon international law* (vol 1, T & J W Johnson, Law Booksellers 1854).

- Pieroth, Bodo, *Rückwirkung und Übergangsrecht Verfassungsrechtliche Maßstäbe für intertemporale Gesetzgebung* (Duncker & Humblot 1981).
- Politis, Nicolas, *The new aspects of international law: A Series of Lectures Delivered at Columbia University in July 1926* (Carnegie Endowment for International Peace 1928).
- Postema, Gerald J, *Bentham and the Common Law Tradition* (Clarendon Press 1986).
- Pound, Roscoe, *Jurisprudence Part 3. The Nature of Law* (vol 2, West 1959).
- Powderly, Joseph, *Judges and the Making of International Criminal Law* (Brill Nijhoff 2020).
- Puchta, Georg Friedrich, *Das Gewohnheitsrecht. Erster Theil* (Palm 1828).
– *Das Gewohnheitsrecht. Zweiter Theil* (Palm 1837).
- Pulkowski, Dirk, *The Law and Politics of International Regime Conflict* (Oxford University Press 2014).
- Purcell, Kate, *Geographical Change and the Law of the Sea* (Oxford University Press 2019).
- Raimondo, Fabián Omar, *General principles of law in the decisions of international criminal courts and tribunals* (Martinus Nijhoff Publishers 2008).
- Ranganathan, Surabhi, *Strategically Created Treaty Conflicts and the Politics of International Law* (Cambridge University Press 2014).
- Rauber, Jochen, *Strukturwandel als Prinzipienwandel: theoretische, dogmatische und methodische Bausteine eines Prinzipienmodells des Völkerrechts und seiner Dynamik* (Springer 2018).
- Reimer, Franz, *Verfassungsprinzipien Ein Normtyp im Grundgesetz* (Duncker & Humblot 2001).
- Thomas Risse, Stephen C Ropp, and Kathryn Sikkink (eds), *The power of human rights: international norms and domestic change* (Cambridge University Press 1999).
- Riznik, Donald, *Die Immunität ratione personae des Souveräns* (PL Academic Research 2016).
- Roberts, Anthea, *Is International Law international?* (Oxford University Press 2017).
- Shabtai Rosenne (ed), *League of Nations Conference for the Codification of International Law (1930)* (vol 4, Dobbs Ferry, NY: Oceana 1975).
- Rosenne, Shabtai, *Breach of Treaty* (Cambridge University Press 1985).
– *The World Court: what it is and how it works* (4th edn, Nijhoff 1989).
– *The Law and Practice of the International Court 1920-2005* (4th edn, vol 2, Martinus Nijhoff Publishers 2006).

- Ross, Alf, *Theorie der Rechtsquellen: ein Beitrag zur Theorie des positiven Rechts auf Grundlage dogmenhistorischer Untersuchungen* (Deuticke 1929).
- *A Textbook of International Law: General Part, originally published 1947* (2nd edn, The LawBook Exchange 2008).
- Roulet, Jean David, *Le caractère artificiel de la théorie de l'abus de droit en droit international public* (Ed de la Baconnière 1958).
- Rousseau, Charles, *Principes généraux du droit international public. Introduction. Sources* (vol 1, Pedone 1944).
- Roxburgh, Ronald F, *International conventions and third states* (Longman, Green and Co 1917).
- Roxin, Claus, *Strafrecht Allgemeiner Teil Band II Besondere Erscheinungsformen der Straftat* (vol 2, Beck 2003).
- Ruddy, Francis S, *International law in the enlightenment: the background of Emmerich de Vattel's Le droit des gens* (Oceana-Publ 1975).
- Rüthers, Bernd, *Die unbegrenzte Auslegung* (8th edn, Mohr Siebeck 2017).
- Salmund, John William, *Jurisprudence* (4th edn, Stevens 1913).
- Sassöli, Marco, *Bedeutung einer Kodifikation für das allgemeine Völkerrecht: mit besonderer Betrachtung der Regeln zum Schutze der Zivilbevölkerung vor den Auswirkungen von Feindseligkeiten* (Helbing & Lichtenhahn 1990).
- Saunders, Imogen, *General Principles as a Source of International Law* (Hart 2021).
- Savigny, Friedrich Carl von, *System des heutigen Römischen Rechts* (vol 1, Veit 1840).
- *Pandektenvorlesung 1824/25* (Klostermann 1993).
 - *Vom Beruf unsrer Zeit für Gesetzgebung und Rechtswissenschaft* (Mohr und Zimmer 1814).
- Schabas, William A, *The International Criminal Court* (2nd edn, Oxford University Press 2016).
- *An Introduction to the International Criminal Court* (6th edn, Cambridge University Press 2020).
- Schachter, Oscar, *International law in theory and practice: general course in public international law* (Martinus Nijhoff Publishers 1991).
- Scharf, Michael P, *Customary International Law in Times of Fundamental Change Recognizing Grotian Moments* (Cambridge University Press 2013).
- Schill, Stephan W, *The multilateralization of international investment law* (Cambridge University Press 2009).

- Schlesinger, Rudolf B and Bonassies, Pierre, *Formation of contracts: a study of the common core of legal systems; conducted under the auspices of the general principles of law project of the Cornell Law School* (vol 1, Oceana-Publ 1968).
- Schlütter, Birgit, *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* (Martinus Nijhoff Publishers 2010).
- Schmitt, Michael N, *Essays on Law and War at the Fault Lines* (Springer 2012).
- Schröder, Jan, *Recht als Wissenschaft: Geschichte der juristischen Methode vom Humanismus bis zur historischen Schule (1500-1850)* (Beck 2001).
- Schücking, Walter, *Der Staatenverband der Haager Konferenzen* (Duncker & Humblot 1912).
- Schwarzenberger, Georg, *William Ladd: An examination of an American proposal for an international equity tribunal* (2nd edn, London, 1936). – *The Frontiers of International Law* (Stevens & Sons 1962).
- Shahabuddeen, Mohamed, *International Criminal Justice at the Yugoslav Tribunal: A Judge's Recollection* (Oxford University Press 2012).
- Shahabuddeen, Mohammed, *Precedent in the world court* (Cambridge University Press 1997).
- Shaw, Malcolm N, *International Law* (7th edn, Cambridge University Press 2014).
- Simma, Bruno, *Das Reziprozitätselement in der Entstehung des Völkergewohnheitsrechts* (Fink 1970).
- Simmons, Beth A, *Mobilizing for Human Rights International Law in Domestic Politics* (Cambridge University Press 2009).
- Sinclair, Ian, *The International Law Commission* (Cambridge, 1987).
- Sivakumaran, Sandesh, *The law of non-international armed conflict* (Oxford University Press 2012).
- Skouteris, Thomas, *The notion of progress in international law discourse* (TMC Asser Press 2010).
- Sliedregt, Elies van, *Individual criminal responsibility in international law* (Oxford University Press 2012).
- Somló, Félix, *Juristische Grundlehre* (Meiner 1917).
- Sørensen, Max, *Les sources du droit international: étude sur la jurisprudence de la Cour Permanente de Justice Internationale* (Munksgaard 1946).
- Sornarajah, Muthucumaraswamy, *Resistance and Change in the International Law on Foreign Investment* (Cambridge University Press 2015).

- Spiermann, Ole, *International legal argument in the Permanent Court of International Justice: the rise of the international judiciary* (Cambridge University Press 2005).
- Spiropoulos, Jean, *Die allgemeinen Rechtsgrundsätze im Völkerrecht: eine Auslegung von Art. 38,3 des Status des ständigen Internationalen Gerichtshofs* (Verlag des Instituts für Internationales Recht an der Univ Kiel 1928).
- *Théorie générale du droit international* (Pichon et Durand-Auzias 1930).
- Stahn, Carsten, *A Critical Introduction to International Criminal Law* (Cambridge University Press 2019).
- Staubauch, Peter G, *The Rule of Unwritten International Law: Customary Law, General Principles, and World Order* (Routledge 2018).
- Stoll, Peter-Tobias, Holterhus, Till Patrik, and Gött, Henner, *Investitionsschutz und Verfassung: völkerrechtliche Investitionsschutzverträge aus der Perspektive des deutschen und europäischen Verfassungsrechts* (Mohr Siebeck 2017).
- Stolleis, Michael, *A History of Public Law in Germany 1914-1945* (Oxford University Press 2004).
- Strupp, Karl, *Das Recht des internationalen Richters, nach Billigkeit zu entscheiden* (Noske 1930).
- Tams, Christian J, *Enforcing Obligations Erga Omnes in International Law* (Cambridge University Press 2005).
- Tan, Yudan, *The Rome Statute as Evidence of Customary International Law* (Brill Nijhoff 2021).
- Thienel, Tobias, *Drittstaaten und die Jurisdiktion des Internationalen Gerichtshofs: die Monetary Gold-Doktrin* (Duncker & Humblot 2016).
- Thirlway, Hugh W, *International Customary Law and Codification: an examination of the continuing role of custom in the present period of codification of international law* (Leiden: Sijthoff, 1972).
- *The law and procedure of the international court of justice: fifty years of jurisprudence* (vol 1, Oxford University Press 2013).
- *The law and procedure of the international court of justice: fifty years of jurisprudence* (vol 2, Oxford University Press 2013).
- *The Sources of International Law* (Oxford University Press 2014).
- *The sources of international law* (2nd edn, Oxford University Press 2019).
- Tomuschat, Christian, *Verfassungsgewohnheitsrecht? Eine Untersuchung zum Staatsrecht der Bundesrepublik Deutschland* (Heidelberg, 1972).
- Triepel, Heinrich, *Die neuesten Fortschritte auf dem Gebiet des Kriegsrechts* (C L Hirschfeld 1894).

- *Völkerrecht und Landesrecht* (Hirschfeld 1899).
- Tudor, Ioana, *The Fair and Equitable Treatment Standard in the International Law of Foreign Investment* (Oxford University Press 2008).
- Vadi, Valentina, *War and Peace. Alberico Gentili and the Early Modern Law of Nations* (Brill Nijhoff 2020).
- Vanneste, Frédéric, *General International Law Before Human Rights Courts - Assessing the Speciality Claim of International Human Rights Law* (Intersentia 2009).
- Vattel, Emer de, *The Law of Nations; or Principles of the Law of Nature, applied to the conduct and affairs of nations and sovereigns* (6th American edition, TJW Johnson 1844).
- Venzke, Ingo, *How interpretation makes international law: on semantic change and normative twists* (Oxford University Press 2012).
- Verdross, Alfred, *Die völkerrechtswidrige Kriegshandlung und der Strafanspruch der Staaten* (Hans Robert Engelmann 1920).
- *Die Einheit des rechtlichen Weltbildes auf Grundlage der Völkerrechtsverfassung* (Mohr Siebeck 1923).
- *Die Verfassung der Völkerrechtsgemeinschaft* (Springer 1926).
- Verdross, Alfred and Simma, Bruno, *Universelles Völkerrecht Theorie und Praxis* (3rd edn, Duncker&Humblot 1984).
- Verzijl, Jan Hendrik Willem, *International Law in Historical Perspective. General Subjects* (vol 1, AW Sijthoff 1968).
- Viellechner, Lars, *Transnationalisierung des Rechts* (Velbrück 2013).
- Villiger, Mark E, *Customary International Law and Treaties* (Martinus Nijhoff Publishers 1985).
- *Customary International Law and Treaties* (2nd edn, Kluwer Law International 1997).
- Visscher, Charles de, *Theory and reality in public international law* (Corbett, Percy Ellwood tr, Princeton University Press 1957).
- *Problèmes d'interprétation judiciaire en droit international public* (Pedone 1963).
- Vogenaer, Stefan, *Die Auslegung von Gesetzen in England und auf dem Kontinent Eine vergleichende Untersuchung der Rechtsprechung und ihrer historischen Grundlagen* (Beiträge zum ausländischen und internationalen Privatrecht 72, vol 1, Mohr Siebeck 2001).
- Voigt, Christina, *Sustainable Development as a Principle of International Law Resolving Conflicts between Climate Measures and Law* (Martinus Nijhoff Publishers 2009).

Bibliography

- Watts, Arthur, *The International Law Commission 1949-1998: The Treaties* (vol 1, Oxford University Press 1999).
- Weber, Ferdinand, *Staatsangehörigkeit und Status: Statik und Dynamik politischer Gemeinschaftsbildung* (Mohr Siebeck 2018).
- Werle, Gerhard and Jeßberger, Florian, *Principles of International Criminal Law* (4th edn, Oxford University Press 2020).
- Westlake, John, *Chapters on the Principles of International Law* (University Press 1894).
- *International Law Part I* (2nd edn, Cambridge University Press 1910).
- Wheaton, Henry, *Elements of International Law: with a Sketch of the History of the Science* (Carey, Lea & Blanchard 1836).
- Windscheid, Bernhard, *Lehrbuch des Pandektenrechts* (4th edn, vol 1, Buddeus 1875).
- Wolff, Christian von, *Jus gentium methodo scientifica pertractatum* (vol 2, Clarendon Press 1934).
- Wolff, Heinrich Amadeus, *Ungeschriebenes Verfassungsrecht unter dem Grundgesetz* (Mohr Siebeck 2000).
- Wolfke, Karol, *Custom in present international law* (Zaklad Narodowy im Ossolińskich 1964).
- Yanev, Lachezar D, *Theories of Co-Perpetration in International Criminal Law* (Brill Nijhoff 2018).
- Yasuaki, Onuma, *International Law in a Transcivilizational World* (Cambridge University Press 2017).
- Zimmermann, Andreas, *Staatenachfolge in völkerrechtliche Verträge: zugleich ein Beitrag zu den Möglichkeiten und Grenzen völkerrechtlicher Kodifikation* (Springer 2000).
- Zimmern, Alfred, *The League of Nations and the Rule of Law 1918-1935* (Macmillan 1936).

Contributions to edited volumes

- Abi-Saab, Georges, 'The Concept of "War Crimes"' in Sienho Yee and Tieya Wang (eds), *International Law in the Post-Cold War World : Essays in Memory of Li Haopei* (Routledge 2001), pp 99–118.

- ‘La coutume dans tous ses états ou le dilemme du développement du droit international général dans un monde éclaté’, in Marcelo G Kohen and Magnus Jesko Langer (eds), *Le développement du droit international: réflexions d’un demi-siècle* (Presses Universitaires de France 2013) vol 1, pp 81–92.
- ‘Les sources du droit international: essai de déconstruction’, in Marcelo G Kohen and Magnus Jesko Langer (eds), *Le développement du droit international: réflexions d’un demi-siècle. Volume I* (Graduate Institute Publications 2013), pp 61–80.
- Akande, Dapo, ‘Sources of International Criminal Law’ in Antonio Cassese (ed), *The Oxford Companion to International Criminal Justice* (Oxford University Press 2009), pp 41–53.
- Alebeek, Rosanne van, ‘Functional Immunity of State Officials from the Criminal Jurisdiction of Foreign National Courts’ in Tom Ruys, Nicolas Angelet, and Luca Ferro (eds), *The Cambridge Handbook of Immunities and International Law* (Cambridge University Press 2019), pp 496–524.
- Alvarez, José E, ‘The Use (and Misuse) of European Human Rights Law in Investor-State Dispute Settlement’ in Franco Ferrari (ed), *The impact of EU law on international commercial arbitration* (JurisNet 2017), pp 519–648.
- Ambos, Kai, ‘Command Responsibility and Organisationsherrschaft: Ways of Attributing International Crimes to the Most Responsible’ in Harmen van der Wilt and André Nollkaemper (eds), *System criminality in international law* (Cambridge University Press 2009), pp 127–157.
- ‘Adolf Eichmann’, in *The Cambridge Companion to International Criminal Law* (Cambridge University Press 2016), pp 275–294.
- ‘Article 25’, in Kai Ambos (ed), *Rome Statute of the International Criminal Court: a commentary* (4th edn, Beck 2021).
- Andenæs, Mads and Chiussi, Ludovica, ‘Cohesion, Convergence and Coherence of International Law’ in Mads Andenæs and others (eds), *General principles and the coherence of international law* (Brill Nijhoff 2019), pp 9–34.
- Arajärvi, Noora, ‘Misinterpreting Customary International Law Corrupt Pedigree or Self-Fulfilling Prophecy?’ in Panos Merkouris, Jörg Kammerhofer, and Noora Arajärvi (eds), *The Theory, Practice, and Interpretation of Customary International Law* (Cambridge University Press 2022), pp 40–61.
- Aust, Helmut Philipp, ‘The Normative Environment for Peace - On the Contribution of the ILC’s Articles on State Responsibility’ in Georg Nolte

- (ed), *Peace through International Law The Role of the International Law Commission. A Colloquium at the Occasion of its Sixtieth Anniversary* (Springer 2009), pp 13–46.
- Badura, Peter, ‘Verfassungsänderung, Verfassungswandel, Verfassungsgewohnheitsrecht’ in Josef Isensee and Paul Kirchhof (eds), *Handbuch des Staatsrechts der Bundesrepublik Deutschland* (CF Müller 1992) vol VII, pp 57–77.
- Bartels, Rogier, ‘Legitimacy and ICC Jurisdiction Following Security Council Referrals: Conduct on the Territory of Non-Party States and the Legality Principle’ in Nobuo Hayashi and Cecilia M Bailliet (eds), *The Legitimacy of International Criminal Tribunals* (Cambridge University Press 2017), pp 141–178.
- Baxter, Richard R, ‘The Effects of Ill-Conceived Codification and Development of International Law’ in Faculté de Droit de l’Université de Genève (ed), *En Hommage à Paul Guggenheim* (Faculté de Droit de l’Université de Genève 1968), pp 146–166.
- Becker Lorca, Arnulf, ‘Eurocentrism in the History of International Law’ in Bardo Fassbender and Anne Peters (eds), *The Oxford Handbook of the History of International Law* (Oxford University Press 2012), pp 1034–1057.
- Benvenisti, Eyal, ‘Customary International Law as a Judicial Tool for Promoting Efficiency’ in Moshe Hirsch and Eyal Benvenisti (eds), *The impact of international law on international cooperation: theoretical perspectives* (Cambridge University Press 2004), pp 85–116.
- Bernhard, Rudolf, ‘Interpretation in International Law’ in *Encyclopedia of public international law. East African Community to Italy-United States Air Transport Arbitration (1965): [E - I]* (North-Holland 1995) vol 2, pp 1416–1425.
- Bernstorff, Jochen von, ‘Specialized Courts and Tribunals as the Guardians of International Law? The Nature and Function of Judicial Interpretation in Kelsen and Schmitt’ in Andreas Føllesdal and Geir Ulfstein (eds), *The judicialization of international law: a mixed blessing?* (Oxford University Press 2018), pp 9–25.
- Besson, Samantha, ‘Theorizing the Sources of International Law’ in Samantha Besson and John Tasioulas (eds), *The Philosophy of International Law* (Oxford University Press 2010), pp 163–185.
- ‘General Principles in International Law - Whose Principles?’, in *Les principes en droit européen = Principles in European law* (Schulthess 2011), pp 19–64.

- ‘Community Interests in the Identification of International Law With a Special Emphasis on Treaty Interpretation and Customary Law Identification’, in Eyal Benvenisti and Georg Nolte (eds), *Community Interests across international law* (Oxford University Press 2018), pp 50–69.
- ‘Concurrent Responsibilities under the European Convention on Human Rights: the Concurrence of Human Rights Jurisdictions, Duties, and Responsibilities’, in Anne van Aaken and Iulia Motoc (eds), *The European Convention on Human Rights and general international law* (Oxford University Press 2018), pp 155–177.
- Bitti, Gilbert, ‘Article 21 and the Hierarchy of Sources of Law before the ICC’ in Carsten Stahn (ed), *The law and practice of the International Criminal Court* (Oxford University Press 2015), pp 411–443.
- Bjorklund, Andrea K, ‘Emergency Exceptions: State of Necessity and Force Majeure’ in Peter Muchlinski, Frederico Ortino, and Christoph Schreuer (eds), *The Oxford handbook of international investment law* (Oxford University Press 2008), pp 459–523.
- ‘Investment Treaty Arbitral Decisions as "Jurisprudence Constante"’, in Colin B Picker (ed), *International economic law: the state and future of the discipline* (Hart 2008), pp 265–280.
- Bogdandy, Armin von, ‘Grundprinzipien’ in Armin von Bogdandy and Jürgen Bast (eds), *Europäisches Verfassungsrecht: theoretische und dogmatische Grundzüge* (2nd edn, Springer 2009), pp 13–71.
- Boisson de Chazournes, Laurence, ‘The International Law Commission in a Mirror - Firms, Impact and Authority’ in The United Nations (ed), *Seventy Years of the International Law Commission* (Brill Nijhoff 2020), pp 133–155.
- Borchard, Edwin M, ‘The Theory and Sources of International Law’ in *Recueil d'études sur les sources du droit en l'honneur de François Gény* (Recueil Sirey 1936) vol 3, pp 328–361.
- Boulanger, Jean, ‘Principes Généraux du Droit et Droit Positif’ in *Le Droit Privé Français au Milieu Du XXe Siècle études Offertes à Georges Ripert* (Libr générale de droit et de jurisprudence 1950) vol 1, pp 51–74.
- Bradley, Curtis A, ‘Customary International Law Adjudication as Common Law Adjudication’ in Curtis A Bradley (ed), *Custom's future: international law in a changing world* (Cambridge University Press 2016), pp 34–61.
- Broomhall, Bruce, ‘Article 22’ in Kai Ambos (ed), *The Rome Statute of the International Criminal Court* (4th edn, Beck 2021).

Bibliography

- Broude, Tomer and Shany, Yuval, 'The International Law and Policy of Multi-sourced equivalent norms' in Tomer Broude and Yuval Shany (eds), *Multi-sourced equivalent norms in international law* (Hart 2011), pp 1–15.
- Brown, Chester, 'Introduction: The Development and Importance of the Model Bilateral Investment Treaty' in *Commentaries on Selected Model Investment Treaties* (Oxford University Press 2013), pp 1–14.
- Brown, Chester and Sheppard, Audley, 'United Kingdom' in *Commentaries on Selected Model Investment Treaties* (Oxford University Press 2013), pp 697–754.
- Brunnée, Jutta, 'International Environmental Law and Community Interests: Procedural Aspects' in Georg Nolte and Eyal Benvenisti (eds), *Community Interests Across International Law* (Oxford University Press 2017), pp 151–175.
- 'The Sources of International Environmental Law: Interactional Law', in Samantha Besson and Jean d'Aspremont (eds), *Oxford Handbook on the Sources of International Law* (Oxford University Press 2017), pp 960–986.
- Brunnée, Jutta and Toope, Stephen John, 'The Rule of Law in an Agnostic World: the Prohibition on the Use of Force and Humanitarian Exceptions' in Wouter G Werner and others (eds), *The law of international lawyers: reading Martti Koskenniemi* (Cambridge University Press 2017), pp 137–166.
- Cançado Trindade, Antônio Augusto, 'The presence and participation of Latin America at the Second Hague Peace Conference of 1907' in Yves Daudet (ed), *Actualité de la Conférence de La Haye de 1907, Deuxième Conférence de la paix/ Topicality of the 1907 Hague Conference, the Second Peace Conference* (Martinus Nijhoff Publishers 2008), pp 51–84.
- Cannizzaro, Enzo, 'The law of treaties through the interplay of its different sources' in Christian J Tams and others (eds), *Research handbook on the law of treaties* (Edward Elgar Publishing 2014), pp 16–38.
- Cheng, Bin, 'Custom: the future of general state practice in a divided world' in Ronald Saint John MacDonald and Douglas Miller Johnston (eds), *The structure and process of international law: essays in legal philosophy, doctrine, and theory* (1983), pp 513–554.
- Chinkin, Christine, 'Article 62' in *The Statute of the International Court of Justice: A Commentary* (2nd edn, Oxford University Press 2012), pp 1529–1572.
- Coke, Edward, 'Prohibitions Del Roy' in John Henry Thomas (ed), *The Reports of Sir Edward Coke in Thirteen Parts* (Joseph Butterworth and Son 1826).

- Cottier, Michael, 'Article 8' in Otto Triffterer and Kai Ambos (eds), *Rome Statute of the International Criminal Court: a commentary* (3rd edn, Beck 2016).
- Cottier, Michael and Lippold, Matthias, 'Article 8' in Kai Ambos (ed), *Rome Statute of the International Criminal Court: a commentary* (4th edn, Beck 2021).
- Crawford, James, 'The Work of the International Law Commission' in Antonio Cassese, Paola Gaeta, and John RWD Jones (eds), *The Rome Statute of the International Criminal Court* (Oxford University Press 2002), pp 23–34.
- 'The Drafting of the Rome Statute', in Philippe Sands (ed), *From Nuremberg to The Hague: The Future of International Criminal Justice* (Cambridge University Press 2003), pp 109–156.
 - 'Similarity of Issues in Disputes Arising under the Same or Similarly Drafted Investment Treaties', in Emmanuel Gaillard and Yas Banifatemi (eds), *Precedent in International Arbitration* (Juris Publishing 2007), pp 97–105.
 - 'The Progressive Development of International Law: History, Theory and Practice', in Denis Alland and others (eds), *Unity and Diversity of International Law. Essays in Honour of Pierre-Marie Dupuy* (Martinus Nijhoff Publishers 2014), pp 3–22.
- Crawford, James and Grant, Tom, 'Responsibility of States for Injuries to Foreigners' in John P Grant and JCraig Barker (eds), *The Harvard Research in International Law: Contemporary Analysis and Appraisal* (William S Hein & Company 2007), pp 77–26.
- Crawford, James and Keene, Amelia, 'The Structure of State Responsibility under the European Convention on Human Rights' in Anne van Aaken and Iulia Motoc (eds), *The European Convention on Human Rights and General International Law* (Oxford University Press 2018), pp 178–198.
- Crema, Luigi, 'The ILC's New Way of Codifying International Law, the Motives Behind It, and the Interpretive Approach Best Suited to It' in Panos Merkouris, Jörg Kammerhofer, and Noora Arajärvi (eds), *The Theory, Practice, and Interpretation of Customary International Law* (Cambridge University Press 2022), pp 161–182.
- Cryer, Robert, 'Introduction: What is International Criminal Law?' in Robert Cryer, Darryl Robinson, and Sergey Vasiliev (eds), *An Introduction to International Criminal Law and Procedure* (4th edn, Cambridge University Press 2019), pp 3–27.

- Cupido, Marjolein, 'Pluralism in Theories of Liability: Joint Criminal Enterprise versus Joint Perpetration' in Elies van Sliedregt and Sergey Vasiliev (eds), *Pluralism in International Criminal Law* (Oxford University Press 2014), pp 128–158.
- d'Amato, Anthony, 'International Law as an Autopoietic System' in Rüdiger Wolfrum and Volker Röben (eds), *Developments of International Law in Treaty Making* (Springer 2005), pp 335–399.
- d'Argent, Pierre, 'Les principes généraux à la Cour internationale de Justice' in Samantha Besson, Pascal Pichonnaz, and Marie-Louise Gächter-Alge (eds), *Les principes en droit européen* (Schulthess 2011), pp 107–119.
- d'Aspremont, Jean, 'International Customary Investment Law: Story of a Paradox' in Eric de Brabandere and Tarcisio Gazzini (eds), *International Investment Law* (Martinus Nijhoff 2012), pp 5–47.
- 'The Permanent Court of International Justice and Domestic Courts: A Variation in Roles', in Christian J Tams and Malgosia Fitzmaurice (eds), *Legacies of the Permanent Court of International Justice* (Martinus Nijhoff Publishers 2013), pp 221–242.
 - 'Théorie des sources', in Raphael van Steenberghe (ed), *Droit international humanitaire: un régime spécial de droit international?* (Bruylant 2013), pp 73–101.
 - 'Sources in Legal-Formalist Theories: The Poor Vehicle of Legal Forms', in Samantha Besson and Jean d'Aspremont (eds), *The Oxford Handbook of the Sources of International Law* (Oxford University Press 2017), pp 365–383.
 - 'What was not meant to be: General principles of law as a source of international law', in Riccardo Pisillo Mazzeschi and Pasquale de Sena (eds), *Global Justice, Human Rights, and the Modernization of International Law* (Springer 2018), pp 163–184.
 - 'The General Claims Commission (Mexico/US) and the Invention of International Responsibility', in Ignacio de la Rasilla and Jorge E Viñuales (eds), *Experiments in International Adjudication* (Cambridge University Press 2019), pp 150–168.
 - 'The Two Cultures of International Criminal Law', in Kevin Jon Heller and others (eds), *Oxford Handbook of International Criminal Law* (Oxford University Press 2020), pp 400–422.
- Dann, Philipp and Engelhardt, Marie von, 'Legal Approaches to Global Governance and Accountability: Informal Lawmaking, International Public Authority, and Global Administrative Law Compared' in Joost HB

- Pauwelyn, Ramses Wessel, and Jan Wouters (eds), *Informal International Lawmaking* (Oxford University Press 2012), pp 106–121.
- David, Eric, ‘Primary and Secondary Rules’ in James Crawford and others (eds), *The Law of International Responsibility* (Oxford University Press 2010), pp 27–33.
- deGuzman, Margaret M, ‘Article 21 Applicable Law’ in Kai Ambos (ed), *Rome Statute of the International Criminal Court* (4th edn, CH Beck 2022), pp 1129–1148.
- Dolzer, Rudolf, ‘Emergency Clauses in Investment Treaties: Four Versions’ in Mahnoush H Arsanjani and others (eds), *Looking to the future: essays on international law in honor of W. Michael Reisman* (Martinus Nijhoff Publishers 2011), pp 705–718.
- Dörr, Oliver, ‘Article 31. General rule of interpretation’ in Oliver Dörr and Kirsten Schmalenbach (eds), *Vienna Convention on the Law of Treaties. A Commentary* (2nd edn, Springer 2018).
- Dumberry, Patrick, ‘International Investment Contracts’ in Tarcisio Gazzini and Eric de Brabandere (eds), *International Investment Law. The Sources of Rights and Obligations* (Martinus Nijhoff Publishers 2012), pp 215–243.
- Dupuy, Pierre-Marie, ‘Coutume sage et coutume sauvage’ in *Mélanges offerts à Charles Rousseau: la communauté internationale* (Pedone 1974), pp 75–87.
- ‘Théorie des sources et coutume en droit international contemporain’, in Manuel Rama-Montaldo (ed), *El derecho internacional en un mundo en transformacion: liber amicorum en homenaje al profesor Eduardo Jiménez de Aréchaga* (Fundación de Cultura Universitaria 1994) vol 1, pp 51–68.
 - ‘La pratique de l’article 38 du Statut de la Cour internationale de Justice dans le cadre des plaidoiries écrites et orales’, in Office of Legal Affairs (ed), *Collection of Essays by Legal Advisers of States, Legal Advisers of International Organizations and Practitioners in the Field of International Law* (The United Nations 1999), pp 377–395.
 - ‘Unification Rather than Fragmentation of International Law? The Case of International Investment Law and Human Rights Law’, in Pierre-Marie Dupuy, Ernst-Ulrich Petersmann, and Francesco Francioni (eds), *Human Rights in International Investment Law and Arbitration* (Oxford University Press 2009), pp 45–62.
- Elias, Taslim O, ‘The Limits of the Right of Intervention in a Case before the International Court of Justice’ in Rudolf Bernhardt (ed), *Völkerrecht als*

- Rechtsordnung Internationale Gerichtsbarkeit Menschenrechte Festschrift für Hermann Mosler* (Springer 1983), pp 159–172.
- Elias, Taslim Olawe, ‘Modern Sources of International Law’ in Wolfgang Friedmann, Louis Henkin, and Oliver Lissitzyn (eds), *Transnational law in a changing society: essays in honor of Philip C. Jessup* (Columbia University Press 1972), pp 34–69.
- Esser, Josef, ‘Richterrecht, Gerichtsgebrauch und Gewohnheitsrecht’ in Josef Esser (ed), *Festschrift für Fritz von Hippel: zum 70. Geburtstag* (Mohr Siebeck 1967), pp 95–130.
- Evans, Malcolm, ‘State Responsibility and the ECHR’ in Malgosia Fitzmaurice and Dan Sarooshi (eds), *Issues of State Responsibility before International Judicial Institutions* (Hart 2004), pp 139–160.
- ‘Relevant Circumstances’, in Alex G Oude Elferink, Tore Henriksen, and Signe Veierud Busch (eds), *Maritime Boundary Delimitation: The Case Law* (Cambridge University Press 2018), pp 222–261.
- Fastenrath, Ulrich, ‘Subsidiarität im Völkerrecht’ in Peter Blickle, Thomas O Hüglin, and Dieter Wyduckel (eds), *Subsidiarität als rechtliches und politisches Ordnungsprinzip in Kirche, Staat und Gesellschaft: Genese, Geltungsgrundlagen und Perspektiven an der Schwelle des dritten Jahrtausends* (Duncker & Humblot 2002), pp 475–536.
- ‘Article 73’, in Bruno Simma and others (eds), *The Charter of the United Nations: A Commentary* (3rd edn, Oxford University Press 2013) vol 2, pp 1830–1839.
- Favre, Antoine, ‘Les Principes Généraux Du Droit, Fond Commun Du Droit des Gens’ in *Recueil d’études de droit international en hommage à P. Guggenheim* (Faculté de Droit de l’Univ de Genève 1968), pp 366–390.
- Feldman, David, ‘Convention Rights and Substantive Ultra Vires’ in Christopher Forsyth (ed), *Judicial Review and the Constitution* (Hart Publishing 2000), pp 254–268.
- Fitzmaurice, Gerald, ‘Some Problems Regarding the Formal Sources of International Law’ in *Symbolae Verzijl: présentées au professeur J. H. W. Verzijl à l’occasion de son LXX-ième anniversaire* (La Haye: M Nijhoff 1958), pp 153–176.
- ‘Some Reflections on the European Convention on Human Rights- and on Human Rights’, in Rudolf Bernhardt (ed), *Völkerrecht als Rechtsordnung, internationale Gerichtsbarkeit, Menschenrechte: Festschrift für Hermann Mosler* (Springer 1983), pp 203–219.

- Focarelli, Carlo, 'The Concept of International Law: The Italian Perspective' in Peter Hilpold (ed), *European International Law Traditions* (Springer 2021), pp 97–136.
- Føllesdal, Andreas, 'The Significance of State Consent for the Legitimate Authority of Customary International Law' in Panos Merkouris, Jörg Kammerhofer, and Noora Arajärvi (eds), *The Theory, Practice, and Interpretation of Customary International Law* (Cambridge University Press 2022), pp 105–136.
- Forlati, Serena, 'Nationality as a human right' in *The Changing Role of Nationality in International Law* (Routledge 2013), pp 18–36.
- Franck, Thomas M, 'Non-treaty Law-Making: When, Where and How?' in Rüdiger Wolfrum and Volker Röben (eds), *Developments of international law in treaty making* (Springer 2005), pp 417–437.
- Frouville, Olivier de, 'Attribution of Conduct to the State: Private Individuals' in James Crawford, Alain Pellet, and Simon Olleson (eds), *The Law of International Responsibility* (Oxford University Press 2010), pp 257–280.
- Gaja, Giorgio, 'General Principles in the Jurisprudence of the ICJ' in Mads Andenæs and others (eds), *General principles and the coherence of international law* (Brill Nijhoff 2019), pp 35–46.
- Gaudemet, Eugène, 'L'œuvre de Saleilles et l'œuvre de Gény en méthodologie juridique et en philosophie du droit' in *Recueil D'Etudes Sur Les Sources Du Droit En L'Honneur De François Gény* (Recueil Sirey 1934) vol 2, pp 5–15.
- Geiger, Rudolf H, 'Customary International Law in the Jurisprudence of the International Court of Justice: A Critical Appraisal' in Ulrich Fastenrath and others (eds), *From bilateralism to community interest: essays in honour of Judge Bruno Simma* (Oxford University Press 2011), pp 673–694.
- Goldmann, Matthias, 'Sources in the Meta-Theory of International Law: Exploring the Hermeneutics, Authority, and Publicness of International Law' in Samantha Besson and Jean d'Aspremont (eds), *The Oxford Handbook on the Sources of International Law* (Oxford University Press 2017), pp 447–468.
- Goldschmidt, Levin, 'International arbitral procedure. Original project and report of Mr Goldschmidt, June 20, 1874' in James Brown Scott (ed and tr), *Resolutions of the Institute of International Law* (Scott, James Brown tr, Oxford University Press 1916), pp 205–328.
- Grimm, Dieter, 'Zur politischen Funktion der Trennung von öffentlichem und privatem Recht in Deutschland' in Walter Wilhelm (ed), *Studien zur*

- europäischen Rechtsgeschichte: Helmut Coing zum 28. Februar 1972* (Klostermann 1972), pp 224–242.
- Guggenheim, Paul, ‘Landesrechtliche Begriffe im Völkerrecht, vor allem im Bereich der internationalen Organisationen’ in Walter Schätzel and Hans-Jürgen Schlochauer (eds), *Rechtsfragen der internationalen Organisationen Festschrift für Hans Wehberg zu seinem 70. Geburtstag* (Klostermann 1956).
- Hadjigeorgiou, Andreas, ‘Beyond Formalism Reviving the Legacy of Sir Henry Maine for Customary International Law’ in Panos Merkouris, Jörg Kammerhofer, and Noora Arajärvi (eds), *The Theory, Practice, and Interpretation of Customary International Law* (Cambridge University Press 2022), pp 183–202.
- Heijer, Maarten den and Lawson, Rick, ‘Extraterritorial Human Rights and the Concept of "Jurisdiction"’ in Malcolm Langford (ed), *Global justice, state duties: the extraterritorial scope of economic, social and cultural rights in international law* (Cambridge University Press 2013), pp 153–191.
- Helfer, Laurence R and Meyer, Timothy L, ‘The Evolution of Codification: A Principal-Agent Theory of the International Law Commission’s Influence’ in Curtis Bradley (ed), *Custom’s Future: International Law in a Changing World* (Cambridge University Press 2016), pp 305–332.
- Henckaerts, Jean-Marie, ‘The ICRC and the Clarification of Customary International Humanitarian Law’ in Brian D Lepard (ed), *Reexamining customary international law* (Cambridge University Press 2017), pp 161–188.
- Herik, Larissa Jasmijn van den, ‘The Decline of Customary International Law as a Source of International Criminal Law’ in Curtis A Bradley (ed), *Custom’s future: international law in a changing world* (Cambridge University Press 2016), pp 230–252.
- Hilf, Meinhard and Goettsche, Goetz J, ‘The Relation of Economic and Non-economic Principles in International Law’ in Stefan Griller (ed), *International economic governance and non-economic concerns: new challenges for the international legal order* (Springer 2003), pp 5–46.
- Hirsch, Moshe, ‘Sources of International Investment Law’ in Andrea K Bjorklund and August Reinisch (eds), *International investment law and soft law* (Edward Elgar Publishing 2012), pp 9–38.
- Hollis, Duncan B, ‘The Existential Function of Interpretation in International Law’ in Andrea Bianchi, Daniel Peat, and Matthew Windsor (eds), *Inter-*

- pretation in International Law* (Oxford University Press 2015), pp 78–110.
- Holtendorff, Franz von, ‘Die Quellen des Völkerrechts’ in Franz von Holtendorff (ed), *Handbuch des Völkerrechts. Einleitung in das Völkerrecht* (Habel 1885) vol 1, pp 79–155.
- Huber, Peter-Michael and Paulus, Andreas L, ‘Cooperation of Constitutional Courts in Europe: the Openness of the German Constitution to International, European, and Comparative Constitutional Law’ in *Courts and Comparative Law* (Oxford University Press 2015), pp 281–299.
- Iurlaro, Francesca, ‘Vattel’s Doctrine of the Customary Law of Nations between Sovereign Interests and the Principles of Natural Law’ in Simone Zurbuchen (ed), *The Law of Nations and Natural Law 1625-1800* (Brill 2019), pp 278–303.
- Jacob, Marc, ‘Investments, Bilateral Treaties’ in *Max Planck EPIL* (2014).
- Janis, Mark W, ‘North America: American Exceptionalism in International Law’ in Bardo Fassbender and Anne Peters (eds), *The Oxford Handbook of the History of International Law* (Oxford University Press 2012), pp 525–552.
- Jestaedt, Matthias, ‘Bundesstaat als Verfassungsprinzip’ in *Handbuch des Staatsrechts der Bundesrepublik Deutschland* (CF Müller 2004) vol 2, pp 785–842.
- Jetschke, Anja and Liese, Andrea, ‘The power of human rights a decade ater: from euphoria to contestation?’ in Thomas Risse, Stephen C Ropp, and Kathryn Sikkink (eds), *The Continuing Power of Human Rights: From Commitment to Compliance* (Cambridge University Press 2013), pp 26–42.
- Jiménez de Aréchaga, Eduardo, ‘Intervention under Article 62 of the Statute of the International Court of Justice’ in Rudolf Bernhardt (ed), *Völkerrecht als Rechtsordnung, internationale Gerichtsbarkeit, Menschenrechte: Festschrift für Hermann Mosler* (Springer 1983), pp 453–465.
- Kammerhofer, Jörg, ‘Scratching an itch is not a treatment. Instrumentalist non-theory contra normativist Konsequenz and the Problem of systemic integration’ in Georg Nolte and Peter Hilpold (eds), *Auslandsinvestitionen -Entwicklung großer Kodifikationen -Fragmentierung des Völkerrechts-Status des Kosovo Beiträge zum 31. Österreichischen Völkerrechtstag 2006 in München* (Peter Lang 2008), pp 155–184.
- ‘Law-making by Scholarship? The Dark Side of 21st Century International Legal Methodology’, in James Crawford and Sarah Nouwen (eds), *Select*

- Proceedings of the European Society of International Law, Volume 3, 2010* (Hart 2012), pp 115–127.
- Kammerhofer, Jörg, ‘Die Reine Rechtslehre und die allgemeinen Rechtsprinzipien des Völkerrechts’ in Nikitas Aliprantis and Thomas Olechowski (eds), *Hans Kelsen: die Aktualität eines großen Rechtswissenschaftlers und Soziologen des 20. Jahrhunderts: Ergebnisse einer internationalen Tagung an der Akademie von Athen am 12. April 2013 aus Anlass von Kelsens 40. Todestag* (Manzsche Verlags- und Universitätsbuchhandlung 2014), pp 25–35.
- ‘The Resilience of the Restrictive Rules on Self-Defence’, in Marc Weller (ed), *The Oxford handbook of the use of force in international law* (Oxford University Press 2015), pp 627–648.
 - ‘Lawmaking by Scholars’, in Catherine Brölmann and Yannick Radi (eds), *Research handbook on the theory and practice of international lawmaking* (Edward Elgar Publishing 2016), pp 305–325.
 - ‘The Pure Theory’s Structural Analysis of the Law’, in Samantha Besson and Jean d’Aspremont (eds), *Oxford Handbook on the Sources of International Law* (Oxford University Press 2017), pp 343–362.
- Kearney, Richard D, ‘Sources of Law and the International Court of Justice’ in Leo Gross (ed), *The future of the International Court of Justice* (Oceana-Publ 1976) vol 2, pp 610–726.
- Klabbers, Jan, ‘Reluctant Grundnormen: Articles 31(3)(C) and 42 of the Vienna Convention on the Law of Treaties and the Fragmentation of International Law’ in Matthew Craven, Malgosia Fitzmaurice, and Maria Vogiatzi (eds), *Time, History and International Law* (Martinus Nijhoff Publishers 2007), pp 141–162.
- Klein, Eckhart, ‘Denunciation of Human Rights Treaties and the Principle of Reciprocity’ in Ulrich Fastenrath and others (eds), *From bilateralism to community interest: essays in honour of Judge Bruno Simma* (Oxford University Press 2011), pp 477–487.
- Kleinlein, Thomas, ‘Christian Wolff. System as an Episode’ in Stefan Kadelbach, Thomas Kleinlein, and David Roth-Isigkeit (eds), *System, Order, and International Law: The Early History of International Legal Thought from Machiavelli to Hegel* (Oxford University Press 2017), pp 216–239.
- ‘Customary International Law and General Principles Rethinking Their Relationship’, in Brian D Lepard (ed), *Reexamining Customary International Law* (Cambridge University Press 2017), pp 131–158.
- Kletzer, Christoph, ‘Custom and Positivity: an Examination of the Philosophic Ground of the Hegel-Savigny Controversy’ in Amanda Perreau-

- Saussine and James Bernard Murphy (eds), *The nature of customary law* (Cambridge University Press 2007), pp 125–148.
- Kohen, Marcelo G, ‘La pratique et la théorie des sources du droit international’ in Société Française pour le Droit International (ed), *La pratique et le droit international: Colloque de Genève* (Pedone 2004), pp 81–111.
- ‘Les principes généraux du droit international de l’eau à la lumière de la jurisprudence récente de la Cour Internationale de Justice’, in *L’eau en droit international: Colloque d’Orléans* (Pedone 2011), pp 91–108.
- Kolb, Robert, ‘The Compromissory Clause of the Convention’ in Paola Gaeta (ed), *The UN Genocide Convention: A Commentary* (Oxford University Press 2009), pp 407–424.
- ‘The Scope Ratione Materiae of the Compulsory Jurisdiction of the ICJ’, in Paola Gaeta (ed), *The UN Genocide Convention: A Commentary* (Oxford University Press 2009), pp 442–472.
- ‘Is there a subject-matter ontology in interpretation of international legal norms?’, in Mads Tønnesson Andenæs and Eirik Bjørge (eds), *A Farewell to Fragmentation Reassertion and Convergence in International Law* (Cambridge University Press 2015), pp 473–485.
- ‘Legal History as a Source: From Classical to Modern International Law’, in Samantha Besson and Jean d’Aspremont (eds), *The Oxford handbook on the sources of international law* (Oxford University Press 2017), pp 279–300.
- Koskenniemi, Martti, ‘General Principles: Reflexions on Constructivist Thinking in International Law’ in Martti Koskenniemi (ed), *Sources of International Law* (Routledge 2000), pp 359–402.
- ‘The Ideology of International Adjudication and the 1907 Hague Conference’, in Yves Daudet (ed), *Topicality of the 1907 Hague Conference, the Second Peace Conference* (Nijhoff 2008), pp 127–152.
- Kratochwil, Friedrich von, ‘How Do Norms Matter?’ in Michael Byers (ed), *The role of law in international politics: essays in international relations and international law* (Oxford University Press 2000), pp 35–68.
- Kreß, Claus, ‘The International Court of Justice and the Law of Armed Conflicts’ in Christian J Tams and James Sloan (eds), *The Development of International Law by the International Court of Justice* (Oxford University Press 2013), pp 263–298.
- ‘Article 98’, in Kai Ambos (ed), *The Rome Statute of the International Criminal Court* (4th edn, Beck 2021).

- Kriebaum, Ursula, 'Article 42' in Stephan W Schill (ed), *Schreuer's Commentary on the ICSID Convention* (3rd edn, Cambridge University Press 2022), pp 797–905.
- Krieger, Heike, 'Verfassung im Völkerrecht - Konstitutionelle Elemente jenseits des Staates?' in *Verfassung als Ordnungskonzept. Referate und Diskussionen auf der Tagung der Vereinigung der Deutschen Staatsrechtler in Speyer vom 7. bis zum 10. Oktober 2015* (de Gruyter 2016) vol 75, pp 439–472.
- Kuhli, Milan and Günther, Klaus, 'Judicial Lawmaking, Discourse Theory, and the ICTY on Belligerent Reprisals' in Armin von Bogdandy and Ingo Venzke (eds), *International Judicial Lawmaking* (Springer 2012), pp 365–386.
- Kulick, Andreas, 'State-State Investment Arbitration as a Means of Reassertion of Control: From Antagonism to Dialogue' in Andreas Kulick (ed), *Reassertion of control over the investment treaty regime* (Cambridge University Press 2017), pp 128–152.
- Kurtz, Jürgen, 'Delineating Primary and Secondary Rules on Necessity at International Law' in *Multi-sourced equivalent norms in international law* (Hart 2011), pp 231–258.
- Lauterpacht, Hersch, 'Some observations on the prohibition of 'non liquet' and the completeness of the law' in Frederik Mari van Asbeck (ed), *Symbolae Verzijl: présentées au professeur J. H. W. Verzijl à l'occasion de son 70-ième anniversaire* (Nijhoff 1958), pp 196–221.
- 'History of International Law', in Elihu Lauterpacht (ed), *International Law Being also the Collected Papers of Hersch Lauterpacht, Vol. 2, The Law of Peace, Part 1, International Law in General* (Cambridge University Press 1975), pp 95–172.
 - 'Kelsen's pure science of law', in Elihu Lauterpacht (ed), *International Law Being the Collected Papers of Hersch Lauterpacht* (Cambridge University Press 1975) vol 2.
 - 'The mandate under international law in the Covenant of the League of Nations', in Elihu Lauterpacht (ed) (3, Cambridge University Press 1977) vol Hersch Lauterpacht International Law Collected Papers 3. The Law of Peace, pp 29–84.
- Le Fur, Louis, 'La coutume et les principes généraux du droit comme sources du droit international public' in *Recueil d'études sur les sources du droit en l'honneur de François Gény* (Recueil Sirey 1934) vol 3, pp 362–374.
- Lefkowitz, David, 'Sources in Legal-Positivist Theories: Law as Necessarily posited and the Challenge of Customary Law Creation' in Samantha

- Besson and Jean d'Aspremont (eds), *The Oxford Handbook on Sources of International Law* (Oxford University Press 2017), pp 323–342.
- Lerche, Peter, 'Die Verfassung als Quelle von Optimierungsgeboten?' in Joachim Burmeister (ed), *Verfassungsstaatlichkeit Festschrift für Klaus Stern zum 65. Geburtstag* (Beck 1997), pp 197–209.
- Lillich, Richard B, 'The Current Status of the Law of State Responsibility for Injuries to Aliens' in Richard B Lillich (ed), *International Law of State Responsibility for Injuries to Aliens* (University Press of Virginia 1983), pp 1–60.
- Lippold, Matthias, 'The Interpretation of UN Security Council Resolutions between Regional and General International Law: What Role for General Principles?' in Mads Andenæs and others (eds), *General Principles and the Coherence of International Law* (Brill Nijhoff 2019), pp 149–176.
- Liszt, Franz von, 'Das Wesen des völkerrechtlichen Staatenverbandes und der internationale Prisenhof' in *Festgabe der Berliner juristischen Fakultät für Otto Gierke zum Doktor-Jubiläum 21. August 1910, Dritter Band Internationales Recht. Strafrecht. Rechtsvergleichung* (Marcus 1910), pp 21–44.
- Liver, Peter, 'Der Begriff der Rechtsquelle' in Schweizerischer Juristenverein (ed), *Rechtsquellenprobleme im schweizerischen Recht* (Stämpfli 1955), pp 1–55.
- Lobban, Michael, 'English Approaches to International Law in the Nineteenth Century' in Matthew Craven, Malgosia Fitzmaurice, and Maria Vogiatzi (eds), *Time, History and International Law* (Martinus Nijhof Publishers 2007), pp 65–90.
- Lowe, Vaughan, 'The Politics of Law-Making: Are the Method and Character of Norm Creation Changing?' in Michael Byers (ed), *The role of law in international politics: essays in international relations and international law* (Oxford University Press 2000), pp 207–226.
- Lowe, Vaughan and Tzanakopoulos, Antonios, 'The Development of the Law of the Sea by the International Court of Justice' in Christian J Tams and James Sloan (eds), *The Development of International Law by the International Court of Justice* (Oxford University Press 2013), pp 177–193.
- Malintoppi, Loretta, 'Article 27' in Stephan W Schill (ed), *Schreuer's Commentary on the ICSID Convention* (3rd edn, Cambridge University Press 2022), pp 633–654.
- Matscher, Franz, 'Vertragsauslegung durch Vertragsrechtsvergleichung in der Judikatur internationaler Gerichte, vornehmlich vor den Organen der

- EMRK' in *Völkerrecht als Rechtsordnung, internationale Gerichtsbarkeit, Menschenrechte: Festschrift für Hermann Mosler* (Springer 1983), pp 545–566.
- Matz-Lück, Nele, 'Norm Interpretation across International Regimes: Competences and Legitimacy' in Margaret A Young (ed), *Regime Interaction in International Law Facing Fragmentation* (Cambridge University Press 2012), pp 201–234.
- McDorman, Ted L, 'The Continental Shelf' in Donald R Rothwell and others (eds), *The Oxford Handbook on the Law of the Sea* (Oxford University Press 2015), pp 181–202.
- McRae, Donald, 'The Applicable Law' in Alex G Oude Elferink, Tore Henriksen, and Signe Veierud Busch (eds), *Maritime Boundary Delimitation: The Case Law* (Cambridge University Press 2018), pp 92–116.
- Mégret, Frédéric, 'International law as law' in James Crawford and Martti Koskenniemi (eds), *The Cambridge Companion to International Law* (Cambridge University Press 2012), pp 64–91.
- Mejía-Lemos, Diego, 'Custom and the Regulation of 'the Sources of International Law'' in Panos Merkouris, Jörg Kammerhofer, and Noora Arajärvi (eds), *The Theory, Practice, and Interpretation of Customary International Law* (Cambridge University Press 2022), pp 137–160.
- Meloni, Chantal, 'Fragmentation of the Notion of Co-perpetration in International Criminal Law?' in Larissa J van den Herik and Carsten Stahn (eds), *The diversification and fragmentation of international criminal law* (M Nijhoff Publishers 2012), pp 481–502.
- Mendelson, Maurice H, 'Are Treaties Merely a Source of Obligation?' in William E Butler (ed), *Perestroika and International Law* (1980), pp 81–88.
- 'The International Court of Justice and the sources of international law', in Vaughan Lowe and Malgosia Fitzmaurice (eds), *Fifty years of the International Court of Justice Essays in honour of Sir Robert Jennings* (Cambridge University Press 1996), pp 63–89.
- Milanovic, Marko, 'Jurisdiction and Responsibility: Trends in the Jurisprudence of the Strasbourg Court' in Anne van Aaken and Iulia Motoc (eds), *The European Convention on Human Rights and General International Law* (Oxford University Press 2018), pp 97–111.
- Milanović, Marko, 'Territorial Application of the Convention and State Succession' in *The UN Genocide Convention: a commentary* (Oxford University Press 2009), pp 473–493.

- Miron, Alina and Chinkin, Christine, 'Article 62' in *The Statute of the International Court of Justice: A Commentary* (3rd edn, Oxford University Press 2019), pp 1686–1740.
- Monaco, Riccardo, 'Observations sur la hiérarchie des sources du droit international' in Rudolf Bernhardt (ed), *Völkerrecht als Rechtsordnung, Internationale Gerichtsbarkeit, Menschenrechte: Festschrift für Hermann Mosler* (Springer 1983), pp 599–615.
- Motoc, Iulia and Vasel, Johann Justus, 'The ECHR and Responsibility of the State: Moving towards Judicial Integration: a View from the Bench' in Anne van Aaken and Iulia Motoc (eds), *The European Convention on Human Rights and general international law* (Oxford University Press 2018), pp 199–212.
- Müller, Daniel, 'The Work of García Amador on State Responsibility for Injury Caused to Aliens' in James Crawford and others (eds), *The Law of International Responsibility* (Oxford University Press 2010), pp 69–74.
- Murase, Shinya, 'The presence of Asia at the 1907 Hague Conference' in Yves Daudet (ed), *Actualité de la Conférence de La Haye de 1907, Deuxième Conférence de la paix/ Topicality of the 1907 Hague Conference, the Second Peace Conference* (Martinus Nijhoff Publishers 2008), pp 85–102.
- Murphy, Sean D, 'Codification, Progressive Development, or Scholarly Analysis? The Art of Packaging the ILC's Work Product' in Maurizio Ragazzi (ed), *The Responsibility of International Organizations: Essays in Memory of Sir Ian Brownlie* (Martinus Nijhoff Publishers 2013), pp 29–40.
- Nollkaemper, André, 'Decisions of National Courts as Sources of International Law: An Analysis of the Practice of the ICTY' in Gideon Boas and William Schabas (eds), *International Criminal Law Developments in the Case Law of the ICTY* (Martinus Nijhoff Publishers 2003), pp 277–296.
- 'The Power of Secondary Rules to connect the International and National Legal Orders', in Tomer Broude and Yuval Shany (eds), *Multi-sourced equivalent norms in international law* (Oxford University Press 2011), pp 45–67.
- Nolte, Georg, 'Menschenrechtliches ius cogens - Eine Analyse von "Barcelona Traction" und nachfolgender Entwicklungen - Kommentar' in Eckart Klein (ed), *Menschenrechtsschutz durch Gewohnheitsrecht* (Berliner Wissenschafts-Verlag 2003), pp 141–146.
- 'Second Report for the ILC Study Group on Treaties over Time. Jurisprudence Under Special Regimes Relating to Subsequent Agreements and Subsequent Practice', in Georg Nolte (ed), *Treaties and Subsequent Practice* (Oxford University Press 2013), pp 210–308.

- Obregon, Liliana, 'The Civilized and the Uncivilized' in Bardo Fassbender and Anne Peters (eds), *Oxford Handbook of the History of International Law* (Oxford University Press 2012), pp 917–942.
- Oeter, Stefan, 'Self-Determination' in Bruno Simma and others (eds), *The Charter of the United Nations: A Commentary* (3rd edn, Oxford University Press 2013) vol 1, pp 313–334.
- 'The legitimacy of customary international law', in Thomas Eger, Stefan Oeter, and Stefan Voigt (eds), *Economic Analysis of International Law: Contributions to the XIIIth Travemünde Symposium on the Economic Analysis of Law (March 29-31, 2012)* (Mohr Siebeck 2014), pp 1–22.
- Ohlin, Jens David, 'Co-Perpetration: German Dogmatik or German Invasion?' in Carsten Stahn (ed), *The law and practice of the International Criminal Court* (Oxford University Press 2015), pp 517–537.
- Orrego Vicuña, Francisco, 'Softening Necessity' in Mahnoush H Arsanjani and others (eds), *Looking to the Future Essays on International Law in Honor of W. Michael Reisman* (Martinus Nijhoff Publishers 2010), pp 741–752.
- Palchetti, Paolo, 'The Role of General Principles in Promoting the Development of Customary International Rules' in Mads Andenæs and others (eds), *General Principles and the Coherence of International Law* (Brill Nijhoff 2019), pp 47–59.
- Paparinskis, Mārtiņš, 'Sources of Law and Arbitral Interpretations of "Pari Materia" Investment Protection Rules' in Ole Kristian Fauchald and André Nollkaemper (eds), *The practice of international and national courts and the (de-)fragmentation of international law* (Hart 2012), pp 87–115.
- 'Masters and Guardians of International Investment Law: How To Play the Game of Reassertion', in Andreas Kulick (ed), *Reassertion of Control over the Investment Treaty Regime* (Cambridge University Press 2017), pp 30–52.
- Pascua, José Antonio Ramos, 'Die Grundlage rechtlicher Geltung von Prinzipien- eine Gegenüberstellung von Dworkin und Esser' in Giuseppe Orsi and others (eds), *Prinzipien des Rechts* (Lang 1996), pp 7–33.
- Paulus, Andreas L, 'The International Legal System as a Constitution' in Jeffrey L Dunhoff and Joel P Trachtman (eds), *Ruling the world?: constitutionalism, international law, and global governance* (Cambridge University Press 2009), pp 69–109.

- ‘International Adjudication’, in Samantha Besson and John Tasioulas (eds), *The philosophy of international law* (Oxford University Press 2010), pp 207–224.
 - ‘Whether Universal Values can prevail over Bilateralism and Reciprocity’, in Antonio Cassese (ed), *Realizing Utopia: The Future of International Law* (Oxford University Press 2012), pp 89–104.
 - ‘Fragmentierung und Segmentierung der internationalen Ordnung als Herausforderung prozeduraler Gemeinwohlorientierung’, in Hans-Michael Heinig and Jörg Philipp Terhechte (eds), *Postnationale Demokratie, Postdemokratie, Neoetatismus Wandel klassischer Demokratievorstellungen in der Rechtswissenschaft* (Mohr Siebeck 2013), pp 139–158.
 - ‘Zusammenspiel der Rechtsquellen aus völkerrechtlicher Perspektive’, in *Internationales, nationales und privates Recht: Hybridisierung der Rechtsordnungen?: Immunität, 33. Tagung der Deutschen Gesellschaft für Internationales Recht* (CF Müller 2014), pp 7–47.
 - ‘Article 66’, in Andreas Zimmermann and others (eds), *The Statute of the International Court of Justice: a commentary* (3rd edn, Oxford University Press 2019), pp 1812–1834.
- Pauwelyn, Joost HB, ‘Rational Design or Accidental Evolution? The Emergence of International Investment Law’ in Zachary Douglas, Joost HB Pauwelyn, and Jorge E Viñuales (eds), *The Foundations of International Investment Law* (Oxford University Press 2014), pp 11–43.
- Pauwelyn, Joost HB and Elsig, Manfred, ‘The Politics of Treaty Interpretation: Variations and Explanations across International Tribunals’ in *Interdisciplinary perspectives on international law and international relations: the state of the art* (Cambridge University Press 2013), pp 445–473.
- Pavoni, Riccardo, ‘The Myth of the Customary Nature of the United Nations Convention on State Immunity: Does the End Justify the Means?’ in Anne van Aaken and Iula Motoc (eds), *ECHR and General International Law* (Oxford University Press 2018), pp 264–284.
- Pellet, Alain, ‘Applicable Law’ in Antonio Cassese, Paola Gaeta, and John RWD Jones (eds), *The Rome Statute of the International Criminal Court: A Commentary* (Oxford University Press 2002) vol 2, pp 1051–1084.
- ‘The ILC’s Articles on State Responsibility for Internationally Wrongful Acts and Related Texts’, in James Crawford and others (eds), *The Law of International Responsibility* (Oxford University Press 2010), pp 75–92.
 - ‘Article 38’, in Andreas Zimmermann, Karin Oellers-Frahm, and Christian J Tams (eds), *The Statute of the International Court of Justice A Commentary* (2nd edn, Oxford University Press 2012), pp 731–870.

- Pellet, Alain, 'Revisiting the Sources of Applicable Law before the ICC' in Margaret M deGuzman and Diane Marie Amann (eds), *Arcs of Global Justice: Essays in Honour of William A. Schabas* (Oxford University Press 2018), pp 227–256.
- Pellet, Alain and Müller, Daniel, 'Reservations to Human Rights Treaties: not an Absolute Evil ...' in Ulrich Fastenrath and others (eds), *From bilateralism to community interest: essays in honour of judge Bruno Simma* (Oxford University Press 2011), pp 521–551.
- 'Article 38', in Andreas Zimmermann and others (eds), *The Statute of the International Court of Justice: a commentary* (Oxford University Press 2019), pp 819–962.
- Perreau-Saussine, Amanda, 'Lauterpacht and Vattel on the Sources of International Law: the Place of Private Law Analogies and General Principles' in Vincent Chetail and Peter Hagenmacher (eds), *Vattel's international law in a XXIst century perspective* (Martinus Nijhoff Publishers 2011), pp 167–185.
- Peters, Anne, 'Völkerrecht im Gender-Fokus' in Andreas Zimmermann, Thomas Griegerich, and Ursula E Heinz (eds), *Gender und Internationales Recht* (Duncker & Humblot 2007), pp 199–299.
- Powderly, Joseph, 'The Rome Statute and the Attempted Corseting of the Interpretive Judicial Function: Reflections on Sources of Law and Interpretive Technique' in Carsten Stahn (ed), *The law and practice of the International Criminal Court* (Oxford University Press 2015), pp 444–498.
- Prost, Mario, 'Sources and the Hierarchy of International Law: Source Preferences and Scales' in Samantha Besson and Jean d'Aspremont (eds), *The Oxford Handbook of the Sources of International Law* (Oxford University Press 2017), pp 640–659.
- Rasulov, Akbar, 'The Doctrine of Sources in the Discourse of the Permanent Court of International Justice' in Christian J Tams and Malgosia Fitzmaurice (eds), *Legacies of the Permanent Court of International Justice* (Martinus Nijhoff Publishers 2013), pp 271–317.
- Ratner, Steven, 'Sources of International Humanitarian Law and International Criminal Law: War/Crimes and the Limits of the Doctrine of Sources' in Samantha Besson and Jean d'Aspremont (eds), *The Oxford Handbook on the Sources of International Law* (Oxford University Press 2017), pp 912–938.
- Renault, Louis, 'Report to the Conference from the First Commission on the draft convention relative to the establishment of an International Prize

- Court' in James Brown Scott (ed) (Clarendon Press Oxford University Press 1917), pp 758–793.
- Rentsch, Bettina, 'Konstitutionalisierung durch allgemeine Rechtsgrundsätze des Völkerrechts? - Zur Rolle des völkerrechtlichen Gutglaubensgrundsatzes für die Integration einer internationalen Werteordnung in das Völkerrecht' in Bardo Fassbender and Angelika Siehr (eds), *Suprastaatliche Konstitutionalisierung: Perspektiven auf die Legitimität, Kohärenz und Effektivität des Völkerrechts* (Nomos 2012), pp 101–134.
- Risse, Thomas and Ropp, Stephen C, 'Introduction and overview' in Thomas Risse, Stephen C Ropp, and Kathryn Sikkink (eds), *The Persistent Power of Human Rights From Commitment to Compliance* (Cambridge University Press 2013), pp 3–25.
- Risse, Thomas and Sikkink, Kathryn, 'The power of human rights: international norms and domestic change' in Thomas Risse, Stephen C Ropp, and Kathryn Sikkink (eds), *The power of human rights: international norms and domestic change* (Cambridge University Press 1999), pp 1–18.
- Ruffert, Matthias, 'Gedanken zu den Perspektiven der völkerrechtlichen Rechtsquellenlehre' in Matthias Ruffert (ed), *Dynamik und Nachhaltigkeit des öffentlichen Rechts: Festschrift für Meinhard Schröder zum 70. Geburtstag* (Duncker & Humblot 2012), pp 73–84.
- Saland, Per, 'International Criminal Law Principles' in Roy S Lee (ed), *The International Criminal Court. The Making of the Rome Statute. Issues, Negotiations, Results* (Kluwer 1999), pp 189–216.
- Scelle, Georges, 'Essai sur les sources formelles du droit international' in *Recueil d'études sur les sources du droit en l'honneur de François Gény* (Recueil Sirey 1934) vol 3, pp 400–430.
- 'Le phénomène juridique du dédoublement fonctionnel', in Walter Schätzel and Hans-Jürgen Schlochauer (eds), *Rechtsfragen der internationalen Organisation: Festschrift für Hans Wehberg zu seinem 70. Geburtstag* (Klostermann 1956), pp 324–342.
- Schabas, William, 'Customary Law or Judge-Made Law: Judicial Creativity at the UN Criminal Tribunals' in José Doria, Hans-Peter Gasser, and Mahmoud Cherif Bassiouni (eds), *The Legal Regime of the ICC: Essays in Honour of Prof. I.P. Blishchenko* (Nijhoff 2009), pp 77–101.
- 'Article 15. Derogation in Time of Emergency', in William Schabas (ed), *The European Convention on Human Rights. A Commentary* (Oxford University Press 2015), pp 587–605.

- Schabas, William, 'Article 32. Jurisdiction of the Court' in William Schabas (ed), *The European Convention on Human Rights. A Commentary* (Oxford University Press 2015), pp 715–722.
- 'Article 7', in William Schabas (ed), *The European Convention on Human Rights. A Commentary* (Oxford University Press 2015), pp 328–356.
 - 'Interpretation of the Convention', in William Schabas (ed), *The European Convention on Human Rights. A Commentary* (Oxford University Press 2015), pp 33–52.
 - 'Preamble', in William Schabas (ed), *The European Convention on Human Rights. A Commentary* (Oxford University Press 2015), pp 54–83.
- Schauer, Frederick, 'Fuller and Kelsen - Fuller on Kelsen' in Matthias Jes-taedt, Ralf Poscher, and Jörg Kammerhofer (eds), *Die Reine Rechtslehre auf dem Prüfstand. Hans Kelsen's Pure Theory of Law: Conceptions and Misconceptions* (Franz Steiner Verlag 2020), pp 309–317.
- Scheinin, Martin, 'Just another word? Jurisdiction in the Roadmaps of State Responsibility and Human Rights' in Malcolm Langford (ed), *Global justice, state duties: the extraterritorial scope of economic, social and cultural rights in international law* (Cambridge University Press 2013), pp 212–229.
- Schill, Stephan W, 'Fair and Equitable Treatment, the Rule of Law, and Comparative Public Law' in Stephan W Schill (ed), *International investment law and comparative public law* (Oxford University Press 2010), pp 151–182.
- 'International Investment Law and Comparative Public Law - an Introduction', in Stephan W Schill (ed), *International investment law and comparative public law* (Oxford University Press 2010), pp 3–37.
 - 'General Principles of Law and International Investment Law', in Tarcisio Gazzini and Eric de Brabandere (eds), *International investment law: the sources of rights and obligations* (Martinus Nijhoff Publishers 2012), pp 133–181.
 - 'System-Building in Investment Treaty Arbitration and Lawmaking', in Armin von Bogdandy and Ingo Venzke (eds), *International judicial law-making: on public authority and democratic legitimation in global governance* (Springer 2012), pp 133–178.
- Scobbie, Iain GM, 'Legal Theory As a Source of International Law: Institutional Facts and the Identification of International Law' in Samantha Besson and Jean d'Aspremont (eds), *The Oxford Handbook on the Sources of International Law* (Oxford University Press 2017), pp 493–512.

- Seibert-Fohr, Anja, 'Unity and Diversity in the Formation and Relevance of Customary International Law: Modern Concepts of Customary International Law as a Manifestation of a Value-Based International Order' in Andreas Zimmermann and Rainer Hofmann (eds), *Unity and Diversity in International Law* (2006), pp 257–283.
- 'State Responsibility for Genocide under the Genocide Convention', in Paola Gaeta (ed), *The UN Genocide Convention: A Commentary* (Oxford University Press 2009), pp 349–373.
- Sikkink, Kathryn, 'The United States and torture: does the spiral model work?' in Thomas Risse, Stephen C Ropp, and Kathryn Sikkink (eds), *The Continuing Power of Human Rights: From Commitment to Compliance* (Cambridge University Press 2013), pp 145–163.
- Simma, Bruno, 'Die Erzeugung ungeschriebenen Völkerrechts: Allgemeine Verunsicherung-klärende Beiträge Karl Zemaneks' in Konrad Ginther and others (eds), *Völkerrecht zwischen normativem Anspruch und politischer Realität: Festschrift für Karl Zemanek zum 65. Geburtstag* (Duncker & Humblot 1994), pp 95–114.
- 'Reservations to human rights treaties: some recent developments', in Alfred Rest and others (eds), *Liber amicorum Professor Ignaz Seidl-Hohenveldern in honour of his 80th birthday* (Kluwer Law International 1998), pp 659–682.
- Simma, Bruno and Kill, Theodor, 'Harmonizing Investment Protection and International Human Rights: First Steps Towards a Methodology' in Christina Binder and others (eds), *International Investment Law for the 21st Century Essays in Honour of Christoph Schreuer* (Oxford University Press 2009), pp 678–707.
- Simma, Bruno and Paulus, Andreas L, 'Le rôle relatif des différentes sources du droit international pénal: dont les principes généraux de droit' in Hervé Ascensio, Emmanuel Decaux, and Alain Pellet (eds), *Droit international pénal* (Pedone 2000), pp 55–69.
- Simpson, Alfred William Brian, 'Common Law and Legal Theory' in Alfred William Brian Simpson (ed), *Legal Theory and Legal History: Essays on the Common Law* (The Hambledon Press 1987), pp 359–382.
- Skubiszewski, Krzysztof Jan, 'A New Source of the Law of Nations: Resolutions of International Organizations' in *Recueil d'études de droit international en hommage à Paul Guggenheim* (Faculté de Droit de l'Univ de Genève 1968), pp 508–520.

- Sliedregt, Elies van, 'Perpetration and Participation in Article 25(3)' in Carsten Stahn (ed), *The Law and Practice of the International Criminal Court* (Oxford University Press 2015), pp 499–516.
- Sliedregt, Elies van and Yanev, Lachezar, 'Co-Perpetration Based on Joint Control over the Crime' in Jérôme de Hemptinne, Roberts Roth, and Elies van Sliedregt (eds), *Modes of Liability in International Criminal Law* (Cambridge University Press 2019), pp 85–120.
- Smend, Rudolf, 'Ungeschriebenes Verfassungsrecht im monarchischen Bundesstaat' in *Festgabe für Otto Mayer zum siebenzigsten Geburtstag* (Mohr Siebeck 1916), pp 246–270.
- 'Verfassung und Verfassungsrecht (1928)', in Rudolf Smend (ed), *Staatsrechtliche Abhandlungen und andere Aufsätze* (2nd edn, Duncker & Humblot 1968), pp 119–276.
- Sørensen, Max, 'Do the Rights Set forth in the European Convention on Human Rights in 1950 have the Same Significance in 1975? Report presented by Max Sørensen to the Fourth International Colloquy about the European Convention on Human Rights, Rome 5-8 November 1975' in Ellen Sørensen and Max Sørensen (eds), *Max Sørensen: en bibliografi* (Aarhus University Press 1988), p 23.
- Spiermann, Ole, 'Applicable Law' in Peter T Muchlinski, Federico Ortino, and Christoph Scheuer (eds), *The Oxford Handbook of International Investment Law* (Oxford University Press 2008), pp 89–118.
- Staubach, Peter, 'The Interpretation of Unwritten International Law by Domestic Judges' in Helmut Philipp Aust and Georg Nolte (eds), *The Interpretation of International Law by Domestic Courts: Uniformity, Diversity, Convergence* (Oxford University Press 2016), pp 113–131.
- Stern, Brigitte, 'La coutume au coeur du droit international: quelques réflexions' in *Mélanges offerts à Paul Reuter: le droit international: unité et diversité* (Pedone 1981), pp 479–499.
- 'The Elements of an Internationally Wrongful Act', in James Crawford, Alain Pellet, and Simon Olleson (eds), *The Law of International Responsibility* (Oxford University Press 2010), pp 193–220.
- Stewart, James G, 'Ten Reasons for Adopting a Universal Concept of Participation in Atrocity' in Elies van Sliedregt and Sergey Vasiliev (eds), *Pluralism in International Criminal Law* (Oxford University Press 2014), pp 320–341.
- Swigarth, Leigh and Terris, Daniel, 'Who are International Judges?' in Cesare P R Romano, Karen Alter, and Yuval Shany (eds), *The Oxford Handbook*

- of *International Adjudication* (Oxford University Press 2013), pp 619–638.
- Talmon, Stefan, ‘Article 2 (6)’ in Bruno Simma and others (eds), *The Charter of the United Nations A Commentary* (3rd edn, Oxford University Press 2012) vol 1.
- Tams, Christian J, ‘The Continued Relevance of Compromissory Clauses as a Source of ICJ Jurisdiction’ in Thomas Griegerich (ed), *A Wiser Century? Judicial Dispute Settlement, Disarmament and the Laws of War 100 Years after the Second Hague Peace Conferenc* (2009), pp 461–492.
- ‘The Sources of International Investment Law: Concluding Thoughts’, in Tarcisio Gazzini and Eric de Brabandere (eds), *International Investment Law. The Sources of Rights and Obligations* (Martinus Nijhoff Publishers 2012), pp 319–332.
 - ‘The ICJ as a ‘Law-Formative Agency’: Summary and Synthesis’, in Christian J Tams and James Sloan (eds), *The Development of International Law by the International Court of Justice* (Oxford University Press 2013), pp 377–396.
 - ‘Die Identifikation des Völkergewohnheitsrechts’, in *Freiheit und Regulierung in der Cyberwelt - Rechtsidentifikation zwischen Quelle und Gericht, Deutsche Gesellschaft für Internationales Recht Zweijahrestagung 34. 2015 Gießen* (CF Müller 2016), pp 323–372.
 - ‘Regulating Treaty Breaches’, in Michael J Bowman and Dino Kritsiotis (eds), *Conceptual and Contextual Perspectives on the Modern Law of Treaties* (Cambridge University Press 2018), pp 440–467.
- Tanaka, Yoshifumi, ‘The Disproportionality Test in the Law of Maritime Delimitation’ in Alex G Oude Elferink, Tore Henriksen, and Signe Veierud Busch (eds) (Cambridge University Press 2018), pp 291–318.
- Tancredi, Antonello, ‘The (Immediate) Post-World War II Period’ in Giulio Bartolini (ed), *A History of International Law in Italy* (Oxford University Press 2020), pp 168–189.
- Tasioulas, John, ‘Custom, Jus Cogens, and Human Rights’ in Curtis A Bradley (ed), *Custom’s future: international law in a changing world* (Cambridge University Press 2016), pp 95–116.
- Teubner, Gunther, ‘Global Bukowina: Legal Pluralism in World Society’ in Gunther Teubner (ed), *Global law without a state* (Dartmouth 1997), pp 3–30.
- Thürer, Daniel and Zobl, Martin, ‘Are Nuclear Weapons Really Legal?: Thoughts on the Sources of International Law and a Conception of the Law “Imperio rationis” instead of “Ratione imperii”’ in Ulrich Fastenrath

- and others (eds), *From bilateralism to community interest: essays in honour of judge Bruno Simma* (Oxford University Press 2011), pp 184–197.
- Tomka, Peter, ‘The Special Agreement’ in *Liber amicorum judge Shigeru Oda* (Kluwer Law International 2002), pp 553–565.
- Tomuschat, Christian, ‘What is ‘general international law’?’ in *Guerra y paz: 1945-2009: obra homenaje al Dr. Santiago Torres Bernárdez* (Universidad del País Vasco, Servicio Editorial 2010), pp 329–348.
- ‘Article 36’, in Andreas Zimmermann and others (eds), *The Statute of the International Court of Justice: A Commentary* (3rd edn, Oxford University Press 2019), pp 712–798.
- Triepel, Heinrich, ‘Die Kompetenzen des Bundesstaats und die geschriebene Verfassung’ in Wilhelm van Calker and others (eds), *Staatsrechtliche Abhandlungen Festgabe für Paul Laband zum fünfzigsten Jahrestage der Doktor-Promotion* (Mohr Siebeck 1908) vol 2, pp 247–335.
- Tunkin, Grigory Ivanovich, ‘“General Principles of Law” in International Law’ in René Marcic and Hermann Mosler (eds), *Internationale Festschrift für Alfred Verdross zum 80. Geburtstag* (1971), pp 523–532.
- ‘Soviet Theory of Sources of International Law’, in Peter Fischer, Heribert Franz Köck, and Alfred Verdross (eds), *Völkerrecht und Rechtsphilosophie Internationale Festschrift für Stephan Verosta zum 70. Geburtstag* (Duncker & Humblot 1980), pp 67–79.
- Vallindas, Petros, ‘General Principles of Law and the Hierarchy of the Sources of International Law’ in *Grundprobleme des internationalen Rechts: Festschrift für Jean Spiropoulos* (Schimmelbusch 1957), pp 425–431.
- Vec, Miloš, ‘Sources of International Law in the Nineteenth-Century European Tradition: The Myth of Positivism’ in *The Oxford Handbook of the Sources of International Law* (Oxford University Press 2017), pp 121–145.
- Verdross, Alfred, ‘Die allgemeinen Rechtsgrundsätze als Völkerrechtsquelle zugleich ein Beitrag zum Problem der Grundnorm des positiven Völkerrechts’ in Alfred Verdross and Josef Dobretsberger (eds), *Gesellschaft, Staat und Recht: Untersuchungen zur reinen Rechtslehre* (Springer 1931), pp 354–365.
- Verdross, Alfred and Köck, Heribert Franz, ‘Natural Law: The Tradition of Universal Reason and Authority’ in Ronald Saint John MacDonald and Douglas Miller Johnston (eds), *The structure and process of international law: essays in legal philosophy doctrine and theory* (Martinus Nijhoff Publishers 1983), pp 17–50.

- Vereshchetin, Vladlen S, 'Some reflections of a Russian scholar on the legacy of the Second Peace Conference' in Yves Daudet (ed), *Actualité de la Conférence de La Haye de 1907, Deuxième Conférence de la paix/ Topicality of the 1907 Hague Conference, the Second Peace Conference* (Martinus Nijhoff Publishers 2008), pp 41–50.
- Viñuales, Jorge E, 'Sources of International Investment Law: Conceptual Foundations of Unruly Practices' in Samantha Besson and Jean d'Aspremont (eds), *The Oxford Handbook of the Sources of International Law* (Oxford University Press 2017), pp 1069–1094.
- Virally, Michel, 'À propos de la "lex ferenda"' in *Mélanges offerts à Paul Reuter: le droit international: unité et diversité* (Pedone 1981), pp 519–533.
- Visscher, Charles de, 'Stages in the Codification of International Law' in Wolfgang Friedmann, Louis Henkin, and Oliver Lissitzyn (eds), *Transnational law in a changing society: essays in honor of Philip C. Jessup* (Columbia University Press 1972), pp 17–33.
- Waibel, Michael, 'Interpretive Communities in International Law' in Andrea Bianchi, Daniel Peat, and Matthew Windsor (eds), *Interpretation in International Law* (Oxford University Press 2015), pp 147–165.
- Waldock, Humphrey, 'The Evolution of Human Rights Concepts and the Application of the European Convention on Human Rights' in *Mélanges offerts à Paul Reuter* (Pedone 1981), pp 535–547.
- Walters, Mark D, 'The Unwritten Constitution as a Legal Concept' in David Dyzenhaus and Malcolm Thorburn (eds), *Philosophical Foundations of Constitutional Law* (Oxford University Press 2016), pp 33–52.
- Webb, Philippa, 'A Moving Target: The Approach of the Strasbourg Court to Immunity' in Anne van Aaken and Iulia Motoc (eds), *The European Convention on Human Rights and general international law* (Oxford University Press 2018), pp 251–263.
- Weigend, Thomas, 'Indirect Perpetration' in Carsten Stahn (ed), *The law and practice of the International Criminal Court* (Oxford University Press 2015), pp 538–556.
- Werle, Gerhard and Burghardt, Boris, 'Establishing Degrees of Responsibility: Modes of Participation in Article 25 of the ICC Statute' in Elies van Sliedregt and Sergey Vasiliev (eds), *Pluralism in International Criminal Law* (Oxford University Press 2014), pp 3019–319.
- Wet, Erika de, 'Sources and the Hierarchy of International Law: The Place of Peremptory Norms and Article 103 of the UN Charter within the Sources of International Law' in Samantha Besson and Jean d'Aspremont (eds), *The*

- Oxford Handbook on the Sources of International Law* (Oxford University Press 2017), pp 625–639.
- Wiederin, Ewald, ‘Regel-Prinzip-Norm. Zu einer Kontroverse zwischen Hans Kelsen und Josef Esser’ in Stanley L Paulson and Robert Walter (eds), *Untersuchungen zur Reinen Rechtslehre Ergebnisse eines Wiener Rechtstheoretischen Seminars 1985/1986* (Manzsche Verlags- und Universitätsbuchhandlung 1986), pp 137–166.
- Wilhelm, Walter, ‘Das Recht im römischen Recht’ in Franz Wieacker and Christian Wollschläger (eds), *Jherings Erbe* (Vandenhoeck & Ruprecht 1970).
- Wouters, Jan and Ryngaert, Cedric, ‘Impact on the Process of the Formation of Customary International Law’ in Menno Tjeerd Kamminga and Martin Scheinin (eds), *The Impact of Human Rights Law on General International Law* (Oxford University Press 2009), pp 111–131.
- Yanev, Lachezar, ‘Joint Criminal Enterprise’ in Jérôme de Hemptinne, Robert Roth, and Elies van Sliedregt (eds), *Modes of Liability in International Criminal Law* (Cambridge University Press 2019), pp 120–170.
- Yasuaki, Onuma, ‘The ICJ: An Emperor Without Clothes? International Conflict Resolution, Article 38 of the ICJ Statute and the Sources of International Law’ in Nisuke Ando and others (eds), *Liber amicorum Judge Shigeru Oda* (Kluwer Law Internat 2002) vol 1, pp 191–212.
- Zemanek, Karl, ‘State Responsibility and Liability’ in Winfried Lang, Hanspeter Neuhold, and Karl Zemanek (eds), *Environmental Protection and International Law* (Graham & Trotman 1991), pp 187–197.
- ‘The Metamorphosis of Jus Cogens: From an Institution of Treaty Law to the Bedrock of the International Legal Order?’, in Enzo Cannizzaro (ed), *The Law of Treaties beyond the Vienna Convention* (Oxford University Press 2011), pp 381–410.
- Ziemele, Ineta, ‘European Consensus and International Law’ in Anne van Aaken and Iulia Motoc (eds), *The European Convention on Human Rights and General International Law* (Oxford University Press 2018), pp 23–40.
- Zimmermann, Andreas, ‘The International Court of Justice and State Succession to Treaties: Avoiding Principled Answers to Questions of Principle’ in Christian J Tams and James Sloan (eds), *The Development of International Law by the International Court of Justice* (Oxford University Press 2013), pp 53–68.
- Zimmermann, Andreas and Geiß, Robin, ‘Article 8(2)(e)(vii)’ in Kai Ambos (ed), *The Rome Statute of the International Criminal Court* (4th edn, Beck 2021).

- Zollmann, Jakob, ‘‘Civilization(s)’ and ‘civilized nations’ – of history, anthropology, and international law’ in Sean P Morris (ed), *Transforming the Politics of International Law: The Advisory Committee of Jurists and the Formation of the World Court in the League of Nations* (Routledge 2021), pp 11–33.
- Zyberi, Gentian, ‘The International Court of Justice and the Rights of Peoples and Minorities’ in Christian J Tams and James Sloan (eds), *The Development of International Law by the International Court of Justice* (Oxford University Press 2013), pp 327–352.

Periodicals

- Aaken, Anne van, ‘To Do Away with International Law? Some Limits to ‘The Limits of International Law’’ (2006) 17(1) EJIL 289–308.
- ‘Defragmentation of Public International Law Through Interpretation: A Methodological Proposal’ (2009) 16(2) Indiana Journal of Global Legal Studies 483–512.
- Abi-Saab, Georges, ‘Cours général de droit international public’ (1987) 207 RdC 9–463.
- ‘Fragmentation or Unification: Some Concluding Remarks’ (1998) 31 NYU JILP 919–933.
- Ago, Robert, ‘Le délit international’ (1939) 68(2) RdC 415–554.
- Ago, Roberto, ‘Science juridique et droit international’ (1956) 90 RdC 851–958.
- ‘Positive Law and International Law’ (1957) 51 AJIL 691–733.
 - ‘Droit des traités à la lumière de la Convention de Vienne’ (1971) 134 RdC 297–331.
 - ‘Nouvelles réflexions sur la codification du droit international’ (1988) 92 RGDIP 539–576.
- Akande, Dapo, ‘International Law Immunities and the International Criminal Court’ (2004) 98 AJIL 407–433.
- ‘The Legal Nature of Security Council Referrals to the ICC and its Impact on Al Bashir’s Immunities’ (2009) 7 JICJ 333–352.
 - ‘Selection of the International Court of Justice for Contentious and Advisory Proceedings (Including Jurisdiction)’ (2016) 7 JIDS 320–344.
- Akande, Dapo and Shah, Sangeeta, ‘Immunities of State Officials, International Crimes, and Foreign Domestic Courts’ (2010) 21 EJIL 815–852.

Bibliography

- Akande, Dapo and Williams, Sope, 'International adjudication on national security issues: what role for the WTO?' (2003) 43(2) *Virginia Journal of International Law* 365–404.
- Akehurst, Michael, 'Hierarchy of Sources' (1974) 47 *BYIL* 273–285.
- Alebeek, Rosanne van, 'The "International Crime" Exception in the ILC Draft Articles on the Immunity of State Officials from Foreign Criminal Jurisdiction: Two Steps Back?' (2018) 112 *AJIL Unbound* 27–32.
- Alexy, Robert, 'Zum Begriff des Rechtsprinzips' (1979) *Beiheft 1 Rechtstheorie* 59–87.
- 'Grundrechte als Subjektive Rechte und als Objektive Normen' (1990) 29 *Der Staat* 49–68.
 - 'Constitutional Rights, Balancing, and Rationality' (2003) 16(2) *Ratio Juris* 131–140.
- Alland, Denis, 'Countermeasures of General Interest' (2002) 13(5) *EJIL* 1221–1239.
- 'L'interprétation du droit international public' (2012) 362 *RdC* 41–394.
- Allott, Philip, 'Language, Method and the Nature of International Law' (1971) 45 *BYIL* 79–135.
- 'The Courts and Parliament: Who Whom?' (1979) 38(1) *Cambridge Law Journal* 79–117.
 - 'State Responsibility and the Unmaking of International Law' (1988) 29(1) *Harvard International Law Journal* 1–26.
 - 'The Concept of International Law' (1999) 10 *EJIL* 31–50.
- Alston, Philip, 'Conjuring Up New Human Rights: A Proposal For Quality Control' (1984) 87 *AJIL* 607–621.
- 'Resisting the Merger and Acquisition of Human Rights by Trade Law: A Reply to Petersmann' (2002) 13(4) *EJIL* 815–844.
 - 'Core Labour Standards' and the Transformation of the International Labour Rights Regime' (2003) 15(3) *EJIL* 457–521.
- Alvarez, José, 'A Bit on Custom' (2009) 42 *NYU JILP* 17–80.
- 'Beware: Boundary Crossings' - A Critical Appraisal of Public Law Approaches to International Investment Law' (2016) 17 *The Journal of World Investment & Trade* 171–228.
- Alvarez, José and Brink, Tegan, 'Revisiting the Necessity Defense' [2010] *Yearbook International Investment Law & Policy* 319–362.
- Alvarez, José E, 'The Public International Law Regime Governing International Investment' (2009) 344 *RdC* 193–541.

- ‘The Use (and Misuse) of European Human Rights Law in Investor-State Dispute Settlement’ [2016] SSRN (https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2875089) accessed 1 February 2023.
- Alvarez, José Enrique and Khamisi, Kathryn, ‘The Argentine Crisis and Foreign Investors: a Glimpse into the Heart of the Investment Regime’ (2009) 2008-2009 Yearbook on international investment law & policy 379–478.
- Ambos, Kai, ‘Joint Criminal Enterprise and Command Responsibility’ (2007) 5(1) JICJ 159–183.
- ‘Amicus Curiae Brief in the Matter of the Co-Prosecutors’ Appeal on the Closing Order Against Kaing Guek Eav "Dutch" Dated 8 August 2008’ (2009) 20 Criminal Law Forum 353–388.
- Ambos, Kai and Wirth, Steffen, ‘The Current Law of Crimes Against Humanity An analysis of UNTAET Regulation 15/2000’ (2002) 13 Criminal Law Forum 1–90.
- Anschütz, Gerhard, ‘Der deutsche Föderalismus in Vergangenheit, Gegenwart und Zukunft’ (1924) 1 Veröffentlichungen der Vereinigung der Deutschen Staatsrechtslehrer 11–34.
- Anzilotti, Dionisio, ‘La responsabilité internationale des états: à raison des dommages soufferts par des étrangers’ (1906) 13 RGDIP 5–29.
- Arato, Julian, ‘Constitutional Transformation in the ECtHR: Strasbourg’s Expansive Recourse to External Rules of International Law’ (2012) 37(2) Brooklyn Journal of International Law 349–387.
- ‘The Margin of Appreciation in International Investment Law’ (2013) 54(2) Virginia Journal of International Law 1–34.
- ‘Treaty Interpretation and Constitutional Transformation: Informal Change in International Organizations’ (2013) 38 Yale Journal of International Law 289–357.
- ‘Corporations as Lawmakers’ (2015) 56 Harvard International Law Journal 229–295.
- Ascensio, Hervé and Bonafé, Béatrice I, ‘L’absence d’immunité des agents de l’Etat en cas de crime international : pourquoi en débattre encore?’ (2018) 122 RGDIP 821–850.
- Atiyah, Patrick S, ‘Common Law and Statute Law’ (1985) 48(1) The Modern Law Review 1–28.
- Azaria, Danae, ‘“Codification by Interpretation”: The International Law Commission as an Interpreter of International Law’ (2020) 31 EJIL 171–200.
- Baade, Björnstjern, ‘The ECtHR’s Role as a Guardian of Discourse: Safeguarding a Decision-Making Process Based on Well-Established Stan-

Bibliography

- dards, Practical Rationality, and Facts' (2018) 31 *Leiden Journal of International Law* 335–361.
- Badar, Mohamed Elewa, '“Just Convict Everyone!”-Joint Perpetration: From Tadić to Stakić and Back Again' (2006) 6 *International Criminal Law Review* 293–302.
- Bailey, Stephen, 'Article 21(3) of the Rome Statute: a Plea for Clarity' (2014) 14(3) *International Criminal Law Review* 513–550.
- Baker, Betsy, 'Hague Peace Conferences (1899 and 1907)' [2009] *Max Planck EPIL*.
- Baker, PJ, 'The Codification of International Law' (1924) 5 *BYIL* 38–65.
- Bar, Carl Ludwig von, 'Grundlage und Kodifikation des Völkerrechts' (1912) 6(1) *Archiv für Rechts- und Wirtschaftsphilosophie* 145–158.
- Bartels, Rogier, 'The Classification of Armed Conflicts by International Criminal Courts and Tribunals' (2020) 20 *International Criminal Law Review* 595–668.
- Basdevant, Jules, 'Règles générales du droit de la paix' (1936) 58 *RdC* 471–715.
- Bassiouni, Mahmoud Cherif, 'A functional approach to "general principles of international law"' (1990) 11(3) *Michigan Journal of International Law* 768–818.
- 'The History of the Draft Code of Crimes Against the Peace and Security of Mankind' (1993) 27(1-2) *Israel Law Review* 247–267.
- Bassiouni, Mahmoud Cherif and Blakesley, Christopher L, 'The Need for an International Criminal Court in the New International World Order' (1992) 25(2) *Vanderbilt Journal of Transnational Law* 151–182.
- Baxter, Richard R, 'Multilateral Treaties as Evidence of Customary International Law' (1965) 41 *BYIL* 275–300.
- Baxter, Richard Reeve, 'Treaties and Customs' (1970) 129 *RdC* 27–105.
- Beatson, Jack, 'Has the Common Law a Future?' (1997) 56(2) *The Cambridge Law Journal* 291–314.
- Beckett, WE, 'Diplomatic Claims in Respect of Injuries to Companies' (1931) 17 *Transactions of the Grotius Society*.
- Bell, Caitlin A, 'Reassessing Multiple Attribution: the International Law Commission and the Behrami and Saramati Decision' (2010) 42(2) *NYU JILP* 501–548.
- Bellinger, John B and Haynes, William J, 'A US government response to the International Committee of the Red Cross study Customary International Humanitarian Law' (2007) 89(866) *International Review of the Red Cross* 443–471.

- Benson, Bruce L, 'Customary Law as a Social Contract: International Commercial Law' (1992) 3(1) *Constitutional Political Economy* 1–27.
- Benvenisti, Eyal, 'Democracy Captured: The Mega-Regional Agreements and the Future of Global Public Law' [2016] (2) *IILJ Working Paper* 1–23.
- Bernhardt, Rudolf, 'Ungeschriebenes Völkerrecht' (1976) 37 *ZaöRV* 50–76.
- 'Custom and treaty in the law of the sea' (1987) 205 *RdC* 247–330.
- Bernstorff, Jochen von, 'Georg Jellinek and the Origins of Liberal Constitutionalism in International Law' (2012) 4(3) *Goettingen Journal of International Law* 659–675.
- 'Hans Kelsen on Judicial Law-Making by International Courts and Tribunals: a Theory of Global Judicial Imperialism?' (2015) 14(1) *The law and practice of international courts and tribunals: a practitioners' journal* 35–50.
- 'The Use of Force in International Law before World War I: On Imperial Ordering and the Ontology of the Nation-State' (2018) 29(1) *EJIL* 233–260.
- Bianchi, Andrea, 'Human Rights and the Magic of Jus Cogens' (2008) 19(3) *EJIL* 491–508.
- Biddulph, Michelle and Newman, Dwight, 'A Contextualized Account of General Principles of International Law' (2014) 26(2) *Pace International Law Review* 286–344.
- Bigi, Giulia, 'Joint Criminal Enterprise in the Jurisprudence of the International Criminal Tribunal for the Former Yugoslavia and the Prosecution of Senior Political and Military Leaders: The Krajišnik Case' (2010) 14 *Max Planck Yearbook of United Nations Law* 51–83.
- Bingham, Tom, 'The Alabama Claims Arbitration' (2005) 54 *ICLQ* 1–25.
- Bjørge, Eirik, 'Common Law Rights: Balancing Domestic and International Exigencies' (2016) 75(2) *Cambridge Law Journal* 220–243.
- 'The Contribution of the European Court of Human Rights to General International Law' (2019) 79(4) *ZaöRV* 765–784.
- Blandford, Andrew C, 'The History of Fair and Equitable Treatment before the Second World War' (2017) 32 *ICSID Review* 287–303.
- Bleckmann, Albert, 'Zur Feststellung und Auslegung von Völkergewohnheitsrecht' (1977) 37 *ZaöRV* 504–529.
- Block, Johannes, 'Ordering as an Alternative to Indirect Co-Perpetration. Observations on the Ntaganda Case' (2022) 20 *JICJ* 717–735.
- Blommestijn, Michiel and Ryngaert, Cedric, 'Exploring the Obligations for States to Act upon the ICC's Arrest Warrant for Omar Al-Bashir: A Legal Conflict between the Duty to Arrest and the Customary Status of Head

- of State Immunity' (2010) 6 *Zeitschrift für Internationale Strafrechtsdogmatik* 428–444.
- Blutman, László, 'Conceptual Confusion and Methodological Deficiencies: Some Ways that Theories on Customary International Law Fail' (2014) 25(2) *EJIL* 529–552.
- Bodansky, Daniel, 'Customary (and Not So Customary) International Environmental Law' (1995) 3 *Indiana Journal of Global Legal Studies* 105–119.
- Bogdandy, Armin von, Goldmann, Matthias, and Venzke, Ingo, 'From Public International Public Law: Translating World Public Opinion into International Public Authority' (2017) 28(1) *EJIL* 115–145.
- Bogdandy, Armin von and Venzke, Ingo, 'Zur Herrschaft internationaler Gerichte: Eine Untersuchung internationaler öffentlicher Gewalt und ihrer demokratischen Rechtfertigung' (2010) 70 *ZaöRV* 1–49.
- Bogg, Alan, 'Common Law and Statute in the Law of Employment' (2016) 69(1) *Current Legal Problems* 67–113.
- Borchard, Edwin, 'The Minimum Standard of the Treatment of Aliens' (1939) 33 *American Society of International Law Proceedings* 51–63.
- 'The 'Minimum Standard' of the Treatment of Aliens' (1940) 38(4) *Michigan Law Review* 445–461.
- Borchard, Edwin M, "'Responsibility of States,'" at the Hague Codification Conference' (1930) 24 *AJIL* 517–540.
- Bordin, Fernando Lusa, 'Reflections of Customary International Law: The Authority of Codification Conventions and ILC Draft Articles in International Law' (2014) 63 *ICLQ* 535–567.
- Bos, Maarten, 'The Recognized Manifestations of International Law A New Theory of "Sources"' (1977) 20 *German Yearbook of International Law* 9–76.
- Boschiero, Nerina, 'The ICC Judicial Finding on Non-cooperation Against the DRC and No Immunity for Al-Bashir Based on UNSC Resolution 1593' (2015) 13 *JICJ* 625–653.
- Bothe, Michael, 'Die Bedeutung der Rechtsvergleichung in der Praxis internationaler Gerichte' (1976) 36 *ZaöRV* 280–299.
- Bowen, Paul, 'Does the renaissance of common law rights mean that the Human Rights Act 1998 is now unnecessary?' [2016] (4) *European Human Rights Law Review* 361–277.
- Bradley, Curtis A, 'Introduction to the Symposium on the Present and Future of Foreign Official Immunity' (2018) 112 *AJIL Unbound* 1–3.

- Bradley, Curtis A and Goldsmith, Jack L, 'Customary International Law as Federal Common Law: A Critique of the Modern Position' (1997) 110(4) *Harvard Law Review* 815–876.
- 'The Current Illegitimacy of International Human Rights Litigation' (1997) 66(2) *Fordham Law Review* 319–369.
- Bradley, Curtis A and Gulati, Mitu, 'Withdrawing from International Custom' (2010) 120 *Yale Law Journal* 202–275.
- Brierly, James Leslie, 'The Future of Codification' (1931) 12 *BYIL* 1–12.
- Brown, Henry B, 'The Proposed International Prize Court' (1908) 2 *AJIL* 476–489.
- Brownlie, Ian, 'The Relations of Nationality in Public International Law,' [1963] (39) *BYIL* 284–264.
- 'International Law at the Fiftieth Anniversary of the United Nations, General Course on Public International Law' (1995) 255 *RdC* 9–228.
- Brunnée, Jutta and Toope, Stephen John, 'International Law and Constructivism: Elements of an Interactional Theory of International Law' (2000) 39 *Columbia Journal of Transnational Law* 19–74.
- 'Interactional international law: an introduction' (2011) 3(2) *International Theory* 307–318.
- Burchardt, Dana, 'Book review of Jean d'Aspremont, *International Law as a Belief System*' (2018) 29 *EJIL* 1440–1447.
- Burke, Naomi, 'Nicaragua v Colombia at the ICJ: Better the Devil You Don't?' (2013) 2(2) *Cambridge Journal of International and Comparative Law* 314–326.
- Buzzini, Gionata Piero, 'La "généralité" du droit international général: réflexions sur la polysémie d'un concept' (2004) 108 *RGDIP* 381–406.
- Caflich, Lucius C, 'The Protection of Corporate Investments Abroad in the Light of the Barcelona Traction Case' (1971) 31 *ZaöRV* 162–106.
- Çali, Başak, 'On Interpretivism and International Law' (2009) 20(3) *EJIL* 805–822.
- Cançado Trindade, Antônio Augusto, 'International Law for Humankind: Towards a New Jus Gentium (I)' (2005) 316 *RdC* 9–440.
- 'The Contribution of Latin American Legal Doctrine to the Progressive Development of International Law' (2014) 376 *RdC* 9–92.
- Cannizzaro, Enzo and Bonafé, Beatrice, 'Fragmenting International Law through Compromissory Clauses? Some Remarks on the Decision of the ICJ in the Oil Platforms Case' (2005) 16(3) *EJIL* 481–497.

- Cantegreil, Julien, 'The Audacity of the Texaco/Calasiatic Award: René-Jean Dupuy and the Internationalization of Foreign Investment Law' (2011) 22(2) EJIL 441–458.
- Cao, Xun, 'Networks as Channels of Policy Diffusion: Explaining Worldwide Changes in Capital Taxation, 1998-2006' (2010) 54 *International Studies Quarterly* 823–854.
- Carbone, Sergio and Schiano di Pepe, Lorenzo, 'States, Fundamental Rights and Duties' [2009] *Max Planck EPIL*.
- Caron, David, 'The ILC Articles on State Responsibility: The Paradoxical Relationship Between Form and Authority' (2002) 96 *AJIL* 857–873.
- Caron, David D, 'War and International Adjudication: Reflections on the 1899 Peace Conference' (2000) 84 *AJIL* 4–30.
- Cassese, Antonio, 'Remarks on Scelle's Theory of "Role Splitting" (dédoublement fonctionnel) in International Law' (1990) 1 *EJIL* 210–231.
- 'The Statute of the International Criminal Court: Some Preliminary Reflections' (1999) 10 *EJIL* 144–171.
 - 'The Martens Clause: half a loaf or simply pie in the sky?' (2000) 11(1) *EJIL* 187–216.
 - 'Balancing the Prosecution of Crimes against Humanity and Non-Retroactivity of Criminal Law' (2006) 4 *JICJ* 410–418.
 - 'The Nicaragua and Tadić Tests Revisited in Light of the ICJ Judgment on Genocide in Bosnia' (2007) 18(4) *EJIL* 649–668.
- Castberg, Frede, 'La méthodologie du droit international public' (1933) 43 *RdC* 309–384.
- Cavaglieri, Arrigo, 'Concetto E Caratteri Del Diritto Internazionale Generale' (1921) 14 *Rivista Di Diritto Internazionale* 479–506.
- 'Concetto e caratteri del diritto internazionale generale' (1922) 14 *Estratto dalla Rivista di diritto internazionale* 289–314, 479–506.
 - 'Règles générales du droit de la paix' (1929) 26 *RdC* 311–585.
- Charlesworth, Hilary CM, 'Customary International Law and the Nicaragua Case' (1984) 11 *Australian Yearbook of International Law* 1–31.
- Charney, Jonathan I, 'Universal International Law' (1993) 87 *AJIL* 529–551.
- 'The Impact on the International Legal System of the Growth of International Courts and Tribunals' (1998) 31 *NYU JILP* 697–708.
- Chasapis Tassinis, Orfeas, 'Customary International Law: Interpretation from Beginning to End' (2020) 31 *EJIL* 235–267.
- Chasapis Tassinis, Orfeas and Nouwen, Sarah, 'The Consciousness of Duty Done'? British Attitudes towards Self-Determination and the Case of the Sudan' (2019) *First View BYIL* 1–56.

- Cheng, Bin, 'Rights of United States Nationals in the French Zone of Morocco' (1953) 2 ICLQ 854–876.
- 'United Nations Resolutions on Outer Space: 'Instant' International Customary Law?' (1965) 5 Indian Journal of International Law 23.
- Chimni, BS, 'Customary International Law: A Third World Perspective' (2018) 112(1) AJIL 1–46.
- Chodosh, Hiram E, 'Neither Treaty nor Custom: The Emergence of Declarative International Law' (1991) 26 Texas International Law Journal 87–124.
- Christensen, Mikkel Jarle and Orina, Nabil M, 'The International Criminal Court as a Law Laboratory. Professional Battles of Control and the 'Control of the Crime' Theory' (2022) 20 JICJ 699–716.
- Clarke, Robert Charles, 'Together Again? Customary Law and Control over the Crime' (2015) 26 Criminal Law Forum 457–495.
- Clayton, Richard, 'The empire strikes back: common law rights and the Human Rights Acts' [2015] Public Law 3–12.
- Conforti, Benedetto, 'Le rôle de l'accord dans le système des Nations Unies' (1974) 142(2) RdC 203–288.
- Crawford, James, 'The ILC's Draft Statute for an International Criminal Tribunal' (1994) 88(1) AJIL 140–152.
- 'Book Review' (1996) 90(2) AJIL 331–333.
 - 'Multilateral Rights and Obligations in International Law' (2006) 319 RdC 325–482.
 - 'Change, Order, Change: The Course of International Law General Course on Public International Law' (2013) 365 RdC 9–389.
- Crawford, James and Olleson, Simon, 'The Exception of Non-performance: Links between the Law of Treaties and the Law of State Responsibility' (2000) 21 Australian Year Book of International Law 55–74.
- Cremer, Hans-Joachim, 'Völkerrecht - Alles nur Rhetorik?' (2007) 67 ZaöRV 267–296.
- Cryer, Robert, 'Of Custom, Treaties, Scholars and the Gavel: The Influence of International Criminal Tribunals on the ICRC Customary Law Study' (2006) 11 Journal of Conflict and Security Law 239–263.
- 'Royalism and the King: Article 21 of the Rome Statute and the Politics of Sources' (2009) 12(3) New Criminal Law Review: An International and Interdisciplinary Journal 390–405.
- Cupido, Marjolein, 'The Control Theory as Multidimensional Concept. Reflections on the Ntaganda Appeal Judgment' (2022) 20 JICJ 637–656.

Bibliography

- Czaplinski, Wladyslaw, 'State Succession and State Responsibility' (1990) 28 *Canadian Yearbook of International Law* 339–360.
- D'Amato, Anthony, 'Treaties As a Source of General Rules of International Law' (1962) 3 *Harvard International Law Journal* 1–43.
- 'Trashing Customary International Law' (1987) 81 *AJIL* 101–105.
 - 'Human Rights as Part of Customary International Law: A Plea for Change of Paradigms' (1995) 25(1) *Georgia journal of international and comparative law* 47–98.
 - 'Groundwork for International Law' (2014) 108 *AJIL* 650–679.
- d'Aspremont, Jean, 'Softness in International Law: A Self-Serving Quest for New Legal Materials' (2008) 19(5) *EJIL* 1075–1093.
- 'The Politics of Deformalization in International Law' (2011) 3 *Goettingen Journal of International Law* 503–550.
 - 'Reductionist legal positivism in international law' (2012) 106 *Proceedings of the American Society of International Law at Its Annual Meeting* 368–370.
 - 'The Idea of 'Rules' in the Sources of International Law' (2014) 84 *BYIL* 103–130.
 - 'Expansionism and the Sources of International Human Rights Law' (2016) 46 *Israel Yearbook on Human rights* 223–242.
 - 'The Decay of Modern Customary International Law in Spite of Scholarly Heroism' [2016] *The Global Community Yearbook of International Law and Jurisprudence* 9–29.
 - 'The International Court of Justice, the Whales, and the Blurring of the Lines between Sources and Interpretation' (2016) 27(4) *EJIL* 1027–1041.
 - 'A Postmodernization of Customary International Law for the First World?' (2018) 112 *AJIL Unbound* 293–296.
 - 'The Four Lives of Customary International Law' [2019] *International Community Law Review* 229–256.
- Degan, Vladimir-Djuro, 'General Principles of Law (A Source of General International Law)' (1992) 3 *Finnish Yearbook of International Law* 1–102.
- 'On the Sources of International Criminal Law' (2008) 4(1) *Chinese Journal of International Law* 45–83.
- Delaume, Georges R, 'The Proper Law of State Contracts and the *Lex Mercatoria*: A Reappraisal' (1988) 3(1) *ICSID Review - Foreign Investment Law Journal* 79–106.
- 'The Proper Law of State Contracts Revisited' (1997) 12(1) *ICSID Review - Foreign Investment Law Journal* 1–28.

- Dimitrijević, Vojin and Milanović, Marko, ‘The Strange Story of the Bosnian Genocide Case’ (2008) 21(1) *Leiden Journal of International Law* 65–94.
- Dinstein, Yoram, ‘The interaction between customary international law and treaties’ (2006) 322 *RdC* 243–428.
- ‘Command Responsibility’ [2013] *Max Planck EPIL*.
- ‘Discussion’ (1939) 33 *American Society of International Law Proceedings* 64–74.
- Dodge, William S, ‘Customary international law, Change, and the Constitution’ (2018) 106 *The Georgetown Law Journal* 1559–1591.
- Dolzer, Rudolf, ‘Abu Dhabi Oil Arbitration’ [2006] *Max Planck EPIL*.
- Doswald-Beck, Louise and Vité, Sylvain, ‘International Humanitarian Law and Human Rights Law’ (1993) 33 *International Review of the Red Cross* 94–119.
- Du Plessis, Max and Ford, Jolyon, ‘Developing the common law progressively - horizontality, the Human Rights Act and the South African experience’ [2004] (3) *European Human Rights Law Review* 286–313.
- Dumberry, Patrick, ‘Are BITs Representing the "New" Customary International Law in International Investment Law?’ (2009) 28(4) *Penn State International Law Review* 675–702.
- ‘A few observations on the remaining fundamental importance of customary rules in the age of treatification in international investment law’ (2016) 35(1) *ASA bulletin = Schweizerische Vereinigung für Schiedsgerichtsbarkeit* 41–61.
 - ‘Has the Fair and Equitable Treatment Standard Become a Rule of Customary International Law?’ (2017) 8 *JIDS* 155–178.
- Dunn, Frederick Sherwood, ‘International Law and Private Property Rights’ (1928) 28 *Columbia Law Review* 166–180.
- Dupuy, Pierre-Marie, ‘Communauté Internationale et Disparités de Développement Cours général de droit international public’ (1979) 165 *RdC* 9–232.
- ‘Dionisio Anzilotti and the Law of International Responsibility of States’ (1992) 2 *EJIL* 139–147.
 - ‘The Danger of Fragmentation or Unification of the International Legal System and the International Court of Justice’ (1998) 31 *NYU JILP* 791–808.
 - ‘L’unité de l’ordre juridique international: cours général de droit international public’ (2002) 279 *RdC* 9–489.
 - ‘A Crime without Punishment’ (2016) 14 *JICJ* 879–891.

- Duxbury, Neil, 'Custom as Law in English Law' (2017) 76(2) Cambridge Law Journal 337–359.
- Dworkin, Ronald, 'The Model of Rules' (1967) 35(1) University of Chicago Law Review 14–46.
- 'Hard Cases' (1975) 88(6) Harvard Law Review 1057–1109.
- Eckhoff, Torstein, 'Guiding Standards in Legal Reasoning' (1976) 29(1) Current Legal Problems 205–219.
- Elias, Olufemi and Lim, Chin, 'General Principles of Law', 'Soft' Law and the Identification of International Law' (1997) 28 Netherlands Yearbook of International Law 3–49.
- Elliott, Mark, 'Beyond the European Convention: Human Rights and the Common Law' (2015) 68 Current Legal Problems 85–117.
- Ellis, Jaye, 'General Principles and Comparative Law' (2011) 22(4) EJIL 949–971.
- Epik, Aziz, 'No Functional Immunity for Crimes under International Law before Foreign Domestic Courts' (2021) 19 JICJ 1263–1281.
- Fachiri, Alexander P, 'Expropriation and international law' (1925) 6 BYIL 159–171.
- 'International Law and the Property of Aliens' (1929) 10 BYIL 32–55.
- Fastenrath, Ulrich, 'Relative Normativity in International Law' (1993) 4 EJIL 305–340.
- Fatouros, Arghyrios Athanasiou, 'International Law and the Internationalized Contract' (1980) 74 AJIL 134–141.
- Fauchald, Ole Kristian, 'The Legal Reasoning of ICSID Tribunals - An Empirical Analysis' (2008) 19(2) EJIL 301–364.
- Feinäugle, Clemens, 'The Wimbledon' [2013] Max Planck EPIL.
- Finke, Jasper, 'Sovereign Immunity: Rule, Comity or Something Else?' (2010) 21(4) EJIL 853–881.
- Finnemore, Martha and Sikkink, Kathryn, 'International Norm Dynamics and Political Change' (1998) 52(4) International Organization 887–917.
- Fitzmaurice, Gerald, 'The Law and Procedure of the International Court of Justice, 1951-54: General Principles and Sources of Law' (1953) 30 BYIL 1–70.
- 'The General Principles of International Law considered from the standpoint of the rule of law' (1957) 92 RdC 1–228.
 - 'The Law and Procedure of the International Court of Justice 1951-4: Treaty Interpretation and Other Treaty Points' (1957) 33 BYIL 203–293.

- ‘The Future of Public International Law and of the International Legal System in the Circumstances of Today’ (1975) 5(1) *International Relations* 743–775.
- Fletcher, George P, ‘New Court, Old Dogmatik’ (2011) 9 *JICJ* 179–190.
- Fontanelli, Filippo, ‘The Invocation of the Exception of Non-Performance: A Case-Study on the Role and Application of General Principles of International Law of Contractual Origin’ (2012) 1(1) *Cambridge Journal of International and Comparative Law* 119–136.
- Forlati, Serena, ‘Reactions to Non-Performance of Treaties in International Law’ (2015) 25 *Leiden Journal of International Law* 759–770.
- Forteau, Mathias, ‘Immunities and International Crimes before the ILC: Looking for Innovative solutions’ (2018) 112 *AJIL Unbound* 22–26.
- Frank, Jerome, ‘Civil Law Influences on the Common Law - Some Reflections on ‘Comparative’ and ‘Contrastive’ Law’ (1956) 104(7) *University of Pennsylvania Law Review* 887–926.
- Friedmann, Wolfgang, ‘Review of Grundsatz und Norm in der richterlichen Fortbildung des Privatrechts by Josef Esser’ (1957) 57(3) *Columbia Law Review* 449–451.
- ‘The Uses of "General Principles" in the Development of International Law’ (1963) 57 *AJIL* 279–299.
- ‘General Course in Public International Law’ (1969) 127 *RdC* 39–246.
- ‘The North Sea Continental Shelf Cases- A Critique’ (1970) 64 *AJIL* 229–240.
- Frulli, Micaela, ‘The Question of Charles Taylor’s Immunity’ (2004) 2 *JICJ* 1118–1129.
- Frulli, Micaela, ‘The Contribution of International Criminal Tribunals to the Development of International Law: The Prominence of *opinio juris* and the Moralization of Customary Law’ (2015) 14 *The Law and Practice of International Courts and Tribunals* 80–93.
- ‘On the existence of a customary rule granting functional immunity to State officials and its exceptions: back to square one’ (2016) 26 *Duke Journal of Comparative & International Law* 479–502.
- Fuller, Lon L, ‘Positivism and Fidelity to Law: A Reply to Professor Hart’ (1958) 71(4) *Harvard Law Review* 630–672.
- ‘Human Interaction and the Law’ (1969) 14 *The American Journal of Jurisprudence* 1–36.
- Gaeta, Paola, ‘On What Conditions Can a State Be Held Responsible for Genocide?’ (2007) 18(4) *EJIL* 631–648.

- Gaeta, Paola, 'Does President Al Bashir Enjoy Immunity from Arrest?' (2009) 7 JICJ 315–332.
- Gahagan, Stacey Marlise, 'Returning to Vattel: A Gentlemen's Agreement for the Twenty-First Century' (2012) 37 North Carolina Journal of International Law 847–888.
- Gaja, Giorgio, 'Positivism and Dualism in Dionisio Anzilotti' (1992) 3 EJIL 123–138.
- 'The Protection of General Interests in the International Community' (2012) 364 RdC 9–186.
 - 'General Principles of Law' [2013] Max Planck EPIL.
- Galindo, George Rodrigo Bandeira and Yip, César, 'Customary International Law and the Third World: Do Not Step on the Grass' (2017) 16(2) Chinese Journal of International Law 251–270.
- García-Amador, Francisco, 'State Responsibility in the Light of the New Trends of International Law' (1955) 49 AJIL 339–346.
- Gärditz, Klaus Ferdinand, 'Ungeschriebenes Völkerrecht durch Systembildung' (2007) 45(1) Archiv des Völkerrechts 1–34.
- Garnett, Richard, 'State and Diplomatic Immunity and Employment Rights: European Law to the Rescue?' (2015) 64 ICLQ 783–827.
- Gautier, Philippe, 'Non-Binding Agreements' [2006] Max Planck EPIL.
- Goldmann, Matthias, 'Inside Relative Normativity: From Sources to Standard Instruments for the Exercise of International Public Authority' (2008) 9(11) German Law Journal 1865–1908.
- 'Dogmatik als Rationale Rekonstruktion: Versuch einer Metatheorie am Beispiel völkerrechtlicher Prinzipien' (2014) 53(3) Der Staat 373–399.
- Goldschmidt, Levin, 'Projet de règlement pour tribunaux arbitraux internationaux (session de Genève, 1874)' (1874) 6 Revue de droit international et de législation comparée 421–452.
- Gomes Trivisonno, Alexandre Travessoni, 'Legal Principles, Discretion and Legal Positivism: Does Dworkin's Criticism on Hart also Apply to Kelsen?' (2016) 102 Archiv für Rechts- und Sozialphilosophie 112–127.
- Goodman, Ryan, 'Human Rights Treaties, Invalid Reservations, and State Consent' (2002) 96(3) AJIL 531–560.
- Goodman, Ryan and Jinks, Derek, 'Measuring the Effects of Human Rights Treaties' (2003) 14 EJIL 171–183.
- Goodman, Ryan and Jinks, Derek P, 'Filartiga's Firm Footing: International Human Rights And Federal Common Law' (1997) 66(2) Fordham Law Review 463–529.

- Gourgourinis, Anastasios, 'General/Particular International Law and Primary/Secondary Rules: Unitary Terminology of a Fragmented System' (2011) 22 EJIL 993–1026.
- 'The Distinction between Interpretation and Application of Norms in International Adjudication' (2011) 2(1) JIDS 31–57.
- Greenhill, Brian, 'The Company You Keep: International Socialization and the Diffusion of Human Rights Norms' (2010) 54 *International Studies Quarterly* 127–145.
- Greenhill, Brian and Strausz, Michael, 'Explaining Nonratification of the Genocide Convention: A Nested Analysis' (2014) 10 *Foreign Policy Analysis* 371–391.
- Greenman, Kathryn, 'Aliens in Latin America: Intervention, Arbitration and State Responsibility for Rebels' (2018) 31 *Leiden Journal of International Law* 617–639.
- Grewe, Wilhelm G, 'Vom europäischen zum universellen Völkerrecht Zur Frage der Revision des europazentrischen Bildes der Völkerrechtsgeschichte' (1982) 42 *ZaöRV* 449–479.
- Gross, Leo, 'Der Rechtsbegriff des Common Law und das Völkerrecht' (1931) 11 *Zeitschrift für öffentliches Recht* 353–367.
- Grossman, Nienke, 'Achieving Sex-Representative International Court Benches' (2016) 110 *AJIL* 82–95.
- Grover, Leena, 'A Call to Arms: Fundamental Dilemmas Confronting the Interpretation of Crimes in the Rome Statute of the International Criminal Court' (2010) 21(3) *EJIL* 543–583.
- Guggenheim, Paul, 'Contribution à l'histoire des sources du droit des gens' (1958) 94 *RdC* 1–84.
- Guillaume, Gilbert, 'The Future of International Judicial Institutions' (1995) 44(4) *ICLQ* 848–862.
- Guzman, Andrew T and Hsiang, Jerome, 'Some Ways that Theories on Customary International Law Fail: A Reply to László Blutman' (2014) 25(2) *EJIL* 553–559.
- Guzman, Andrew T and Meyer, Timothy L, 'International Common Law: The Soft Law of International Tribunals' (2008) 9 *Chicago Journal of International Law* 515–535.
- Häberle, Peter, 'Verfassungstheorie ohne Naturrecht' (1974) 99 *Archiv des öffentlichen Rechts* 437–463.
- 'Die offene Gesellschaft der Verfassungsinterpreten' (1975) 30 *Juristenzeitung* 297–305.

Bibliography

- Häberle, Peter, 'Zum Tode von Rudolf Smend' [1975] (41) *Neue Juristische Wochenzeitschrift* 1874–1875.
- Haggenmacher, Peter, 'La doctrine des deux éléments du droit coutumier dans la pratique de la Cour internationale' (1986) 90 *RGDIP* 5–125.
- Hakimi, Monica, 'Making Sense of Customary International Law' (2020) 118 *Michigan Law Review* 1487–1537.
- Hale, Brenda, 'UK Constitutionalism on the March? keynote address to the Constitutional and Administrative Law Bar Association Conference 2014' [2015] *Judicial Review* 201–208.
- Hameed, Asif, 'Some Misunderstandings about Legislation and Law' (2017) 16(3) *Chinese Journal of International Law* 475–514.
- Hart, Herbert LA, 'Positivism and the Separation of Law and Morals' (1958) 71(4) *Harvard Law Review* 593–629.
- 'Book Review of *The Morality of Law* by Lon L. Fuller' (1965) 78(6) *Harvard Law Review* 1281–1296.
- Hathaway, Oona A, 'Do Human Rights Treaties Make a Difference?' (2002) 111 *Yale Law Journal* 1935–2042.
- Hathaway, Oona A and others, 'What is a War Crime?' (2018) 44 *Yale Journal of International Law* 53–113.
- Heilborn, Paul, 'Les Sources Du Droit International' (1926) 11 *RdC* 1–63.
- Heller, Kevin Jon, 'What is an international crime? (A Revisionist History)' (2017) 58 *Harvard International Law Journal* 353–420.
- 'Specially-Affected States and the Formation of Custom' (2018) 112(2) *AJIL* 191–243.
- 'What is an International Crime? (A Revisionist History) A Reply to my Critics' [2018] *Harvard International Law Journal Online Symposium* 1–8 (<https://harvardilj.org/wp-content/uploads/sites/15/Heller-Reply.pdf>) accessed 1 February 2023.
- Henkin, Louis, 'Privacy and Autonomy' (1974) 74 *Columbia Law Review* 1410–1433.
- Hepburn, Jarrod, 'The Unidroit Principles of International Commercial Contracts and Investment Treaty Arbitration: A Limited Relationship' (2015) 64(4) *ICLQ* 905–933.
- Herdegen, Matthias, 'Interpretation in International Law' [2013] *Max Planck EPIL*.
- Heydte, Friedrich August von der, 'Glossen zu einer Theorie der allgemeinen Rechtsgrundsätze' (1933) 33(11/12) *Die Friedens-Warte* 289–300.
- Hindelang, Steffen, 'Bilateral Investment Treaties, Custom and a Healthy Investment Climate: the Question of Whether Bits Influence Customary

- International Law Revisited' (2004) 5(5) *The journal of world investment & trade* 789–809.
- Holdsworth, William, 'Sir Edward Coke' (1933) 5 *Cambridge Law Journal* 332–346.
- Howse, Robert and Chalamish, Efraim, 'The Use and Abuse of WTO Law in Investor-State Arbitration: A Reply to Jürgen Kurtz' (2009) 20(4) *EJIL* 1087–1094.
- Howse, Robert and Teitel, Ruti G, 'Beyond Compliance: Rethinking Why International Law Matters' (2010) 1 *Global Policy* 127–136.
- Hudson, Manley O, 'The Prospect for Future Codification' (1932) 26 *AJIL* 137–142.
- Hurst, Cecil, 'A Plea for the Codification of International Law on New Lines' (1946) 32 *Transactions of the Grotius Society* 135–153.
- Irving, Emma, 'The other side of the Article 21(3) coin: Human rights in the Rome Statute and the limits of Article 21(3)' (2019) 32 *Leiden Journal of International Law* 837–850.
- Iurlaro, Francesca, 'Grotius, Dio Chrysostom and the 'Invention' of Customary *ius gentium*' (2018) 39 *Grotiana* 15–44.
- Jackson, Vicki C, 'Constitutional Comparisons: Convergence, Resistance, Engagement' (2005) 119(1) *Harvard Law Review* 109–128.
- Jain, Neha, 'Comparative International Law at the ICTY: The General Principles Experiment' (2015) 109 *AJIL* 486–497.
- 'Judicial Lawmaking and General Principles of Law in International Criminal Law' (2016) 57(1) *Harvard International Law Journal* 111–150.
- Jakab, András, 'Prinzipien' (2006) 37 *Rechtstheorie* 49–65.
- Janik, Cornelia, 'Die EMRK und internationale Organisationen: Ausdehnung und Restriktion der "equivalent protection"-Formel in der neuen Rechtsprechung des EGMR' (2010) 70(1) *ZaöRV* 127–179.
- Janis, Mark Weston, 'Jeremy Bentham and the Fashioning of 'International Law'' (1984) 78 *AJIL* 405–418.
- Jellinek, Georg, 'China und das Völkerrecht' (1900) 5(19) *Deutsche Juristen-Zeitung* 401–403.
- Jenkins, David, 'From Unwritten to Written: Transformation in the British Common-Law Constitution' (2003) 36 *Vanderbilt Journal of Transnational Law* 863–960.
- Jenks, Clarence Wilfred, 'Craftsmanship in International Law' (1956) 50(1) *American Journal of International Law* 32–60.
- Jennings, Robert Yewdall, 'The Progressive Development of International Law and Its Codification' (1947) 24 *BYIL* 301–329.

Bibliography

- Jennings, Robert Yewdall, 'State Contracts in International Law' (1961) 37 BYIL 156–182.
- 'Recent Developments in the International Law Commission: Its Relation to the Sources of International Law' (1964) 13 ICLQ 385–397.
 - 'What is International Law and How Do We Tell It When We See It ?' (1981) 37 Schweizerisches Jahrbuch für internationales Recht 59–91.
- Jeßberger, Florian and Geneuss, Julia, 'On the Application of a Theory of Indirect Perpetration in Al Bashir' (2008) 6 JICJ 853–869.
- Jessup, Philip C, 'The Doctrine of Erie Railroad V. Tompkins Applied to International Law' (1939) 33(4) AJIL 740–743.
- 'Parliamentary diplomacy: an examination of the legal quality of the rules of procedure of organs of the United Nations' (1956) 89 RdC 181–320.
- Jiménez de Aréchaga, Eduardo, 'International law in the past third of a century' (1978) 159 RdC 1–344.
- Johnston, Katie A, 'The Nature and Context of Rules of and the Identification of Customary International Law' (2021) 32(4) EJIL 1167–1190.
- Jones, JMervyn, 'The Nottebohm Case' (1956) 5 ICLQ 230–244.
- Jowell, Jeffrey and Lester, Anthony, 'Beyond Wednesbury: Substantive Principles of Administrative Law' [1987] Public Law 368–382.
- Joyner, Daniel H, 'Why I Stopped Believing in Customary International Law' (2019) 9(1) Asian Journal of International Law 31–45.
- Juillard, Patrick, 'L'évolution des sources du droit des investissements' (1994) 250 RdC 9–216.
- 'Calvo Doctrine/Calvo Clause' [2007] Max Planck EPIL.
- Kadelbach, Stefan and Kleinlein, Thomas, 'International Law: a Constitution for Mankind?: an Attempt at a Re-appraisal with an Analysis of Constitutional Principles' (2007) 50 German Yearbook of International Law 303–347.
- Kammerhofer, Jörg, 'Uncertainty in the formal Sources of international Law: customary international Law and some of its Problems' (2004) 15(3) EJIL 523–553.
- 'Gaps, the Nuclear Weapons Advisory Opinion and the Structure of International Legal Argument between Theory and Practice' (2010) 80 BYIL 333–360.
 - 'Systemic Integration, Legal Theory and the International Law Commission' (2010) 19 Finnish Yearbook of International Law 2008 175–181.
 - 'The Pure Theory of Law and Its "Modern" Positivism: International Legal Uses for Scholarship' (2012) 106 Proceedings of the American Society of International Law at Its Annual Meeting 1–13.

- ‘Taking the Rules of Interpretation Seriously, but Not Literally? A Theoretical Reconstruction of Orthodox Dogma’ (2017) 86(2) *Nordic Journal of International Law* 125–150.
- ‘Positivist Approaches and International Adjudication’ [2019] *Max Planck EiPro*.
- Kamminga, Menno Tjeerd, ‘State succession in respect of human rights treaties’ (1996) 7(4) *EJIL* 469–484.
- Kaser, Max, ‘*Ius publicum*’ und ‘*ius privatum*’ (1986) 103(1) *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Romanistische Abteilung* 1–101.
- Kaufmann-Kohler, Gabrielle, ‘Arbitral Precedent: Dream, Necessity or Excuse’ (2007) 23(3) *Arbitration International* 357–378.
- Kelly, James Patrick, ‘The Twilight Of Customary International Law’ (2000) 40 *Virginia Journal of International Law* 449–543.
- Kelsen, Hans, ‘Contribution à la théorie du traité international’ (1936) 10 *Revue internationale de la théorie du droit* 253–292.
- ‘Théorie du droit international coutumier’ (1939) 1 *Revue internationale de la théorie du droit, nouvelle série* 253–274.
- ‘Compulsory Adjudication of International Disputes’ (1943) 37 *AJIL* 397–406.
- ‘Sanctions in International Law under the Charter of the United Nations’ (1946) 31 *Iowa Law Review* 499–543.
- ‘The Draft Declaration on Rights and Duties of States Critical Remarks’ (1950) 44 *AJIL* 259–276.
- ‘Théorie du droit international public’ (1953) 83 *RdC* 1–203.
- Kennedy, David, ‘The Sources of International Law’ (1987) 2 *American University Journal of International Law & Policy* 1–96.
- ‘When Renewal Repeats: Thinking against the Box’ (2000) 32 *NYU JILP* 335–500.
- Kill, Theodor, ‘Don’t Cross the Streams: Past and Present Overstatement of Customary International Law in Connection with Conventional Fair and Equitable Treatment Obligations’ (2008) 106(5) *Michigan Law Review* 853–880.
- Kingsbury, Benedict, ‘Is the Proliferation of International Courts and Tribunals a systemic Problem’ (1998) 31 *NYU JILP* 679–696.
- ‘The Concept of Compliance As a Function of Competing Conceptions of International Law’ (1998) 19 *Michigan Journal of International Law* 345–372.
- ‘The Concept of "Law" in Global Administrative Law’ (2009) 20(1) *EJIL* 23–57.

- Kingsbury, Benedict, Krisch, Nico, and Stewart, Richard B, 'The Emergence of Global Administrative Law' (2005) 68(3-4) *Law and contemporary problems* 15–61.
- Kirgis, Frederic L, 'Custom on a Sliding Scale' (1987) 81(1) *AJIL* 146–151.
- Kiß, Géza, 'Die Theorie der Rechtsquellen in der englischen und anglo-amerikanischen Literatur' (1913) *XXXIX Archiv für Bürgerliches Recht* 265–297.
- Klein Bronfman, Marcela, 'Fair and Equitable Treatment: An Evolving Standard' (2006) 10 *Max Planck Yearbook of United Nations law* 609–680.
- Kleinlein, Thomas, 'Between Myths and Norms: Constructivist Constitutionalism and the Potential of Constitutional Principles in International Law' (2012) 81 *Nordic Journal of International Law* 79–132.
- 'Consensus and Contestability: The ECtHR and the Combined Potential of European Consensus and Procedural Rationality Control' (2017) 28(3) *EJIL* 871–893.
- Kletzer, Christoph, 'Kelsen's Development of the Fehlerkalkül-Theory' (2005) 18(1) *Ratio Juris* 46–63.
- Kohen, Marcelo G, 'La succession d'Etats en matière de responsabilité internationale State Succession in Matters of State Responsibility' (2016) 76 *Yearbook of the Institute of International Law - Tallinn Session* 509–719.
- Kolb, Robert, 'The formal source of *Ius Cogens* in public international law' (1998) 53(1) *ZÖR* 69–105.
- 'Les maximes juridiques en droit international public: questions historiques et théoriques' (1999) 32(2) *Revue belge de droit international* 407–434.
 - 'The jurisprudence of the Yugoslav and Rwandan Criminal Tribunals on their jurisdiction and on international crimes' (2000) 71 *BYIL* 259–315.
 - 'Selected problems in the theory of customary international law' [2003] *Netherlands international law review* 119–150.
 - 'The Jurisprudence of the Yugoslav and Rwandan Criminal Tribunals on their Jurisdiction and on International Crimes' (2004) 75 *BYIL* 269–335.
 - 'Principles as Sources of International Law (With Special Reference to Good Faith)' (2006) 53(1) *Netherlands International Law Review* 1–36.
 - 'German Legal Scholarship as reflected in Hague Academy Courses on Public International Law' (2007) 50 *German Yearbook of International Law* 201–241.
 - 'Politis and Sociological Jurisprudence of Inter-War International Law' (2012) 23(1) *EJIL* 233–241.

- ‘The Jurisprudence of the Yugoslav and Rwandan Criminal Tribunals on Their Jurisdiction and on International Crimes (2004-2013)’ (2014) 84(1) BYIL 131–186.
- ‘The Jurisprudence of the Permanent Court of International Justice Between *Utilitas Publica* and *Utilitas Singulorum*’ (2015) 14 *The Law and Practice of International Courts and Tribunals* 16–34.
- ‘Chronique de la jurisprudence de la cour Internationale de Justice en 2015’ (2016) 1(26) *Swiss Review of International and European Law* 125–159.
- Kopelmanas, Lazare, ‘Custom as a Means of the Creation of International Law’ (1937) 18 BYIL 127–151.
- ‘Essai d’une Théorie des Sources Formelles de Droit International’ (1938) 1 *Revue de droit international* 101–150.
- ‘La pensée de Georges Scelle et ses possibilités d’application à quelques problèmes récents de droit international’ [1961] *Journal du Droit International* 350–375.
- Koskenniemi, Martti, ‘General principles: reflexions on constructivist thinking in international law’ (1985) 18 *Oikeustiede-jurisprudentia* 121–163.
- ‘The Pull of the Mainstream’ (1989) 88 *Michigan Law Review* 1946–1962.
- ‘The Politics of International Law’ (1990) 1 *EJIL* 4–32.
- ‘The Function of Law in the International Community: 75 Years After’ (2009) 79 BYIL 353–366.
- Koskenniemi, Martti and Leino, Päiv, ‘Fragmentation of International Law? Postmodern Anxieties’ (2002) 15 *Leiden Journal of International Law* 553–579.
- Kreß, Claus, ‘War Crimes Committed in Non-International Armed Conflict and the Emerging System of International Criminal Justice’ (2001) 30 *Israel Yearbook on Human Rights* 103–177.
- ‘Versailles-Nuremberg-The Hague : Germany and International Criminal Law’ (2006) 40 *The international lawyer* 15–39.
- ‘The Peacemaking Process After the Great War and the Origins of International Criminal Law *Stricto Sensu*’ (2021) 62 *German Yearbook of International Law* 163–187.
- Kreß, Claus and Holtzendorff, Leonie von, ‘The Kampala Compromise on the Crime of Aggression’ (2010) 8 *JICJ* 1179–1217.
- Krieger, Heike, ‘A Credibility Gap: the Behrami and Saramati Decision of the European Court of Human Rights’ (2009) 13(1-2) *Journal of international peacekeeping* 159–180.

- Krieger, Heike, 'Positive Verpflichtungen unter der EMRK: Unentbehrliches Element einer gemeineuropäischen Grundrechtsdogmatik, leeres Versprechen oder Grenze der Justiziabilität?' (2014) 74 *ZaöRV* 187–213.
- Kulick, Andreas, 'Provisional Measures after *Ukraine v Russia* (2022)' (2022) 13(2) *JIDS* 323–340.
- Kunz, Josef L, 'Völkerrechtswissenschaft und reine Rechtslehre' (1923) 6(1) *Zeitschrift für öffentliches Recht* 1–83.
- 'Alfred Verdross, Die Einheit des rechtlichen Weltbildes auf Grundlage der Völkerrechtsverfassung' (1924) 7 *Archiv des öffentlichen Rechts* 120–126.
 - 'The "Vienna School" and International Law' (1933) 11 *New York University Law Quarterly Review* 370–421.
 - 'General International Law and the Law of International Organizations' (1953) 47(3) *AJIL* 456–462.
 - 'The Nature of Customary International Law' (1953) 47 *AJIL* 662–669.
 - 'Roberto Ago's Theory of a "Spontaneous" International Law' (1958) 52(1) *American Journal of International Law* 85–91.
 - 'The *Nottebohm* Judgment (Second Phase)' (1960) 54 *AJIL* 536–571.
- Kurtz, Jürgen, 'The Use and Abuse of WTO Law in Investor-State Arbitration: Competition and its Discontents' (2009) 20(3) *EJIL* 749–771.
- 'Adjudicating the Exceptional at International Investment Law: Security, Public Order and Financial Crisis' (2010) 59(2) *ICLQ* 325–371.
- Landis, James McCauley, 'Statutes and the Sources of Law' (1965) 2 *Harvard Journal of Legislation* 7–39.
- Lando, Massimo, 'Identification as the Process to Determine the Content of Customary International Law' (2022) 42(4) *Oxford Journal of Legal Studies* 1040–1066.
- Lauterpacht, Elihu, 'Review of Books *General Principles of Law as Applied by International Courts and Tribunals*' (1953) XXX *BYIL* 544–547.
- Lauterpacht, Hersch, 'Règles générales du droit de la paix' (1937) 62(IV) *RdC* 95–422.
- 'The Grotian Tradition in International Law' (1946) 23 *BYIL* 1–53.
 - 'L'interprétation des traités' (1950) 43 *Annuaire de l'Institut de droit international* 366–432.
 - 'Codification and Development of International Law' (1955) 49 *AJIL* 16–43.
- Le Fur, Louis, 'Règles générales du droit de la paix' (1935) 54 *RdC* 1–307.
- Leben, Charles, 'La théorie du contrat d'état et l'évolution du droit international des investissements' (2003) 302 *RdC* 197–377.

- LeGrand, Pierre, 'The Impossibility of Legal Transplants' (1997) 4 *Maas-tricht Journal of European and Comparative Law* 111–124.
- Leibholz, Gerhard, 'Verbot der Willkür und des Ermessensmißbrauches im völkerrechtlichen Verkehr der Staaten' (1929) 1 *ZaöRV* 77–125.
- Leiter, Andrea, 'Protecting concessionary rights: General principles and the making of international investment law' (2022) 35 *Leiden Journal of International Law* 55–69.
- Lenaerts, Koen and Gutman, Kathleen, 'The Comparative Law Method and the European Court of Justice: Echoes across the Atlantic' (2016) 64 *American Journal of Comparative Law* 841–846.
- Lepsius, Oliver, 'The quest for middle-range theories in German public law' (2014) 12(3) *Journal of International Constitutional Law* 692–709.
- Lillich, Richard B, 'The Growing Importance of Customary International Human Rights Law' (1996) 25(1-2) *Georgia Journal of International and Comparative Law* 1–30.
- Linderfalk, Ulf, 'State Responsibility and the Primary-Secondary Rules Terminology - the Role of Language for an Understanding of the International Legal System' (2009) 78(1) *Nordic Journal of International Law* 53–72.
- Lippold, Matthias, 'Between Humanization and Humanitarization?: Detention in Armed Conflicts and the European Convention on Human Rights' (2016) 76(1) *ZaöRV* 53–95.
- 'Reflections on Custom Critique and on Functional Equivalents in the Work of Jean d'Aspremont' (2019) 21(3-4) *International Community Law Review* 257–282.
- Longobardo, Marco, 'The Criminalisation of Intra-party Offences in Light of Some Recent ICC Decisions on Children in Armed Conflict' (2019) 19 *International Criminal Law Review* 600–634.
- Lorca, Arnulf Becker, 'Universal International Law: Nineteenth-Century Histories of Imposition and Appropriation' (2010) 51(2) *Harvard International Law Journal* 475–552.
- Lowe, Vaughan, 'Precluding Wrongfulness or Responsibility: A Plea for Excuses' (1999) 10 *EJIL* 405–411.
- 'Was it Worth the Effort?' (2012) 27 *The International Journal of Marine and Coastal Law* 875–881.
- Lowenfeld, Andreas F, 'Investment Agreements and International Law' (2003) 42 *Columbia Journal of Transnational Law* 123–130.
- Macklin, Audrey, 'Is it time to retire Nottebohm?' (2017) 111 *AJIL Unbound* 492–497.

- Mälksoo, Lauri, 'The History of International Legal Theory in Russia: a Civilized Dialogue in Europe' (2008) 19 *EJIL* 211–232.
- Manacorda, Stefano and Meloni, Chantal, 'Indirect Perpetration versus Joint Criminal Enterprise. Concurring Approaches in the Practice of International Criminal Law?' (2011) 9 *Journal of International Criminal Justice* 159–178.
- Manin, Philippe, 'Le juge international et la règle générale' [1976] *RGDIP* 7–54.
- Mann, Francis A, 'The Proper Law of Contracts Concluded by International Persons' (1959) 35 *BYIL* 34–57.
- 'State Contracts and State Responsibility' (1960) 54 *AJIL* 572–591.
 - 'The theoretical approach towards the law governing contracts between states and private persons' (1975) 11 *Revue belge de droit international* 562–567.
 - 'British treaties for the promotion and protection of investments' (1981) 52 *BYIL* 241–254.
- Marboe, Irmgard and Reinisch, August, 'Contracts between States and Foreign Private Law Persons' [2011] *Max Planck EPIL*.
- Marek, Krystyna, 'Thoughts on Codification' (1971) 29 *ZaöRV* 489–520.
- Martineau, Anne-Charlotte, 'The Rhetoric of Fragmentation: Fear and Faith in International Law' (2009) 22(1) *Leiden Journal of International Law* 1–28.
- Masterman, Roger and Wheatle, Se-shauna, 'A common law resurgence in protection?' [2015] (1) *European Human Rights Law Review* 57–65.
- Mattei, Ugo, 'Three Patterns of Law: Taxonomy and Change in the World's Legal Systems' (1997) 45 *American Journal of Comparative Law* 5–44.
- Maus, Ingeborg, 'Die Trennung von Recht und Moral als Begrenzung des Rechts' (1989) 20 *Rechtstheorie* 191–210.
- McCrudden, Christopher, 'A Common Law of Human Rights?: Transnational Judicial Conversations on Constitutional Rights' (2000) 20(4) *Oxford Journal of Legal Studies* 499–532.
- McDougal, Myres S, Lasswell, Harold D, and Chen, Lung-chu, 'Nationality and Human Rights: The Protection of the Individual and External Arenas' (1974) 83 *The Yale Law Journal* 900–998.
- McGregor, Lorna, 'State Immunity and Human Rights: Is There a Future after Germany v. Italy?' (2013) 11(1) *JICJ* 125–145.
- McLachlan, Campbell, 'The Principle of Systemic Integration and Article 31 (3) (c) of the Vienna Convention' (2005) 54 *ICLQ* 279–320.

- ‘Investment Treaties and General International Law’ (2008) 57(2) ICLQ 361–401.
- ‘Is There an Evolving Customary International Law on Investment?’ (2016) 3(2) ICSID Review 257–269.
- McNair, Arnold Duncan, ‘The General Principles of Law Recognized by Civilized Nations’ (1957) 33 BYIL 1–19.
- Megumi, Ochi, ‘The New Recipe for a General Principle of Law: Premise Theory to "Fill in the Gaps"’ [2022] Asian Journal of International Law 1–19.
- Mendelson, Maurice, ‘The subjective Element in Customary International Law’ (1996) 66 BYIL 177–208.
- Mendelson, Maurice H, ‘The Formation of Customary International Law’ (1998) 272 RdC 155–410.
- Meron, Theodor, ‘The Geneva Conventions as Customary Law’ (1987) 81 AJIL 348–370.
- ‘The Continuing Role of Custom in the Formation of International Humanitarian Law’ (1996) 90 AJIL 238–249.
- ‘Is International Law Moving towards Criminalization?’ (1998) 9 EJIL 18–31.
- ‘The Humanization of Humanitarian Law’ (2000) 94(2) American Journal of International Law 239–278.
- ‘The Revival of Customary Humanitarian Law’ (2005) 99(4) American Journal of International Law 817–834.
- Métall, Rudolf Aladár, ‘Skizzen zu einer Systematik der völkerrechtlichen Quellenlehre’ (1931) 11 Zeitschrift für öffentliches Recht 416–428.
- Meyer, Timothy L, ‘Codifying Custom’ (2012) 160 University of Pennsylvania Law Review 995–1069.
- Michaels, Ralf, ‘Privatautonomie und Privatkodifikation Zu Anwendbarkeit und Geltung allgemeiner Vertragsrechtsprinzipien’ (1998) 62 Rabels Zeitschrift für Ausländisches und Internationales Privatrecht 580–626.
- ‘The True Lex Mercatoria: Law Beyond the State’ (2007) 14(2) Indiana Journal of Global Legal Studies 447–468.
- ‘The Mirage of Non-State Governance’ [2010] Utah Law Review 31–45.
- ‘A Fuller Concept of Law Beyond the State? Thoughts on Lon Fuller’s Contributions to the Jurisprudence of Transnational Dispute Resolution: A Reply to Thomas Schultz’ (2011) 2(2) JIDS 417–426.
- Michaels, Ralf and Pauwelyn, Joost HB, ‘Conflict of Norms or Conflict of Laws: Different Techniques in the Fragmentation of Public International

Bibliography

- Law' (2012) 22(3) *Duke Journal of Comparative & International Law* 349–376.
- Milanovic, Marko, 'From Compromise to Principle: Clarifying the Concept of State Jurisdiction in Human Rights Treaties' (2008) 8(3) *Human Rights Law Review* 411–448.
- 'Aggression and Legality: custom in Kampala' (2012) 10 *JICJ* 165–187.
 - 'Special Rules of Attribution of Conduct in International Law' (2020) 96 *International Law Studies* 295–393.
- Milanović, Marko, 'Is the Rome Statute Binding on Individuals? (And Why We Should Care)' (2011) 9 *JICJ* 25–52.
- Milanović, Marko and Papć, Tatjana, 'As Bad As It Gets: the European Court of Human Rights's Behrami and Saramati Decision and General International Law' (2009) 58(2) *ICLQ* 267–296.
- Mitchell, Andrew D and Munro, James, 'Someone Else's Deal: Interpreting International Investment Agreements in the Light of Third-Party Agreements' (2017) 28(3) *EJIL* 669–695.
- Mohamad, Rahmat, 'Some Reflections on the International Law Commission Topic "Identification of Customary International Law"' (2016) 15(1) *Chinese Journal of International Law* 41–46.
- Mosler, Hermann, 'The international society as a legal community' (1974) 140 *RdC* 1–320.
- Murmann, Uwe, 'Tatherrschaft durch Weisungsmacht' (1996) 143(1) *Goltammer's Archiv für Strafrecht* 269–302.
- Murphy, Sean D, 'Immunity Ratione Materiae of State Officials from Foreign Criminal Jurisdiction: Where is the State Practice in Support of Exceptions?' (2018) 112 *AJIL Unbound* 4–8.
- 'Peremptory Norms of General International Law (Jus Cogens) (Revisited) and Other Topics: The Seventy-Third Session of the International Law Commission' (2023) 117(1) *AJIL* 92–112.
- Natoli, Kristopher, 'Weaponizing Nationality: An Analysis of Russia's Passport Policy in Georgia' (2010) 28 *Boston University International Law Journal* 389–417.
- Nelson, Caleb, 'The Legitimacy of (Some) Federal Common Law' (2015) 101(5) *Virginia Law Review* 1–64.
- Nissel, Alan, 'The Duality of State Responsibility' (2013) 44(3) *Columbia Human Rights Law Review* 793–858.
- Nollkaemper, André, 'Constitutionalization and the Unity of the Law of International Responsibility' (2009) 16 *Indiana Journal of Global Legal Studies* 535–563.

- Nolte, Georg, 'From Dionisio Anzilotti to Roberto Ago: The Classical International Law of State Responsibility and the Traditional Primacy of a Bilateral Conception of Inter-state Relations' (2002) 13(5) EJIL 1083–1098.
- 'Thin or Thick? The Principle of Proportionality and International Humanitarian Law' (2010) 4(2) Law & Ethics of Human Rights 244–255.
 - 'Faktizität und Subjektivität im Völkerrecht Anmerkungen zu Jochen Froweins "Das de facto-Regime im Völkerrecht" im Licht aktueller Entwicklungen' (2015) 75 ZaöRV 715–732.
 - 'How to identify customary international law? - On the final outcome of the work of the International Law Commission (2018)' [2019] (37) KFG Working Paper Series 1–22.
- Nolte, Georg and Aust, Helmut Philipp, 'Equivocal Helpers - Complicit States, Mixed Messages and International Law' (2009) 58 International and Comparative Law Quarterly 1–30.
- Nouwen, Sarah MH, 'Return to Sender: Let the International Court of Justice Justify or Qualify International-Criminal-Court-Exceptionalism Regarding Personal Immunities' (2019) 78(3) Cambridge Law Journal 596–611.
- Nussbaum, Arthur, 'Arbitration between the Lena Goldfields Ltd. and the Soviet Government' (1950) 36(1) Cornell Law Review 31–53.
- O'Connell, Daniel Patrick, 'Recent problems of state succession in relation to new states' (1970) 130 RdC 95–206.
- O'Keefe, Roger, 'An "International Crime Exception" to the Immunity of State Officials from Foreign Criminal Jurisdiction: Not Currently, not Likely' (2015) 109 AJIL Unbound 167–172.
- Öberg, Marko Divac, 'The absorption of grave breaches into war crimes law' (2009) 91 International Review of the Red Cross 163–183.
- Oda, Shigeru, 'The International Court of Justice viewed from the Bench (1976-1993)' (1993) 244 RdC 9–190.
- Ohlin, Jens David, Sliedregt, Elies van, and Weigend, Thomas, 'Assessing the Control-Theory' (2013) 26 Leiden Journal of International Law 725–746.
- Oppenheim, Lassa Francis Lawrence, 'Zur Lehre vom internationalen Gewohnheitsrecht' (1915) 25 Niemeyers Zeitschrift für internationales Recht 1–13.
- Orakhelashvili, Alexander, 'Natural Law and Customary Law' (2008) 68 ZaöRV 69–110.

- Orakhelashvili, Alexander, 'The Normative Basis of 'Fair and Equitable Treatment': General International Law on Foreign Investment?' (2008) 46(1) *Archiv des Völkerrechts* 74–105.
- Orozco López, Hernán Darío and Silva Santaularia, Natalia, 'Reflections on Indirect (Co-)Perpetration through an Organization' (2022) 20 *JICJ* 657–676.
- Osten, Philipp, 'Indirect Co-Perpetration and the Control Theory. A Japanese Perspective' (2022) 20 *JICJ* 677–697.
- Pacht, Laurence T, 'The Case for a Convention on State Responsibility' (2014) 83(4) *Nordic Journal of International Law* 439–475.
- Paddeu, Federica, 'Ghosts of Genocides Past? State Responsibility for Genocide in the Former Yugoslavia' (2015) 74(2) *The Cambridge Law Journal* 198–201.
- Paddeu, Federica I, 'Self-Defence as a Circumstance Precluding Wrongfulness: Understanding Article 21 of the Articles on State Responsibility' [2015] *BYIL* 1–43.
- Palchetti, Paolo, 'Opening the International Court of Justice to Third States: Intervention and Beyond' (2002) 6 *Max Planck Yearbook of United Nations Law* 139–181.
- Papadaki, Matina, 'Compromissory Clauses as the Gatekeepers of the Law to be 'used' in the ICJ and the PCIJ' [2014] *JIDS* 1–45.
- Paparinskis, Mārtiņš, 'Investment Arbitration and the Law of Countermeasures' (2008) 79 *BYIL* 264–352.
- 'Sapphire Arbitration' [2010] *Max Planck EPIL*.
 - 'Come Together or Do It My Way: No Systemic Preference' (2014) 108 *Proceedings of the American Society of International Law at Its Annual Meeting* 246–249.
- Paulson, Stanley L, 'Lon L. Fuller, Gustav Radbruch, and the 'Positivist' Theses' (1994) 13(3) *Law and Philosophy* 313–359.
- Paulsson, Jan, 'Arbitration Without Privity' (1995) 10(3) *ICSID Review - Foreign Investment Law Journal* 232–257.
- 'International Arbitration and the Generation of Legal Norms: Treaty Arbitration and International Law' (2006) 3(5) *Transnational Dispute Management* 1–13.
- Paulsson, Jan and Petrochilos, Georgios, 'Neer-ly Mised?' (2007) 22(2) *ICSID Review - Foreign Investment Law Journal* 242–257.
- Paulus, Andreas L, 'Commentary to Andreas Fischer-Lescano & Gunther Teubner *The Legitimacy of International Law and the Role of the State*' (2004) 25 *Michigan Journal of International Law* 1047–1058.

- Paulus, Andreas L and Leiss, Johann, 'Constitutionalism and the Mechanics of Global Law Transfers' (2018) 9 *GoJIL* 35–69.
- Paulus, Andreas L and Lippold, Matthias, 'Customary Law in the Postmodern World (Dis)Order' (2018) 112 *AJIL Unbound* 308–312.
- Peat, Daniel, 'International Investment Law and the Public Law Analogy: The Fallacies of the General Principles Method' (2018) 9 *JIDS* 654–678.
- Pellet, Alain, "'Human rightism" and international law' [2000] Gilberto Amado Memorial Lecture of 18 July 2000 (<https://digitallibrary.un.org/record/430167>) accessed 1 August 2022.
- Perreau-Saussine, Amanda, 'British Acts of State in English Courts' (2008) 78 *BYIL* 176–253.
- Peters, Anne, 'Does Kosovo Lie in the Lotus-Land of Freedom?' (2011) 24 *Leiden Journal of International Law* 95–108.
- 'The refinement of international law: From fragmentation to regime interaction and politicization' (2017) 15(3) *International Journal of Constitutional Law* 671–704.
- Peters, Ellen Ash, 'Common Law Judging in a Statutory World: An Address' (1982) 43 *University of Pittsburgh Law Review* 995–1011.
- Petersen, Niels, 'Customary Law Without Custom? Rules, Principles, and the Role of State Practice in International Norm Creation' (2008) 23(2) *American University International Law Review* 275–310.
- 'Der Wandel des ungeschriebenen Völkerrechts im Zuge der Konstitutionalisierung' (2008) 46(4) *Archiv des Völkerrechts* 502–523.
 - 'The International Court of Justice and the Judicial Politics of Identifying Customary International Law' (2017) 28(2) *EJIL* 357–385.
- Pojanowski, Jeffrey A, 'Reading Statutes in the Common Law Tradition' (2015) 101(5) *Virginia Law Review* 1357–1424.
- Politis, Nicolas, 'Le problème des limitations de la souveraineté et la théorie de l'abus des droits dans les rapports internationaux' (1925) 6 *RdC* 1–121.
- Poscher, Ralf, 'Theorie eines Phantoms - Die erfolglose der Prinzipientheorie nach ihrem Gegenstand' (2010) 4 *Rechtswissenschaft* 349–372.
- Postema, Gerald J, 'Implicit Law' (1994) 13(3) *Law and Philosophy* 361–387.
- 'Classical Common Law Jurisprudence (Part I)' (2002) 2(2) *Oxford University Commonwealth Law Journal* 155–180.
 - 'Classical Common Law Jurisprudence (Part II)' (2003) 3(1) *Oxford University Commonwealth Law Journal* 1–28.
- Postema, Gerald J, 'Custom, Normative Practice, and the Law' (2012) 62 *Duke Law Journal* 707–738.

Bibliography

- Pound, Roscoe, 'Common Law and Legislation' (1908) 21(6) *Harvard Law Review* 383–407.
- 'Hierarchy of Sources and Forms in Different Systems of Law' (1933) 7 *Tulane Law Review* 475–487.
- Pronto, Arnold N, "'Human-Rightism" and the Development of General International Law' (2007) 20 *Leiden Journal of International Law* 753–765.
- Rabel, Ernst, 'Rechtsvergleichung und internationale Rechtsprechung' (1927) 1 *Zeitschrift für ausländisches und internationales Privatrecht* 5–47.
- Rachovitsa, Adamantia, 'Fragmentation of International Law revisited: Insights, Good Practices, and Lessons to be learned from the Case Law of the European Court of Human Rights' (2015) 28(4) *Leiden Journal of International Law* 863–885.
- 'The Principle of Systemic Integration in Human Rights Law' (2017) 66(3) *ICLQ* 557–588.
- Radbruch, Gustav, 'Gesetzliches Unrecht und übergesetzliches Recht' (1946) 1(5) *Süddeutsche Juristenzeitung* 105–108.
- Raju, Deepak and Jasari, Blerina, 'Intervention before the International Court of Justice - A Critical Examination of the Court's Recent Decision in *Germany v. Italy*' (2013) 6 *NUJS Law Review* 63–80.
- Rasulov, Akbar, 'Revisiting State Succession to Humanitarian Treaties: Is There a Case for Automaticity?' (2003) 14(1) *EJIL* 141–170.
- 'The Life and Times of the Modern Law of Reservations: the Doctrinal Genealogy of General Comment No. 24' (2009) 14 *Austrian review of international and European law* 105–214.
- Rauber, Jochen, 'On Communitarian and Constitutional Approaches to International Law' (2013) 26 *Leiden Journal of International Law* 201–217.
- Raz, Joseph, 'Legal Principles and the Limits of Law' (1971) 81 *Yale Law Journal* 823–854.
- Reisinger Coracini, Astrid, "'Amended Most Serious Crimes': A New Category of Core Crimes within the Jurisdiction but out of the Reach of the International Criminal Court?" (2008) 21 *Leiden Journal of International Law* 699–718.
- "'What is an International Crime?": A Response to Kevin Jon Heller' [2018] *Harvard International Law Online Symposium* 1–4 (<https://harvardilj.org/wp-content/uploads/sites/15/Coracini-Response.pdf>) accessed 1 February 2023.

- Reisman, William Michael, 'The Cult of Custom in the Late 20th Century' (1987) 17 *California Western International Law Journal* 133–145.
- 'The Other Shoe Falls: The Future of Article 36 (1) Jurisdiction in the Light of Nicaragua' (1987) 81 *AJIL* 166–173.
 - 'Sovereignty and Human Rights in Contemporary International Law' (1990) 84 *AJIL* 866–876.
 - 'Canute Confronts the Tide: States versus Tribunals and the Evolution of the Minimum Standard in Customary International Law' (2015) 30 *ICSID Review* 616–634.
- 'Report by Dr. J. C. Witenberg to the Protection of Private Property Committee' [1930] *International Law Association's Report of the Thirty-Sixth Conference* 301–362.
- 'Report of the Committee on the Progressive Development of International Law and its Codification on the Methods for Encouraging the Progressive Development of International Law and its Eventual Codification, UN Doc. A/AC.10/51, 17 June 1947' (1947) 41 *Supplement AJIL*.
- 'Responsibility of States for Damage done in their Territory to the Person or Property of Foreigners' (1929) 23(2) *AJIL. Supplement* 133–218.
- Reuter, Paul, 'Principes de droit international public' (1961) 103 *RdC* 425–656.
- Rheinstein, Max, 'Book Review Grundsatz und Norm in der richterlichen Fortbildung des Privatrechts: Rechtsvergleichende Beiträage zur Rechtsquellen- und Interpretationslehre (Principle and Norm in the Judicial Development of Private Law: A Comparative Inquiry into the Problems of the Sources of Law and Their Interpretation) by Joseph Esser' (1957) 24(3) *The University of Chicago Law Review* 597–606.
- Rim, Yejoon, 'Reflections on the Role of the International Law Commission in Consideration of the Final Form of Its Work' (2020) 10 *Asian Journal of International Law* 23–37.
- Ripert, Georges, 'Les règles du droit civil applicables aux rapports internationaux: (contribution à l'étude des principes généraux du droit visés au statut de la Cour permanente de justice internationale)' (1933) 44 *RdC* 565–664.
- Risse, Thomas, "'Let's argue!": Communicative Action in World Politics' (2000) 54(1) *International Organization* 1–39.
- Roberts, Anthea, 'Traditional and Modern Approaches to Customary International Law: A Reconciliation' (2001) 95 *AJIL* 757–791.
- 'Traditional and Modern Approaches to Customary International Law: A Reconciliation' (2001) 95 *AJIL* 757–791.

Bibliography

- Roberts, Anthea, 'Power and Persuasion in Investment Treaty Interpretation: The Dual Role of States' (2010) 104 *AJIL* 179–225.
- 'Who killed Article 38(1)(B)? A Reply to Bradley and Gulati' (2010) 21(1) *Duke journal of comparative & international law* 173–190.
 - 'Clash and Paradigms: Actors and Analogies Shaping The Investment Treaty System' (2013) 107 *AJIL* 45–94.
 - 'State-to-State Investment Treaty Arbitration: A Hybrid Theory of Interdependent Rights and Shared Interpretive Authority' (2014) 55(1) *Harvard Journal of International Law* 1–70.
 - 'Investment Treaties: The Reform Matrix' (2018) 112 *AJIL Unbound* 191–196.
- Roberts, Anthea and Sivakumaran, Sandesh, 'Lawmaking by Nonstate Actors: Engaging Armed Groups in the Creation of International Humanitarian Law' (2012) 37(1) *Yale Journal of International Law* 107–152.
- Robinson, Darryl, 'The Identity Crisis of International Criminal Law' (2008) 21 *Leiden Journal of International Law* 925–963.
- Robinson, Darryl and Hebel, Herman von, 'War crimes in internal conflicts: Article 8 of the ICC Statute' (1999) 2 *Yearbook of International Humanitarian Law* 193–209.
- Rodenhäuser, Tilman, 'Squaring the Circle? Prosecuting Sexual Violence against Child Soldiers by their 'Own Forces'' (2016) 14 *JICJ* 171–193.
- Rodley, Nigel S, 'Corporate Nationality and the Diplomatic Protection of Multinational Enterprises: The Barcelona Traction Case' (1971) 47(1) *Indiana Law Journal* 70–86.
- Root, Elihu, 'The Basis of Protection to Citizens Residing Abroad' (1910) 4(3) *AJIL* 517–528.
- 'The Outlook for International Law' (1915) 9 *Proceedings of the American Society of International Law at Its Annual Meeting* 2–11.
- Rosenne, Shabtai, 'The International Law Commission, 1949-59' (1960) 36 *BYIL* 104–173.
- Rosetti, Luca Poltronieri, 'Intra-party sexual crimes against child soldiers as war crimes in Ntaganda. 'Tadic moment' or unwarranted exercise of judicial activism?' [2019] *Questions of International Law* 49–68.
- Roxin, Claus, 'Straftaten im Rahmen organisatorischer Machtapparate' [1963] (7) *Goldammer's Archiv für Strafrecht* 193–207.
- Ruda, José Maria, 'The Opinions of Judge Dionisio Anzilotti at the Permanent Court of International Justice' (1992) 3(1) *EJIL* 100–122.

- Ruggie, John Gerard, 'What Makes the World Hang Together? Neo-Utilitarianism and the Social Constructivist Challenge' (1998) 52(4) *International Organization* 855–885.
- Ryngaert, Cedric MJ and Hora Siccama, Duco W, 'Ascertaining Customary International Law: An Inquiry into the Methods Used by Domestic Courts' (2018) 65 *Netherlands International Law Review* 1–25.
- Sacerdoti, Giorgio, 'Bilateral treaties and multilateral instruments on investment protection' (1997) 269 *RdC* 251–455.
- Sadat, Leila Nadya, 'Custom, Codification and some thoughts about the relationship between the two: Article 10 of the ICC Statute' (2000) 49(4) *DePaul Law Review* 903–923.
- Sadat, Leila Nadya and Jolly, Jarrod M, 'Seven Canons of ICC Treaty Interpretation: Making Sense of Article 25's Rorschach Blot' (2014) 27 *Leiden Journal of International Law* 775–788.
- Salacuse, Jeswald W, 'The Treatification of International Investment Law' (2007) 13 *Law and Business Review of the Americas* 155–166.
- Saleilles, Raymond, 'L'École historique et droit naturel' (1902) 1 *Revue trimestrielle de droit civil* 80 et seq.
- Sales, Philip, 'Rights and Fundamental Rights in English Law' (2016) 75(1) *Cambridge Law Journal* 86–108.
- Sands, Philippe, 'Treaty, Custom and the Cross-fertilization of International Law' (1998) 1(1) *Yale Human Rights and Development Journal* 85–105.
- Sanger, Andrew, 'State Immunity and the Right of Access to a Court Under the EU Charter of Fundamental Rights' (2016) 65(1) *ICLQ* 213–228.
- Saurer, Johannes, 'Die Hart-Dworkin-Debatte als Grundlagenkontroverse der angloamerikanischen Rechtsphilosophie: Versuch einer Rekonstruktion nach fünf Jahrzehnten' (2012) 98 *Archiv für Rechts- und Sozialphilosophie* 112–127.
- Scelle, Georges, 'Règles générales du droit de la paix' (1933) 46 *RdC* 327–703.
- Schaack, Beth van, 'Mapping War Crimes in Syria' (2016) 92 *International Law Studies* 282–339.
- Schachter, Oscar, 'International Law in Theory and Practice: general course in public international law' (1982) 178 *RdC* 9–395.
- Schill, Stephan W, 'Internationales Investitionsschutzrecht und Vergleichendes Öffentliches Recht: Grundlagen und Methode eines öffentlich-rechtlichen Leitbildes für die Investitionsschiedsgerichtsbarkeit' (2011) 71 *ZaöRV* 247–289.

- Schill, Stephan W, 'Cross-Regime Harmonization through Proportionality Analysis: The Case of International Investment Law, the Law of State Immunity and Human Rights' (2012) 27(1) ICSID Review 87–119.
- 'Editorial' (2014) 15(1-2) Journal of World Investment & Trade 1–11.
 - 'From Sources to Discourse: Investment Treaty Jurisprudence as the New Custom?' [2016] BIICL 16th Investment Treaty Forum Public Conference <https://www.biicl.org/files/5630_stephan_schill.pdf> accessed 1 February 2023.
- Schill, Stephan W and Briese, Robyn, "'If the State Considers": Self-Judging Clauses in International Dispute Settlement' (2009) 13 Max Planck Yearbook of International Law 61–140.
- Schill, Stephan W and Tvede, Katrine R, 'Mainstreaming Investment Treaty Jurisprudence The Contribution of Investment Treaty Tribunals to the Consolidation and Development of General International Law' (2015) 14 The Law and Practice of International Courts and Tribunals 94–129.
- Schlesinger, Rudolf B, 'Research on the General Principles of Law Recognized by Civilized Nations' (1957) 51(4) AJIL 734–753.
- Schlochauer, Hans-Jürgen, 'Die Theorie des abus de droit im Völkerrecht' (1933) 17 Zeitschrift für Völkerrecht 373.
- School, Harvard Law, 'Codification of International Law: Part II: Legal Position and Functions of Consuls' (1932) 26 AJIL. Supplement 189–450.
- Schreuer, Christoph, 'Recommendations and the Traditional Sources of International Law' (1977) 20 German Yearbook of International Law 103–118.
- 'Investment Arbitration - A Voyage of Discovery' (2005) 5(2) Transnational Dispute Management 73–77.
- Schultz, Thomas, 'The Concept of Law in Transnational Arbitral Legal Orders and some of its Consequences' (2011) 2(1) JIDS 59–85.
- Schwarzenberger, Georg, 'The fundamental principles of international law' (1955) 87 RdC 191–385.
- 'The Standard of Civilisation in International Law' (1955) 8(1) Current Legal Problems 212–234.
 - 'The Abs-Shawcross Draft Convention on Investments Abroad; a Critical Commentary' (1960) 9 Journal of Public Law 147–171.
- Schwebel, Stephen M, 'The Influence of Bilateral Investment Treaties on Customary International Law' (2004) 98 Proceedings of the American Society of International Law at Its Annual Meeting 27–30.

- Schweisfurth, Theodor, 'Das Völkergewohnheitsrecht - verstärkt im Blickfeld der sowjetischen Völkerrechtslehre' (1987) 30 *German Yearbook of International Law* 36–77.
- Scobbie, Iain GM, 'The Theorist as Judge: Hersch Lauterpacht's Concept of the International Judicial Function' (1997) 2 *EJIL* 264–298.
- Scott, James Brown, 'The Declaration of London of February 26, 1909: a collection of official papers and documents relating to the International Naval Conference held in London, December, 1908 - February, 1909' (1914) 8(2) *AJIL* 274–329.
- Seagle, William, 'Rudolf von Jhering: Or Law as a Means to an End' (1945) 13(1) *The University of Chicago Law Review* 71–89.
- Seidl-Hohenveldern, Ignaz, 'Review of Customary International Law and Treaties' (1987) 38 *Österreichische Zeitschrift für Öffentliches Recht und Völkerrecht* 217–218.
- Shaffer, Gregory, 'How Business Shapes Law: A Socio-Legal Framework' (2009) 42(1) *Connecticut Law Review* 147–183.
- Shaffer, Gregory and Ginsburg, Tom, 'The empirical turn in international legal scholarship' (2012) 106 *AJIL* 1–46.
- Shahabuddin, Mohammad, 'The 'standard of civilization' in international law: Intellectual perspectives from pre-war Japan' (2019) 32 *Leiden Journal of International Law* 13–32.
- Shany, Yuval, 'No Longer a Weak Department of Power? Reflections on the Emergence of a New International Judiciary' (2009) 20(1) *EJIL* 73–91.
- Shao, Xuan, 'What We Talk about When We Talk about General Principles of Law' (2021) 20 *Chinese Journal of International Law* 219–255.
- Shen, Quinmin, 'Methodological Flaws in the ILC's Study on Exceptions to Immunity Ratione Materiae of State Officials from Foreign Criminal Jurisdiction' (2018) 112 *AJIL Unbound* 9–15.
- Sheppard, Daniel, 'The International Criminal Court and "Internationally Recognized Human Rights": Understanding Article 21 (3) of the Rome Statute' (2010) 10(1) *International Criminal Law Review* 43–71.
- Silberman, Linda J, 'The Hague Convention on Child Abduction and Unilateral Relocations by Custodial Parents: A Perspective from the United States and Europe - Abbott, Neulinger, Zarraga' (2011) 63 *Oklahoma Law Review* 733–749.
- Simma, Bruno, 'Reflections on article 60 of the Vienna convention on the law of treaties and its background in general international law' (1970) 20 *Österreichische Zeitschrift für öffentliches Recht* 5–83.

Bibliography

- Simma, Bruno, 'Völkerrechtswissenschaft und Lehre von den internationalen Beziehungen: Erste Überlegungen zur Interdependenz zweier Disziplinen' (1972) 23 *Zeitschrift für öffentliches Recht* 293–324.
- 'Self-contained regimes' (1985) 16 *Netherlands Yearbook of International Law* 112–136.
 - 'A Hard Look at Soft Law' (1988) 82 *Proceedings of the American Society of International Law at Its Annual Meeting* 377–381.
 - 'Editorial' (1992) 3 *EJIL* 215–218.
 - 'From bilateralism to community interest in international law' (1994) 250 *RdC* 217–384.
 - 'The Contribution of Alfred Verdross to the Theory of International Law' (1995) 6 *EJIL* 33–54.
 - 'Fragmentation in a Positive Light' (2004) 25(4) *Michigan Journal of International Law* 845–847.
 - 'Foreign Investment Arbitration: A Place For Human Rights?' (2011) 60(3) *ICLQ* 573–597.
- Simma, Bruno and Alston, Philip, 'The Sources of Human Rights Law: Custom, Jus Cogens, and General Principles' (1988) 12 *Australian Yearbook of International Law* 82–108.
- Simma, Bruno and Paulus, Andreas L, 'The Responsibility of Individuals for Human Rights Abuses in Internal Conflicts: A Positivist View' (1999) 93 *AJIL* 302–316.
- Simma, Bruno and Pulkowski, Dirk, 'Of Planets and the Universe: Self-contained Regimes in International Law' (2006) 17 *EJIL* 483–529.
- Slaughter, Anne-Marie, Tulumello, Andrew S, and Wood, Stepan, 'International Law and International Relations Theory: A New Generation of Interdisciplinary Scholarship' (1998) 92 *AJIL* 367–397.
- Sloane, Robert D, 'Breaking the Genuine Link: The Contemporary International Legal Regulation of Nationality' (2009) 50(1) *Harvard International Law Review* 1–60.
- 'On the Use and Abuse of Necessity in the Law of State Responsibility' (2012) 106 *AJIL* 447–508.
- Sørensen, Max, 'Principes de droit international public: cours général' (1960) 101 *RdC* 1–254.
- Sornarajah, Muthucumaraswamy, 'The Myth of International Contract Law' (1981) 15 *Journal of World Trade Law* 187–217.
- Souza Dias, Talita de, 'The Retroactive Application of the Rome Statute in Cases of Security Council Referrals and Ad hoc Declarations: An

- Appraisal of the Existing Solutions to an Under-discussed Problem' (2018) 16 JICJ 65–89.
- 'The Nature of the Rome Statute and the Place of International Law before the International Criminal Court' (2019) 17 JICJ 507–535.
- Spiermann, Ole, 'Who attempts too much does nothing well': The 1920 Advisory Committee of Jurists and the Statute of the Permanent Court of International Justice' (2003) 73 BYIL 187–260.
- Spinedi, Marina, 'From one Codification to another: Bilateralism and Multilateralism in the Genesis of the Codification of the Law of Treaties and the Law of State Responsibility' (2002) 13(5) EJIL 1099–1125.
- Starck, Christian, 'Die Bindung des Richters an Gesetz und Verfassung' (1976) 34 Veröffentlichungen der Vereinigung der Deutschen Staatsrechtslehrer 43–93.
- Stern, Brigitte, 'La succession d 'États' (1996) 262 RdC 9–437.
- 'Custom at the heart of international law' (Byers, Michael and Denise, Anne trs (2001) 11 Duke Journal of Comparative & International Law 89–108.
 - 'Et si on utilisait le concept de préjudice juridique?: retour sur une notion délaissée à l'occasion de la fin des travaux de la C. D. I. sur la responsabilité des états' (2001) 47 Annuaire français de droit international 3–44.
- Stewart, James G, 'The End of Modes of Liability for International Crimes' (2012) 25(1) Leiden Journal of International Law 165–219.
- Stoll, Peter-Tobias, 'Continental Shelf' [2008] Max Planck EPIL.
- 'International Investment Law and the Rule of Law' (2018) 9 Goettingen Journal of International Law 267–292.
- Stone, Harlan F, 'The Common Law in the United States' (1936) 50(1) Harvard Law Review 4–26.
- Stone, Julius, 'Problems Confronting Sociological Enquiries Concerning International Law' (1956) 89 RdC 61–175.
- 'On the Vocation of the International Law Commission' (1957) 57(1) Columbia Law Review 16–51.
 - 'Non Liqueur and the Function of Law in the International Community' (1959) 35 BYIL 124–161.
- Stone Sweet, Alec and Della Cananea, Giacinto, 'Proportionality, General Principles of Law, and Investor-State Arbitration: a Response to José Alvarez' (2014) 46(3) NYU JILP 911–954.
- Šturma, Pavel, 'State Succession in Respect of International Responsibility' (2016) 48 The George Washington International Law Review 653–678.

Bibliography

- Swaine, Edward T, 'Bespoke Custom' (2010) 21 *Duke Journal of Comparative & International Law* 207–220.
- Talmon, Stefan, 'Jus Cogens after Germany v. Italy: Substantive and Procedural Rules Distinguished' (2012) 25 *Leiden Journal of International Law* 979–1002.
- 'Determining Customary International Law: the ICJ's Methodology between Induction, Deduction and Assertion' (2015) 26(2) *EJIL* 417–443.
- Tammes, Arnold Jan Pieter, 'Codification of International Law in the International Law Commission' (1975) 22(3) *Netherlands International Law Review* 319–326.
- Tams, Christian J, 'Die Zweite Haager Konferenz und das Recht der friedlichen Streitbeilegung' (2007) 82 *Friedenswarte* 119–138.
- 'Meta-Custom and the Court: A Study in Judicial Law-Making' (2015) 14 *The Law and Practice of International Courts and Tribunals* 51–79.
- Tasioulas, John, 'In Defense of Relative Normativity: Communitarian Values and the Nicaragua Case' (1996) 16(1) *Oxford Journal of Legal Studies* 85–128.
- Teubner, Gunther, 'Breaking Frames: The Global Interplay of Legal and Social Systems' (1997) 45(1) *American Journal of Comparative Law* 149–169.
- 'Legal Irritants: Good Faith in British Law or How Unifying Law Ends up in New Divergences' (1998) 61(1) *The Modern Law Review* 11–32.
- Teubner, Gunther and Fischer-Lescano, Andreas, 'Regime-Collisions: The Vain Search for Legal Unity in the Fragmentation of Global Law' (2004) 25 *Michigan Journal of International Law* 999–1046.
- Thierry, Hubert, 'The Thoughts of Georges Scelle' (1990) 1 *EJIL* 139–209.
- Thirlway, Hugh W, 'Human Rights in Customary Law: An Attempt to Define Some of the Issues' (2015) 28(3) *Leiden Journal of International Law* 495–506.
- Thürer, Daniel and Burri, Thomas, 'Self-Determination' [2008] *Max Planck EPIL*.
- Tietje, Christian, 'Recht ohne Rechtsquellen? Entstehung und Wandel von Völkerrechtsnormen im Interesse des Schutzes globaler Rechtsgüter im Spannungsverhältnis von Rechtssicherheit und Rechtsdynamik' (2003) 24 *Zeitschrift für Rechtssoziologie* 27–42.
- Tladi, Dire, 'The Duty on South Africa to Arrest and Surrender President Al-Bashir Under South African and International Law: a Perspective from International Law' (2015) 13(5) *JICJ* 1027–1047.

- ‘The International Law Commission’s Recent Work on Exceptions to Immunity: Charting the Course for a brave new world in international law?’ (2019) 32 *Leiden Journal of International Law* 169–187.
- Tomka, Peter, ‘Fisheries Jurisdiction Cases (United Kingdom v Iceland; Federal Republic of Germany v Iceland)’ [2007] *Max Planck EPIL*.
- ‘Custom and the International Court of Justice’ (2013) 12(2) *The law and practice of international courts and tribunals* 195–216.
- Tomlinson, Edward A, ‘Tort Liability in France for the Act of Things: A Study of Judicial Lawmaking’ (1988) 48(6) *Louisiana Law Review* 1299–1367.
- Tomuschat, Christian, ‘Obligations Arising For States Without Or Against Their Will’ [1993] (241) *RdC* 195–374.
- ‘Die internationale Gemeinschaft’ (1995) 33(1-2) *Archiv des Völkerrechts* 1–20.
- ‘International law: ensuring the survival of mankind on the eve of a new century: general course on public international law’ (1999) 281 *RdC* 9–438.
- Tunkin, Grigory Ivanovich, ‘Co-existence and international law’ (1958) 85 *RdC* 1–81.
- ‘General International Law Customary Law Only?’ (1993) 4 *EJIL* 534–541.
- ‘Is General International Law Customary International Law only?’ (1993) 4 *EJIL* 534–541.
- Tyagi, Yogesh, ‘The Denunciation of Human Rights Treaties’ (2008) 79 *BYIL* 86–193.
- Vagts, Detlev F, ‘International Law in the Third Reich’ (1990) 84 *American Journal of International Law* 661–704.
- ‘International Relations Looks at Customary International Law: A Traditionalist’s Defence’ (2004) 15(5) *EJIL* 1031–1040.
- Vandevelde, Kenneth J, ‘U.S. Bilateral Investment Treaties: The Second Wave’ (1993) 14(4) *Michigan Journal of International Law* 621–704.
- Vasciannie, Stephen, ‘The Fair and Equitable Treatment Standard in International Investment Law and Practice’ (1999) 70 *BYIL* 99–164.
- Veeder, VV, ‘The Lena Goldfields Arbitration: The historical roots of three ideas’ (1998) 47 *ICLQ* 747–792.
- Ventura, Manuel J, ‘Escape from Johannesburg?: Sudanese President Al-Bashir Visits South Africa, and the Implicit Removal of Head of State Immunity by the UN Security Council in light of Al-Jedda’ (2015) 13(5) *JICJ* 995–1025.

Bibliography

- Verdross, Alfred, 'Règles générales du droit international de la paix' (1929) 30 RdC 271–517.
- 'Les principes généraux de droit comme source du droit des gens' (1932) 37 *Institute de Droit International Annuaire* 283–298.
 - 'Les principes généraux du droit dans la jurisprudence Internationale' (1935) 52 RdC 191–251.
 - 'Forbidden Treaties in International Law' (1937) 31 *AJIL* 571–577.
 - 'General International Law and the United Nations Charter' (1954) 30(3) *International Affairs* 342–348.
 - 'Die Sicherung von ausländischen Privatrechten aus Abkommen zur wirtschaftlichen Entwicklung mit Schiedsklauseln' (1957) 18 *ZaöRV* 635–647.
 - 'Entstehungsweisen und Geltungsgrund des universellen völkerrechtlichen Gewohnheitsrechts' (1969) 29 *ZaöRV* 635–653.
- Verhoeven, Johan, 'Article 21 of the Rome Statute and the ambiguities of applicable law' (2002) 22 *Netherlands Yearbook of International Law* 2–22.
- Vermeer-Künzli, Annemarieke, 'As If: The Legal Fiction in Diplomatic Protection' (2007) 18(1) *EJIL* 37–68.
- Vidmar, Jure, 'Some Observations on Wrongfulness, Responsibility and Defences in International Law' (2016) 63 *Netherlands International Law Review* 335–353.
- Villalpando, Santiago, 'Codification Light: A New Trend in the Codification of International Law at the United Nations' (2013) 2 *Anuário Brasileiro de Direito Internacional = Brazilian Yearbook of International Law* 117–155.
- Villiger, Mark E, 'The 1969 Vienna Convention on the Law of Treaties: 40 Years After' (2009) 344 RdC 9–192.
- Visscher, Charles de, 'Contribution à l'étude des sources du droit international' (1933) 14 *Revue de Droit International et de Legislation Comparee* 395–420.
- Vitanyi, Béla, 'La signification de la "généralité" des principes de droit' (1976) 80 *RGDIP* 536–545.
- 'Les Positions Doctrinales Concernant Le Sens de la Notion de "Principes généraux de Droit Reconnus Par Les Nations Civilisées"' (1982) *LXXXVI RGDIP* 48–116.
- Voigt, Christina, 'The Role of General Principles in International Law and their Relationship to Treaty Law' (2008) 31 *Retfærd. Nordisk Juridisk Tidsskrift* 3–25.

- Volkovitsch, Michael John, 'Righting wrongs: toward a new theory of state succession to responsibility for international delicts' (1992) 92(8) *Columbia Law Review* 2162–2214.
- Voulgaris, Nikolaos, 'The International Law Commission and Politics: Taking the Science Out of International Law's Progressive Development' (2022) 33(3) *EJIL* 761–788.
- Voyiakis, Emmanuel, 'Do General Principles Fill 'Gaps' in International Law?' (2009) 14 *Austrian Review of International and European Law* 239–256.
- 'Customary International Law and the Place of Normative Considerations' (2010) 55 *American Journal of Jurisprudence* 163–200.
- Walden, Raphael M, 'The Subjective Element in the Formation of Customary International Law' (1977) 12 *Israel Law Review* 344–364.
- Waldock, Humphrey, 'General course on public international law' (1962) 106 *RdC*.
- Waldron, Jeremy, 'Custom Redeemed by Statute' (1998) 51(1) *Current Legal Problems* 93–114.
- 'Foreign Law and the Modern *Ius Gentium*' (2005) 119(1) *Harvard Law Review* 129–147.
- Walker, Lara, 'The Impact of the Hague Abduction Convention on the Rights of the Family in the Case-Law of the European Court of Human Rights and the UN Human Rights Committee: The Danger of Neulinger' (2010) 6(3) *Journal of Private International Law* 649–682.
- Watson, Alan, 'Legal Change: Sources of Law and Legal Culture' (1983) 131 *University of Pennsylvania Law Review* 1121–1157.
- Watts, Arthur, 'Codification and Progressive Development of International Law' [2006] *Max Planck EPIL*.
- Weigend, Thomas, 'Perpetration through an Organization: The Unexpected Career of a German Legal Concept' (2011) 9(1) *JICJ* 91–111.
- Weil, Prosper, 'Towards Relative Normativity in International Law' (1983) 77 *AJIL* 413–442.
- 'Le droit international en quête de son identité: cours général de droit international public' (1992) 237 *RdC* 11–370.
- Weiler, Joseph HH, 'The Geology of International Law - Governance, Democracy and Legitimacy' (2004) 64 *ZaöRV* 547–562.
- Weinberger, Sheila, 'The Wimbledon Paradox and the World Court: Confronting inevitable conflicts between conventional and customary international law' (1996) 10 *Emroy International Law Review* 397–440.

Bibliography

- Wendt, Alexander, 'The Agent-Structure Problem in International Relations Theory' (1987) 41(3) *International Organization* 335–370.
- 'Anarchy is what States Make of it: The Social Construction of Power Politics' (1992) 46(2) *International Organization* 391–425.
 - 'Collective Identity Formation and the International State' (1994) 88(2) *American Political Science Review* 384–396.
- Wet, Erika de, 'Referrals to the International Criminal Court under Chapter VII of the United Nations Charter and the Immunity of Foreign State Officials' (2018) 112 *AJIL Unbound* 33–37.
- Wilde, Ralph, 'Human Rights Beyond Borders at the World Court: The Significance of the International Court of Justice's Jurisprudence on the Extraterritorial Application of International Human Rights Law Treaties' (2013) 12 *Chinese Journal of International Law* 639–677.
- Wildhaber, Luzius, 'The European Court of Human Rights: The Past, The Present, The Future' (2007) 22 *American University International Law Review* 521–538.
- Williams, John Fischer, 'International Law and the Property of Aliens' (1928) 9 *BYIL* 1–30.
- Williams, Robert F, 'Statutes as Sources of Law Beyond their Terms in Common-Law Cases' (1982) 50(4) *The George Washington Law Review* 554–600.
- Wood, Michael, 'The International Tribunal for the Law of the Sea and General International Law' (2007) 22 *International Journal of Marine and Coastal Law* 351–367.
- 'What Is Public International Law? The Need for Clarity about Sources' (2011) 1(2) *Asian Journal of International Law* 205–216.
 - 'The present position within the ILC on the topic 'Identification of customary international law': in partial response to Sienho Yee, Report on the ILC Project on 'Identification of Customary International Law'' (2016) 15(1) *Chinese Journal of International Law* 3–15.
 - 'Customary international law and general principles of law' (2019) 21(3-4) *International Community Law Review* 307–324.
- Worster, William Thomas, 'The Inductive and Deductive Methods in Customary International Law Analysis: Traditional and Modern Approaches' (2014) 45(2) *Georgetown journal of international law* 445–521.
- 'Nottebohm and 'Genuine Link': Anatomy of a Jurisprudential Illusion' [2019] *Investment Migration Working Papers* <<https://investmentmigration.org/wp-content/uploads/2020/10/IMC-RP-2019-1-Peter-Spiro.pdf>> accessed 1 February 2023.

- ‘Reining in the Nottebohm Case’ [2022] SSRN <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4148804> accessed 1 February 2023.
- Wuerth, Ingrid Brunk, ‘Pinochet’s Legacy Reassessed’ (2012) 106(4) AJIL 731–768.
- Xiouri, Maria, ‘Problems in the Relationship between the Termination or Suspension of a Treaty on the Ground of Its Material Breach and Counter-measures’ (2015) 6 Queen Mary Law Journal 63–76.
- Yanagihara, Masaharu, ‘Significance of the History of the Law of Nations in Europe and East Asia’ (2014) 371 RdC 273–435.
- Yasuaki, Onuma, ‘A Transcivilized Perspective on International Law Questioning Prevalent Cognitive Frameworks in the Emerging Multi-Polar and Multi-Civilizational World of the Twenty-First Century’ (2009) 342 RdC 77–418.
- Yee, Sienho, ‘Arguments for Cleaning Up Article 38 (1) b) and (1) c) of the ICJ Statute’ (2007) 4 Romanian Journal of International Law 33–51.
- ‘Report on the ILC Project on "Identification of Customary International Law"' (2015) 14(2) Chinese Journal of International Law 375–398.
- ‘A Reply to Sir Michael Wood’s Response to AALCOIEG’s Work and My Report on the ILC Project on Identification of Customary International Law’ (2016) 15(1) Chinese Journal of International Law 33–40.
- ‘Article 38 of the ICJ Statute and Applicable Law: Selected Issues in Recent Cases’ (2016) 7 JIDS 472–498.
- ‘AALCO Informal Expert Group’s Comments on the ILC Project on "Identification of Customary International Law": A Brief Follow-up’ (2018) 17(1) Chinese Journal of International Law 187–194.
- Yoshino, Kenji, ‘The New Equal Protection’ (2011) 124 Harvard Law Review 747–803.
- Young, Ernest A, ‘Foreign Law and the Denomination Problem’ (2005) 119(1) Harvard Law Review 148–167.
- Young, Margaret A, ‘The WTO’s Use of Relevant Rules of International Law: an Analysis of the Biotech Case’ (2007) 56(4) ICLQ 907–930.
- Yusuf, Abdulqawi A, ‘Pan-Africanism and International Law’ (2013) 369 RdC 161–359.
- Zegveld, Liesbeth, ‘The Bouterse Case’ (2001) 32 Netherlands Yearbook of International Law 97–118.
- Zemanek, Karl, ‘The United Nations and the Law of Outer Space’ (1965) 19 The Year Book of World Affairs 199–222.
- ‘The Legal Foundations of the International Legal System’ (1997) 266 RdC 9–336.

Bibliography

- Zimmermann, Andreas, 'Amending the Amendment Provisions of the Rome Statute: The Kampala Compromise on the Crime of Aggression and the Law of Treaties' (2012) 10 JICJ 209–227.
- 'Internationaler Strafgerichtshof am Scheideweg' [2022] *JuristenZeitung* 261–266.
- Zimmermann, Andreas and Şener, Meltem, 'Chemical Weapons and the International Criminal Court' (2014) 108 *American Journal of International Law* 436–448.
- Zwanenburg, Marten and Dekker, Guido den, 'Introductory Note to European Court of Human Rights: van Anraat vs. the Netherlands' (2010) 49 *ILM* 1268–1269.

Treaties

- Agreement between the Government of the French Republic and the Government of the Republic of Argentina on the Encouragement and Reciprocal Protection of Investments (signed 3 July 1991, entered into force 3 March 1993) 1728 UNTS 281.
- Agreement between the United States of America, the United Mexican States, and Canada (signed 30 November 2018, entered into force 1 July 2020) Office of the United States Trade Representative.
- Agreement for the Prosecution and Punishment of Major War Criminals of the European Axis, and establishing the Charter of the International Military Tribunal (signed 8 August 1945, entered into force 8 August 1945) 82 UNTS 279.
- Charter of the United Nations (signed 26 June 1945, entered into force 24 October 1945) 1 UNTS 16.
- Comprehensive and Progressive Agreement for Trans-Pacific Partnership (signed 18 May 2018, entered into force 30 December 2018) Australian Government Department of Foreign Affairs and Trade.
- Comprehensive Economic and Trade Agreement between Canada, of the One Part, and the European Union and Its Member States, of the Other Part (signed 29 February 2016) 60 *Official Journal of the European Union* (2017) 23.
- Convention (II) with Respect to the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land (signed 29 July 1899, entered into force 4 September 1900) 32 *Stat* 1803.

- Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land (signed 18 October 1907, entered into force 26 January 1910) 2 AJIL Supp 90.
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (signed 10 December 1984, entered into force 26 June 1987) 1465 UNTS 85.
- Convention for the Protection of Human Rights and Fundamental Freedoms (signed 4 November 1950, entered into force 3 September 1953) 213 UNTS 221.
- Convention on Asylum (signed 20 February 1928, entered into force 21 May 1929) OAS Official Records, OEA/SerX/I Treaty Series 34.
- Convention on Certain Questions Relating to the Conflict of Nationality Law (signed 13 April 1930, entered into force 1 July 1937) 179 UNTS 89.
- Convention on Consular Agents (signed 20 February 1928, entered into force 3 September 1929) OAS Law and Treaty Series No 34.
- Convention on Fishing and Conservation of the Living Resources of the High Seas (signed 29 April 1958, entered into force 20 March 1966) 559 UNTS 205.
- Convention on the Civil Aspects of International Child Abduction (signed 25 October 1980, entered into force 1 December 1983) 1343 UNTS 89.
- Convention on the Continental Shelf (signed 29 April 1958, entered into force 10 June 1964) 499 UNTS 311.
- Convention on the High Seas (signed 29 April 1958, entered into force 30 September 1962) 450 UNTS 11.
- Convention on the Law of the Non-Navigational Uses of International Watercourses (signed 21 May 1997, entered into force 17 August 2014) (1997) 36 ILM 700.
- Convention on the Prevention and Punishment of the Crime of Genocide (signed 9 December 1948, entered into force 12 January 1951) 78 UNTS 277.
- Convention on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction (signed 10 April 1972, entered into force 26 May 1975) 1015 UNTS 163.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (signed 3 September 1992, entered into force 29 April 1997) 1975 UNTS 45.

Bibliography

- Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (signed 18 September 1997, entered into force 1 March 1999) 2056 UNTS 211.
- Convention on the settlement of investment disputes between States and nationals of other States (signed 18 March 1965, entered into force 14 October 1966) 575 UNTS 159.
- Convention on the Territorial Sea and the Contiguous Zone (signed 29 April 1958, entered into force 10 September 1964) 516 UNTS 205.
- Council of Europe Convention on Action against Trafficking in Human Beings (signed 16 May 2005, entered into force 1 February 2008) CETS 197.
- European Convention on State Immunity (signed 16 May 1972, entered into force 11 June 1976) 1495 UNTS 181.
- General Agreement on Tariffs and Trade (signed 30 October 1947, entered into force 1 January 1948) 55 UNTS 187.
- Geneva Convention for the amelioration of the condition of the wounded and sick in armed forces in the field (signed 12 August 1949, entered into force 21 October 1950) 75 UNTS 31.
- Geneva Convention for the amelioration of the condition of the wounded, sick and shipwrecked members of the armed forces at sea (signed 12 August 1949, entered into force 21 October 1950) 75 UNTS 85.
- Geneva Convention relative to the protection of civilian persons in time of war (signed 12 August 1949, entered into force 21 October 1950) 75 UNTS 287.
- Geneva Convention relative to the protection of civilian persons in time of war (signed 27 July 1929, entered into force 19 June 1931) 118 LNTS 343.
- Geneva Convention, relative to the treatment of prisoners of war (signed 12 August 1949, entered into force 21 October 1950) 75 UNTS 135.
- Havana Charter for an International Trade Organization (signed 24 March 1984) United Nations Conference on Trade and Employment, Final Act and Related Documents, E/CONF2/78.
- International Covenant on Civil and Political Rights (signed 16 December 1966, entered into force 23 March 1976) 999 UNTS 171.
- International Covenant on Economic, Social and Cultural Rights (signed 16 December 1966, entered into force 3 January 1976) 993 UNTS 3.
- North American Free Trade Agreement (signed 17 December 1992, entered into force 1 January 1994) 32 ILM (1993) 289.
- Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the protection of victims of non-international armed conflicts

- (Protocol II) (signed 8 June 1977, entered into force 7 December 1978) 1125 UNTS 609.
- Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I) (signed 8 June 1977, entered into force 7 December 1978) 1125 UNTS 3.
- Protocol for the prohibition of the use in war of asphyxiating, poisonous or other gases, and of bacteriological methods of warfare (signed 17 June 1925, entered into force 9 May 1926) 94 LNTS 65.
- Protocol of Signature relating to the Statute of the Permanent Court of International Justice provided for by Article 14 of the Covenant of the League of Nations (signed 16 December 1920, entered into force 1 September 1921) 6 LNTS 379.
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (signed 15 November 2000, entered into force 25 December 2003) 2237 UNTS 319.
- Rome Statute of the International Criminal Court (signed 17 July 1998, entered into force 1 July 2002) 2187 UNTS 3.
- Slavery Convention (signed 25 September 1926, entered into force 9 March 1927) 60 LNTS 254.
- Statute of the River Uruguay (signed 26 February 1975, entered into force 18 September 1976) 1295 UNTS 331.
- Treaty between the Federal Republic of Germany and Pakistan for the Promotion and Protection of Investments (signed 25 November 1959, entered into force 28 April 1962) 457 UNTS 23.
- Treaty between the United States and other Powers Providing for the Renunciation of War as an Instrument of National Policy (Briand-Kellogg Pact) (signed 27 October 1928, entered into force 25 July 1929) 94 LNTS 57.
- Treaty between the United States of America and the Argentine Republic concerning the reciprocal encouragement and protection of investment (signed 14 November 1991, entered into force 20 October 1994) (1992) 31 ILM 124.
- Treaty of Amity, Economic Relations, and Consular Rights between Iran and the United States of America (signed 15 August 1955, entered into force 16 June 1957) 248 UNTS 93.
- Treaty of Peace with Germany (Treaty of Versailles) (signed 28 June 1919, entered into force 10 January 1920) 225 Parry 188.

Bibliography

- United Nations Convention against Transnational Organized Crime (signed 15 November 2000, entered into force 25 December 2003) 2225 UNTS 209.
- United Nations Convention on Jurisdictional Immunities of States and Their Property (signed 2 December 2004) UN Doc A/RES/59/38.
- United Nations Convention on the Law of the Sea (signed 10 December 1982, entered into force 16 November 1994) 1833 UNTS 3.
- US – Mexico Claims Convention of 8 September 1923 (signed 8 September 1923, entered into force 19 February 1924) 68 UNTS 459.
- Vienna Convention on Consular Relations (signed 24 April 1963, entered into force 19 March 1967) 596 UNTS 261.
- Vienna Convention on Diplomatic Relations (signed 18 April 1961, entered into force 24 April 1964) 500 UNTS 95.
- Vienna Convention on the Law of Treaties (signed 23 May 1969, entered into force 27 January 1980) 1155 UNTS 331.

Permanent Court of International Justice

- Case Concerning the Factory at Chorzow: Germany v Poland* Judgment of 26 July 1927 [1927] PCIJ Series A 09.
- Case Concerning the Factory at Chorzow: Germany v. Poland* Judgment of 13 September 1928 [1928] PCIJ Series A 17.
- Case Concerning the Payment in Gold of Brazilian Federal Loans Contracted in France: France v The United States of Brazil* Judgment of 12 July 1929 [1929] PCIJ Series A 21.
- Case Concerning the Payment of Various Serbian Loans Issued in France: France v Kingdom of the Serbs, Croats, and Slovenes* Judgment of 12 July 1929 [1929] PCIJ Series A 20.
- Certain German Interests in Polish Upper Silesia: Germany v. Poland* Judgment [1926] PCIJ Series A 07.
- Diversion of Water from the Meuse: Netherlands v. Belgium* Merits [1937] PCIJ Series A/B 70.
- Electricity Company of Sofia and Bulgaria: Belgium v Bulgaria* Judgment of 4 April 1939 Preliminary Objection [1939] PCIJ Series A/B 77.
- Interpretation of Article 3, Paragraph 2, of the Treaty of Lausanne: Advisory Opinion of 21 November 1925* [1925] PCIJ Series B 12.
- Legal Status of Eastern Greenland: Denmark v Norway* Judgment of 5 April 1933 [1933] PCIJ Series A/B 53.

- Lighthouse Case between France and Greece: France v Greece* Judgment of 17 March 1934 [1934] PCIJ Series A/B 62.
- Mavrommatis Palestine Concessions: Greece v. The United Kingdom* Judgment of 30 August 1924 [1924] PCIJ Series A 02.
- Minority Schools in Albania* Advisory Opinion of 6 April 1935 [1935] PCIJ Series A/B 64.
- Oscar Chinn* Judgment of 12 December 1934 [1934] PCIJ Series A/B 63.
- Rights of Minorities in Upper Silesia (Minority Schools): Germany v. Poland* Judgment of 26 April 1928 [1928] PCIJ Series A 15.
- The Case of SS Lotus: France v Turkey* Merits [1927] PCIJ Series A 10.
- The Panevezys-Saldutiskis Railway Case: Estonia v. Lithuania* Merits [1939] PCIJ Series A/B No 76.
- Wimbledon: UK et al v. Germany* Judgment of 17 August 1923 [1923] PCIJ Series A 01.

International Court of Justice

- Accordance with international law of the unilateral declaration of independence in respect of Kosovo* (Advisory Opinion) [2010] ICJ Rep 403.
- Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo)* (Preliminary Objections, Judgment) [2007] ICJ Rep 582.
- Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo)* (Merits, Judgment) [2010] ICJ Rep 639.
- Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo)* (Compensation, Judgment) [2012] ICJ Rep 324.
- Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)* (Order of 16 March 2022) (2022) (<<https://www.icj-cij.org/public/files/case-related/182/182-20220316-ORD-01-00-EN.pdf>> accessed 1 February 2023).
- Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)* (Order of 5 June 2023) (2023) (<<https://www.icj-cij.org/sites/default/files/case-related/182/182-20230605-ORD-01-00-EN.pdf>> accessed 5 June 2023).
- Alleged Violations of Sovereign Rights and Maritime Spaces in the Caribbean Sea (Nicaragua v. Colombia)* (Preliminary Objections) [2016] ICJ Rep 3.
- Alleged Violations of Sovereign Rights and Maritime Spaces in the Caribbean Sea (Nicaragua v. Colombia)* (Judgment of 21 April 2022) (2022) (<<https://www.icj-cij.org/public/files/case-related/182/182-20220421-ORD-01-00-EN.pdf>> accessed 1 February 2023).

Bibliography

- //www.icj-cij.org/public/files/case-related/155/155-20220421-JUD-01-00-EN.pdf) accessed 1 February 2023.
- Alleged Violations of the 1955 Treaty of Amity, Economic Relations, and Consular Rights (Islamic Republic of Iran v. United States of America)* (Preliminary Objections, Judgment of 3 February 2021) [2021] ICJ Rep 9.
- Anglo-Iranian Oil Co (United Kingdom v. Iran)* (Judgment of July 22nd, 1952) [1952] ICJ Rep 93.
- Appeal Relating to the Jurisdiction of the ICAO Council (India v. Pakistan)* (Judgment) [1972] ICJ Rep 46.
- Application for Review of Judgment No 158 of the United Nations Administrative Tribunal* (Advisory Opinion) [1973] ICJ Rep 166.
- Application for Review of Judgment No 273 of the United Nations Administrative Tribunal* (Advisory Opinion) [1982] ICJ Rep 325.
- Application of the Convention of 1902 Governing the Guardianship of Infants (Netherlands v. Sweden)* (Judgment) [1958] ICJ Rep 55.
- Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)* (Order of 8 April 1993) [1993] ICJ Rep 3.
- Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)* (Preliminary Objections, Judgment) [1996] ICJ Rep 595.
- Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)* (Judgment) [2007] ICJ Rep 43.
- Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Croatia v. Serbia)* (Preliminary Objections, Judgment) [2008] ICJ Rep 412.
- Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)* (Judgment of 3 February 2015) [2015] ICJ Rep 3.
- Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)* (Order of 23 January 2020) [2020] ICJ Rep 3.
- Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)* (Preliminary Objections, Judgment of 22 July 2022) [2022] ICJ Rep 477.
- Application of the Interim Accord of 13 September 1995 (The former Yugoslav Republic of Macedonia v. Greece)* (Judgment of 5 December 2011) [2011] ICJ Rep 644.

- Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine/Russian Federation)* (Preliminary Objections, Judgment) [2019] ICJ Rep 558.
- Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)* (Provisional Measures, Order of 15 October 2008) [2008] ICJ Rep 353.
- Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)* (Judgment) [2005] ICJ Rep 168.
- Armed Activities on the Territory of the Congo (New Application: 2002) (Democratic Republic of the Congo v. Rwanda)* (Provisional Measures, Order of 10 July 2002) [2002] ICJ Rep 219.
- Armed Activities on the Territory of the Congo (New Application: 2002) (Democratic Republic of the Congo v. Rwanda)* (Jurisdiction and Admissibility, Judgment) [2006] ICJ Rep 6.
- Arrest Warrant of 11 April 2000 (Democratic Republic of Congo v. Belgium)* (Judgment) [2002] ICJ Rep 3.
- Asylum Case (Colombia/Peru)* (Judgment of 20 November 1950) [1950] ICJ Rep 266.
- Barcelona Traction, Light and Power Company, Limited (Belgium v. Spain)* (Judgment) [1970] ICJ Rep 3.
- Border and Transborder Armed Actions (Nicaragua v. Honduras)* (Jurisdiction and Admissibility, Judgment) [1988] ICJ Rep 69.
- Case of the monetary gold removed from Rome in 1943 (UK v. Albania)* (Preliminary Question) [1954] ICJ Rep 19.
- Certain Activities Carried out by Nicaragua in the Border Area - Construction of a Road in Costa Rica Along The San Juan River (Costa Rica v. Nicaragua/Nicaragua v. Costa Rica)* (Judgment) [2015] ICJ Rep 665.
- Certain Expenses of the United Nations (Article 17, paragraph 2, of the Charter)* (Advisory Opinion) [1962] ICJ Rep 151.
- Certain Iranian Assets (Islamic Republic of Iran v. United States of America)* (Preliminary Objections Judgment of 13 February 2019) [2019] ICJ Rep 7.
- Certain Questions of Mutual Assistance in Criminal Matters (Djibouti v. France)* (Judgment) [2008] ICJ Rep 177.
- Continental Shelf (Tunisia/Libyan Arab Jamahiriya)* (Application to Intervene, Judgment) [1981] ICJ Rep 3.
- Continental Shelf (Tunisia/Libyan Arab Jamahiriya)* (Judgment) [1982] ICJ Rep 18.

Bibliography

- Continental Shelf (Libyan Arab Jamahiriya/Malta)* (Application to Intervene, Judgment) [1984] ICJ Rep 3.
- Continental Shelf (Libyan Arab Jamahiriya/Malta)* (Judgment) [1985] ICJ Rep 13.
- Corfu Channel Case (UK v Albania)* (Preliminary Objection) [1948] ICJ Rep 15.
- Corfu Channel Case (UK v Albania)* (Merits) [1949] ICJ Rep 4.
- Delimitation of the Maritime Boundary in the Gulf of Maine Area (Canada/United States of America)* (Judgment) [1984] ICJ Rep 246.
- Difference Relating to Immunity from Legal Process of a Special Rapporteur of the Commission on Human Rights* (Advisory Opinion) [1999] ICJ Rep 62.
- East Timor (Portugal v. Australia)* (Judgment) [1995] ICJ Rep 90.
- Effect of Awards of Compensation Made by the United Nations Administrative Tribunal* (Advisory Opinion of July 13th, 1954) [1954] ICJ Rep 47.
- Elektronika Sicula SpA (ELSI) (United States of America v. Italy)* (Judgment of 20 July 1989) [1989] ICJ Rep 5.
- Fisheries (United Kingdom v. Norway)* (Judgment) [1951] ICJ Rep 116.
- Fisheries Jurisdiction (Federal Republic of Germany v. Iceland)* (Jurisdiction of the Court, Judgment) [1973] ICJ Rep 49.
- Fisheries Jurisdiction (Federal Republic of Germany v. Iceland)* (Merits, Judgment) [1974] ICJ Rep 175.
- Fisheries Jurisdiction (United Kingdom v. Iceland)* (Merits, Judgment) [1974] ICJ Rep 3.
- Frontier Dispute (Burkina Faso/Republic of Mali)* (Judgment) [1986] ICJ Rep 554.
- Gabčíkovo-Nagymaros Project (Hungary/Slovakia)* (Judgment) [1997] ICJ Rep 7.
- Haya de la Torre Case (Colombia/Peru)* (Judgment of June 13th, 1951) [1951] ICJ Rep 71.
- Immunities and Criminal Proceedings (Equatorial Guinea v. France)* (Preliminary Objections, Judgment) [2018] ICJ Rep 292.
- International Status of South West Africa* (Advisory Opinion) [1950] ICJ Rep 128.
- Interpretation of the Agreement of 25 March 1951 between the WHO and Egypt* (Advisory Opinion) [1980] ICJ Rep 73.
- Jurisdictional Immunities of the State (Germany v. Italy)* (Application for Permission to Intervene, Order of 4 July 2011) [2011] ICJ Rep 494.

- Jurisdictional Immunities of the State (Germany v. Italy: Greece intervening)* (Judgment) [2012] ICJ Rep 99.
- LaGrand (Germany v. United States of America)* (Judgment) [2001] ICJ Rep 466.
- Land and Maritime Boundary between Cameroon and Nigeria (Cameroon/ Nigeria)* (Preliminary Objections, Judgment) [1998] ICJ Rep 275.
- Land and Maritime Boundary between Cameroon and Nigeria (Cameroon/ Nigeria: Equatorial Guinea intervening)* (Order of 21 October 1999) [1999] ICJ Rep 1029.
- Land and Maritime Boundary between Cameroon and Nigeria (Cameroon/ Nigeria)* (Judgment) [2002] ICJ Rep 303.
- Land, Island and Maritime Frontier Dispute (El Salvador/Honduras)* (Application to Intervene, Judgment) [1990] ICJ Rep 92.
- Land, Island and Maritime Frontier Dispute (El Salvador/Honduras: Nicaragua Intervening)* (Judgment) [1992] ICJ Rep 351.
- Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)* (Advisory Opinion) [1971] ICJ Rep 16.
- Legal Consequences of the Construction of a Wall* (Advisory Opinion) [2004] ICJ Rep 136.
- Legal consequences of the Separation of the Chagos Archipelago from Mauritius in 1965* (Advisory Opinion) [2019] ICJ Rep.
- Legality of the Threat or Use of Nuclear Weapons* (Advisory Opinion) [1996] ICJ Rep 226.
- Maritime Delimitation and Territorial Questions between Qatar and Bahrain (Qatar v. Bahrain)* (Merits, Judgment) [2001] ICJ Rep 40.
- Maritime Delimitation in the Area between Greenland and Jan Mayen (Denmark v. Norway)* (Judgment) [1993] ICJ Rep 38.
- Maritime Delimitation in the Black Sea (Romania/Ukraine)* (Judgment) [2009] ICJ Rep 61.
- Maritime Dispute (Peru v. Chile)* (Judgment) [2014] ICJ Rep 3.
- Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)* (Jurisdiction and Admissibility, Judgment) [1984] ICJ Rep 392.
- Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)* (Merits) [1986] ICJ Rep 14.
- North Sea Continental Shelf (Federal Republic of Germany/Denmark; Federal Republic of Germany/Netherlands)* (Judgment) [1969] ICJ Rep 3.

Bibliography

- Nottebohm Case (second phase) (Liechtenstein v. Guatemala)* (Judgment of April 6th, 1955) [1955] ICJ Rep 4.
- Nuclear Tests Case (Australia v. France)* (Application to Intervene, Order of 12 July 1973) [1973] ICJ Rep 320.
- Nuclear Tests Case (New Zealand v. France)* (Application to Intervene, Order of 12 July 1973) [1973] ICJ Rep 324.
- Nuclear Tests Case (Australia v. France)* (Judgment) [1974] ICJ Rep 253.
- Nuclear Tests Case (New Zealand v. France)* (Judgment) [1974] ICJ Rep 457.
- Nuclear Tests Case (Australia v. France)* (Application to Intervene, Order of 20 December 1974) [1974] ICJ Rep 530.
- Nuclear Tests Case (New Zealand v. France)* (Order of 20 December 1974, Application by Fiji for Permission to Intervene) [1974] ICJ Rep 535.
- Obligation to Negotiate Access to the Pacific Ocean (Bolivia v. Chile)* (Judgment of 1 October 2018) [2018] ICJ Rep 507.
- Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. India)* (Judgment of 5 October 2016) [2016] ICJ Rep 255.
- Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. India)* (Judgment of 5 October 2016) [2016] ICJ Rep 552.
- Oil Platforms (Islamic Republic of Iran v. United States of America)* (Preliminary Objections, Judgment) [1996] ICJ Rep 803.
- Oil Platforms (Islamic Republic of Iran v. United States of America)* (Judgment) [2003] ICJ Rep 161.
- Pulp Mills on the River Uruguay (Argentina v. Uruguay)* (Judgment) [2010] ICJ Rep 14.
- Question of the Delimitation of the Continental Shelf between Nicaragua and Colombia beyond 200 nautical miles from the Nicaraguan Coast (Nicaragua v. Colombia)* (Preliminary Objections) [2016] ICJ Rep 100.
- Questions relating to the Obligation to Prosecute or Extradite (Belgium v. Senegal)* (Judgment) [2012] ICJ Rep 422.
- Questions relating to the Seizure and Detention of Certain Documents and Data (Timor-Leste v. Australia)* (Provisional Measures, Order of 3 March 2014) [2014] ICJ Rep 147.
- Reparation for Injuries Suffered in the Service of the United Nations* (Advisory Opinion) [1949] ICJ Rep 174.
- Request for an Examination of the Situation in Accordance with Paragraph 63 of the Court's Judgment of 20 December 1974 in the Nuclear Tests*

- (New Zealand v France) Case (New Zealand v. France)* (Order of 22 September 1995) [1995] ICJ Rep 288.
- Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide* (Advisory Opinion) [1951] ICJ Rep 15.
- Right of Passage over Indian Territory (Portugal v. India)* (Judgment of 12 April 1960) [1960] ICJ Rep 6.
- Rights of Nationals of the United States of America in Morocco (France v. United States of America)* (Judgment of August 27th, 1952) [1952] ICJ Rep 176.
- South West Africa (Ethiopia v. South Africa; Liberia v. South Africa)* (Second Phase, Judgment) [1966] ICJ Rep 6.
- Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge (Malaysia/Singapore)* (Judgment) [2008] ICJ Rep 12.
- Sovereignty over Pulau Ligitan and Pulau Sipadan (Indonesia/Malaysia)* (Application for Permission to Intervene, Judgment) [2001] ICJ Rep 575.
- Temple of Preah Vihear (Cambodia v. Thailand)* (Judgment) [1962] ICJ Rep 6.
- Territorial and Maritime Dispute (Nicaragua v. Colombia)* (Application for Permission to Intervene, Judgment) [2011] ICJ Rep 348.
- Territorial and Maritime Dispute (Nicaragua v. Colombia)* (Application for Permission to Intervene, Judgment) [2011] ICJ Rep 420.
- Territorial and Maritime Dispute (Nicaragua v. Colombia)* (Judgment) [2012] ICJ Rep 624.
- Territorial and Maritime Dispute between Nicaragua and Honduras in the Caribbean Sea (Nicaragua v. Honduras)* (Judgment) [2007] ICJ Rep 659.
- Territorial and Maritime Dispute between Nicaragua and Honduras in the Caribbean Sea (Nicaragua v. Honduras)* (Judgment) [2007] ICJ Rep 659.
- United States Diplomatic and Consular Staff in Tehran (United States of America v. Iran)* (Judgment) [1980] ICJ Rep 3.
- Western Sahara* (Advisory Opinion) [1975] ICJ Rep 12.
- Whaling in the Antarctic (Australia v. Japan: New Zealand intervening)* (Judgment) [2014] ICJ Rep 226.

Public Sitzings at the International Court of Justice

Minutes of the Public Sitzings held at the Peace Palace, The Hague, on February 10th to 24th, March 2nd to 8th, and April 6th, 1955, Verbatim Record 1955 CR 1955/2.

Bibliography

Public sitting held on Wednesday 14 September 2011, at 10 am, at the Peace Palace, Verbatim Record 14 September 2011 CR 2011/19.

Public sitting held on Monday 20 January 2014, at 10 am, at the Peace Palace, Verbatim Record 20 January 2014 CR 2014/1.

Public sitting held on Tuesday 21 January 2014, at 10 am, at the Peace Palace, Verbatim Record 21 January 2014 CR 2014/2.

European Commission of Human Rights and European Court of Human Rights

A, B and C v Ireland [GC] App no 25579/05 (ECtHR, 16 December 2010).
Al-Adsani v the United Kingdom [GC] App no 35763/97 (ECtHR, 21 November 2001).

Al-Dulimi and Montana Managment Inc v Switzerland App no 5809/08 (ECtHR, 26 November 2013).

Al-Dulimi and Montana Managment Inc v Switzerland [GC] App no 5809/08 (ECtHR, 21 June 2016).

Al-Jedda v The United Kingdom [GC] App no 27021/08 (ECtHR, 7 July 2011).

Siliadin v France App no 73316/01 (ECtHR, 26 July 2005).

Al-Skeini and Others v The United Kingdom [GC] App no 55721/07 (ECtHR, 7 July 2011).

Animal Defenders International v United Kingdom [GC] App no 48876/08 (ECtHR, 22 April 2013).

Banković against Belgium, the Czech Republic, Denmark, France, Germany, Greece, Hungary, Iceland, Italy, Luxembourg, the Netherlands, Norway, Poland, Portugal, Spain, Turkey and the United Kingdom [GC] App no 52207/99 (ECtHR, 12 December 2001).

Behrami and Behrami against France and Saramati against France, Germany and Norway [GC] App no 71412/01 and 78166/01 (ECtHR, 2 May 2007).

Belilos v Switzerland [Plenum] App no 10328/83 (ECtHR, 29 April 1988).

Bosphorus Hava Yolları Turizm ve Ticaret Anonim Şirketi v Ireland [GC] App no 45036/98 (ECtHR, 30 June 2005).

Brannigan and McBride v The United Kingdom [Plenum] App no 14553/89, 14554/89 (ECtHR, 25 May 1993).

Brogan and others v United Kingdom App no 11209/84; 11234/84; 11266/84; 11386/85 (ECtHR, 29 November 1988).

- Catan and others v Moldova and Russia [GC]* App no 43370/04, 8252/05 and 18454/06 (ECtHR, 19 October 2012).
- Carter v Russia* App no 20914/07 (ECtHR, 21 September 2021).
- Chiragov and others v Armenia [GC]* App no 132116/05 (ECtHR, 16 June 2015).
- Christine Goodwin v the United Kingdom [GC]* App no 28957/95 (ECtHR, 11 July 2002).
- Costello-Roberts v The United Kingdom* App no 89/1991/341/414 (ECtHR, 23 February 1993).
- Cudak v Lithuania [GC]* App no 15869/02 (ECtHR, 23 March 2010).
- Cyprus v Turkey* App no 6780/74; 6950/75 (Commission Decision, 10 July 1976).
- Cyprus v Turkey [GC]* App no 25781/94 (ECtHR, 10 May 2001).
- Demir and Baykara v Turkey [GC]* App no 34503/97 (ECtHR, 18 November 2008).
- El-Masri v the former Yugoslav Republic of Macedonia [GC]* App no 39630/09 (ECtHR, 13 December 2012).
- Engel and others v The Netherlands* App no 5100/71; 5101/71; 5102/71; 5354/72; 5370/72 (ECtHR, 8 June 1976).
- Ergi v Turkey* App no 540/1993/435/514 (ECtHR, 28 July 1998).
- Fogarty v The United Kingdom [GC]* App no 37112/97 (ECtHR, 21 November 2001).
- Frydlander v France [GC]* App no 30979/96 (ECtHR, 27 June 2000).
- Gasparini v Italy and Belgium* App no 10750/03 (ECtHR, 12 May 2009).
- Georgia v Russia (II) [GC]* App no 38263/08 (ECtHR, 21 January 2021).
- Glass v the United Kingdom* App no 61827/00 (ECtHR, 9 March 2004).
- Golder v United Kingdom [Plenum]* App no 4451/70 (ECtHR, 21 February 1970).
- Güleç v Turkey* App no 54/1997/838/1044 (ECtHR, 27 July 1998).
- Hanan v Germany [GC]* App no 4871/16 (ECtHR, 16 February 2021).
- Handyside v The United Kingdom [Plenum]* App no 5493/72 (ECtHR, 7 December 1976).
- Hassan v The United Kingdom [GC]* App no 29750/09 (ECtHR, 16 September 2014).
- Hirst v the United Kingdom (no 2) [GC]* App no 74025/01 (ECtHR, 6 October 2005).
- HLR v France* App no 24573/94 (ECtHR, 22 April 1997).
- Ilaşcu and others v Moldavia and Russia [GC]* App no 48787/99 (ECtHR, 8 July 2004).

Bibliography

- Isayeva v Russia* App no 57950/00 (ECtHR, 24 February 2005).
- Jaloud v The Netherlands [GC]* App no 47708/08 (ECtHR, 20 November 2014).
- James v United Kingdom [Plenum]* App no 8793/79 (ECtHR, 21 February 1986).
- Jones and Others v The United Kingdom* App no 34356/06 and 40528/06 (ECtHR, 14 January 2014).
- Jorgig v Germany* App no 74613/01 (ECtHR, 12 July 2007).
- Kolk and Kislyiy v Estonia* App no 23052/04, 24018/04 (ECtHR, 17 January 2006).
- Kononov v Latvia [GC]* App no 36376/04 (ECtHR, 17 May 2010).
- Korbely v Hungary [GC]* App no 9174/02 (ECtHR, 19 September 2008).
- Kotov v Russia [GC]* App no 54522/00 (ECtHR, 3 April 2012).
- Loizidou v Turkey (Preliminary Objections)[GC]* App no 15318/89 (ECtHR, 23 March 1995).
- Loizidou v Turkey (Judgment) [GC]* App no 15318/89 (ECtHR, 18 December 1996).
- Maktouf and Damjanović v Bosnia and Herzegovina [GC]* App no 2312/08 and 34179/08 (ECtHR, 18 July 2013).
- Mamatkulov and Askarov v Turkey [GC]* App no 46827/99 and 46951/99 (ECtHR, 7 February 2005).
- Maumousseau and Washington v France* App no 39388/05 (ECtHR, 6 December 2007).
- Marckx v Belgium [Plenum]* App no 6833/74 (ECtHR, 13 June 1979).
- Markovic and Others v Italy [GC]* App no 1398/03 (ECtHR, 14 December 2006).
- McCann and Others v United Kingdom [GC]* App no 18984/91 (ECtHR, 27 September 1995).
- McElhinney v Ireland [GC]* App no 31253/96 (ECtHR, 21 November 2001).
- Nada v Switzerland [GC]* App no 10593/08 (ECtHR, 12 September 2012).
- Naït-Liman v Switzerland* App no 51357/07 (ECtHR, 21 June 2016).
- Naït-Liman v Switzerland [GC]* App no 51357/07 (ECtHR, 15 March 2018).
- Neulinger and Shuruk v Switzerland [GC]* App no 41615/07 (ECtHR, 6 July 2010).
- O’Keeffe v Ireland [GC]* App no 35810/09 (ECtHR, 28 January 2014).
- Oleynikov v Russia* App no 36703/04 (ECtHR, 14 March 2013).
- Öneryıldız v Turkey* App no 48939/99 (ECtHR, 30 November 2004).
- Opuz v Turkey* App no 33401/02 (ECtHR, 9 June 2009).
- Ould Dah v France* App no 13113/03 (ECtHR, 17 March 2009).

- Özkan et al v Turkey* App no 21689/93 (ECtHR, 6 April 2004).
Öztürk v Germany [Plenum] App no 8544/79 (ECtHR, 21 February 2084).
Pini and Others v Romania App no 78028/01 and 78030/01 (ECtHR, 22 June 2004).
Prince Hans-Adam II of Liechtenstein v Germany [GC] App no 42527/98 (ECtHR, 12 July 2001).
Rantsev v Cyprus and Russia App no 25965/04 (ECtHR, 7 June 2010).
Rees v the United Kingdom [Plenum] App no 9532/81 (ECtHR, 17 October 1986).
Saadi v The United Kingdom [GC] App no 13229/03 (ECtHR, 29 January 2008).
Sabeh El Leil v France [GC] App no 4869/05 (ECtHR, 29 November 2011).
Sargsyan v Azerbaijan [GC] App no 40167/06 (ECtHR, 16 June 2015).
Sheffield and Horsham v the United Kingdom [GC] App no (31–32/1997/815–816/1018–1019 (ECtHR, 30 July 1998).
Slivenko v Latvia [GC] App no 48321/99 (ECtHR, 9 October 2003).
Soering v The United Kingdom [Plenum] App no 14038/88 (ECtHR, 7 July 1989).
Sørensen and Rasmussen v Denmark [GC] App no 52562/99 and 52620/99 (ECtHR, 11 January 2006).
Stichting Mothers of Srebrenica and Others against the Netherlands App no 65542/12 (ECtHR, 11 June 2013).
Stoll v Switzerland [GC] App no 69698/01 (ECtHR, 10 December 2007).
Streletz, Kessler and Krenz v Germany [GC] App no 34044/96, 35532/97 and 44801/98 (ECtHR, 22 March 2001).
Sylvester v Austria App no 36812/97 and 40104/98 (ECtHR, 24 April 2003).
Tănase v Moldova [GC] App no 7/08 (ECtHR, 27 April 2010).
Tyrer v The United Kingdom App no 5856/72 (ECtHR, 25 April 1978).
Ukraine and the Netherlands v Russia [GC] App no 8019/16, 43800/14 and 28525/20 (ECtHR, 25 January 2023).
Van Anraat v the Netherlands App no 365389/09 (ECtHR, 10 June 2010).
Vilho Eskelinen and Others v Finland [GC] App no 63235/00 (ECtHR, 19 April 2007).
Waite and Kennedy v Germany [GC] App no 26083/94 (ECtHR, 18 February 1999).
Wallishauser v Austria App no 156/04 (ECtHR, 17 July 2012).
Wemhoff v Germany App no 2122/64 (ECtHR, 27 June 1968).

Bibliography

Inter-American Court of Human Rights

Rights and Guarantees of Children in the context of migration and/or in need of international protection IACtHR Advisory Opinion (19 August 2014) OC-21/14.

The Environment and Human Rights (State Obligations in Relation to the Environment in the Context of the Protection and Guarantee of the Rights to Life and to Personal Integrity: Interpretation and Scope of Articles 4(1) and 5(1) of the American Convention on Human Rights IACtHR Advisory Opinion (15 November 2017) OC-23/18.

International Military Tribunal

USA et al v Göring et al IMT Judgment (1 October 1946) Trial of the Major War Criminals before the International Military Tribunal Vol. 1 (1947).

International Military Tribunal for the Far East (Tokyo)

Araki and others ('Tokyo Judgment') IMTFE, Judgment (12 November 1948) in Neil Boister and Robert Cryer (eds), *Documents on the Tokyo International Military Tribunal* (Oxford University Press 2008).

US Military Tribunals at Nuremberg

Einsatzgruppen Case (United States of America v Otto Ohlendorf et al), *United States Military Tribunal*, Trials of War Criminals Before the Nuremberg Military Tribunals under Control Council Law No 10, Vol IV (1952).

Justice Case (United States of America v Josef Altstoetter, et al), *United States Military Tribunal*, Trials of War Criminals Before the Nuremberg Military Tribunals under Control Council Law No 10, Vol III (1951).

Krupp Case (United States of America v Alfried Felix Krupp von Bohlen und Halbach et al), *United States Military Tribunal*, Trials of War Criminals Before the Nuremberg Military Tribunals under Control Council Law No 10, Vol IX (1950).

The German High Command Trial Case No 72, Trial of Wilhelm Leeb and Thirteen Others, *United States Military Tribunal*, Trials of War Criminals

Before the Nuremberg Military Tribunals under Control Council Law No 10, Vol XI (1950).

The United States of America vs Carl Krauch et al (IG Farben), United States Military Tribunal, Trials of War Criminals Before the Nuremberg Military Tribunals under Control Council Law No 10, Vol VIII (1952).

United States v Friedrich Flick and others, United States Military Tribunal, Trials of War Criminals Before the Nuremberg Military Tribunals under Control Council Law No 10, Vol VI (1952).

US v List et al, Hostage Case, United States Military Tribunal, Trials of War Criminals Before the Nuremberg Military Tribunals under Control Council Law No 10, Vol XI (1950).

Trial of Franz Holstein and Twenty-Three Others UNWCC Law Reports Vol. VII, 26.

International Criminal Tribunal for the Former Yugoslavia

Prosecutor v Anto Furundžija ICTY TC Judgement (10 December 1998) IT-95-17/1-T.

Prosecutor v Anto Furundžija ICTY AC Judgement (21 July 2000) IT-95-17/1-A.

Prosecutor v Blagoje Simić, ICTY AC Judgement (28 November 2006) IT-95-9-A.

Prosecutor v Blagoje Simić, ICTY TC Judgement (17 October 2003) IT-95-9-T.

Prosecutor v Blaskić ICTY AC Judgement on the Request of the Republic of Croatia for Review of the Decision of Trial Chamber II of 18 July 1997 (29 October 1997) IT-95-14-AR10.

Prosecutor v Blaskić ICTY TC Judgement (3 March 2000) IT-95-14-T.

Prosecutor v Blaskić ICTY AC Judgement (29 July 2004) IT-95-14-A.

Prosecutor v Dario Kordić, Mario Čerkez ICTY TC Judgement (26 February 2001) IT-95-14/2-T.

Prosecutor v Dario Kordić, Mario Čerkez ICTY TC Decision on the Joint Defence Motion to Dismiss the Amended Indictment for Lack of Jurisdiction based on the limited Jurisdictional Reach of Articles 2 and 3 (9 March 1999) IT-95-14/2.

Prosecutor v Dragoljub Kunarac, Radomir Kovač and Zoran Vuković ICTY TC Judgement (22 February 2001) IT-96-23-T & IT-96-23/1-T.

Bibliography

- Prosecutor v Dragoljub Kunarac, Radomir Kovač and Zoran Vuković* ICTY AC Judgement (12 June 2002) IT-96-23 & IT-96-23/1-A.
- Prosecutor v Drazen Erdemović* ICTY AC Judgement (7 October 1997) IT-96-22-A.
- Prosecutor v Drazen Erdemović* ICTY TC Sentencing Judgement (22 November 1996) IT-96-22-T.
- Prosecutor v Dusko Tadić* ICTY AC Judgement (15 July 1999) IT-94-1-A.
- Prosecutor v Dusko Tadić* ICTY TC Decision on the Defence Motion on the Principle of non-bis-in-idem (14 November 1995) IT-94-1-T.
- Prosecutor v Dusko Tadić a/k/a "Dule"* ICTY AC Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction (2 October 1995) IT-94-1-AR72.
- Prosecutor v Dusko Tadić a/k/a "Dule"* ICTY AC Judgement on Allegations of Contempt against Prior Counsel, Milan Vujin (31 January 2000) IT-94-1-A-R77.
- Prosecutor v Hadžihasanović et al* ICTY AC Decision on Interlocutory Appeal Challenging Jurisdiction in Relation to Command Responsibility (16 July 2003) T-01-47-AR72.
- Prosecutor v Kupreškić et al* ICTY TC Judgement (14 January 2000) IT-95-16-T.
- Prosecutor v Milan Martić* ICTY TC Judgement (12 June 2007) IT-95-11-T.
- Prosecutor v Milan Martić* ICTY AC Judgement (8 October 2008) IT-95-11-A.
- Prosecutor v Milan Milutinović and others* ICTY TC Decision on Ojdanić's Motion Challenging Jurisdiction: Indirect Co-Perpetration (22 March 2006) Case No. IT-05-87-PT.
- Prosecutor v Milan Milutinović et al* ICTY TC Judgement (26 February 2009) IT-05-87-T.
- Prosecutor v Milomir Stakić* ICTY TC Judgement (31 July 2003) IT-97-24-T.
- Prosecutor v Milomir Stakić* ICTY AC Judgement (22 March 2006) IT-97-24-A.
- Prosecutor v Milutinović et al* ICTY TC Decision on Ojdanic motion to prohibit witness proofing (12 December 2006) IT-05-87-T.
- Prosecutor v Mitar Vasiljević* ICTY TC Judgement (29 October 1997) IT-98-32-T.
- Prosecutor v Radislav Krstić* ICTY TC Judgement (2 August 2001) IT-98-33-T.
- Prosecutor v Radislav Krstić* ICTY AC Judgement (19 April 2004) IT-98-33-A.

- Prosecutor v Radoslav Brđjanin* ICTY TC Judgement (1 September 2004) IT-99-36-T.
- Prosecutor v Radoslav Brđjanin* ICTY AC Judgement (3 April 2007) IT-99-36-A.
- Prosecutor v Slobodan Milošević* Decision on Review of Indictment and Application for Consequential Orders, Judge David Hunt (24 May 1999) IT-02-54.
- Prosecutor v Stanišić & Župljanin* ICTY TC Judgement (27 March 2013) IT-08-91-T.
- Prosecutor v Stanišić & Župljanin* ICTY AC Judgement (30 June 2016) IT-08-91-A.
- Prosecutor v Stanislav Galić* ICTY TC Judgement and Opinion (5 December 2003) IT-98-29-T.
- Prosecutor v Stanislav Galić* ICTY AC Judgement (30 November 2006) IT-98-29-A.
- Prosecutor v Vujadin Popović* ICTY TC Judgement (10 June 2010) IT-05-88-T.
- Prosecutor v Zdravko Mucic aka "Pavo", Hazim Delic, Esad Landzo aka "Zenga", Zejnil Delalic* ICTY AC Judgement (20 February 2001) IT-96-21-A.
- Prosecutor v Zdravko Mucic aka "Pavo", Hazim Delic, Esad Landzo aka "Zenga", Zejnil Delalic* ICTY TC Judgement (26 November 1998) IT-96-21-T.

International Criminal Tribunal for Rwanda

- Prosecutor v Alfred Musema* ICTR AC Judgement (27 January 2002) ICTR-96-13-A.
- Prosecutor v Clément Kayishema and Obed Ruzindana* ICTR TC Judgement (21 May 1999) ICTR-95-1-T.
- Prosecutor v Georges Anderson Nderubumwe Rutaganda* ICTR TC Judgement (6 December 1999) ICTR-96-3-T.
- Prosecutor v Jean-Paul Akayesu* ICTR TC Judgement (2 September 1998) ICTR-96-4-T.
- Sylvestre Gacumbitsi v The Prosecutor: ICTR* ICTR AC Judgement (7 July 2006) ICTR-2001-64-A.

ICC and the Assembly of States Parties

Assembly of States Parties to the Rome Statute, Amendments to article 8 of the Rome Statute, 14 December 2017 ICC-ASP/16/Res.4.

Assembly of States Parties to the Rome Statute, Amendments to article 8 of the Rome Statute, 6 December 2019 ICC-ASP/18/Res.5.

Assembly of States Parties to the Rome Statute, Amendments to article 8 of the Rome Statute, 6 October 2010 RC/Res.5.

Decision on the Prosecution Request for a Ruling on Jurisdiction under Article 19(3) of the Statute PTC I (6 September 2018) ICC-RoC46(3)-01/18-37.

Decision Pursuant to Article 15 of the Rome Statute on the Authorisation of an Investigation into the Situation in the People's Republic of Bangladesh/Republic of the Union of Myanmar ICC PTC III (14 November 2019) ICC-01/19-27.

Prosecutor v Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus ICC AC Judgement (11 November 2011) ICC-02/05-03/09 OA.

Prosecutor v Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb") ICC AC Judgment on the appeal of Mr Abd-Al-Rahman against the Pre-Trial Chamber II's "Decision on the Defence 'Exception d'incompétence'" (1 November 2021) ICC-02/05-01/20-503.

Prosecutor v Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb") ICC PTC II Decision on the Defence 'Exception d'incompétence' (ICC-02/05/01/20-302) (17 May 2021) ICC-02/05-01/20-391.

Prosecutor v Blé Goudé ICC PTC Decision on the Confirmation of Charges (11 December 2014) ICC-02/11-02/11-186.

Prosecutor v Bosco Ntaganda ICC AC Judgment on the appeal of Mr Ntaganda against the "Second decision on the Defence's challenge to the jurisdiction of the Court in respect of Counts 6 and 9" (15 June 2017) ICC-01/04-02/06-1962.

Prosecutor v Bosco Ntaganda ICC AC Judgment on the appeals, Partly Concurring Opinion of Judge Eboe-Osujit (30 March 2021) ICC-01/04-02/06-2666-Anx5.

Prosecutor v Bosco Ntaganda ICC AC Judgment on the appeals, Separate Opinion of Judge Howard Morrison (30 March 2021) ICC-01/04-02/06-2666-Anx2.

Prosecutor v Bosco Ntaganda ICC AC Judgment on the appeals, Separate opinion of Judge Luz Del Carmen Ibáñez Carranza (30 March 2021) ICC-01/04-02/06-2666-Anx3.

- Prosecutor v Bosco Ntaganda, ICC AC Judgment on the appeals of Mr Bosco Ntaganda and the Prosecutor against the decision of Trial Chamber VI of 8 July 2019 entitled 'Judgment' (30 March 2021) ICC-01/04-02/06-2666-Red.*
- Prosecutor v Bosco Ntaganda, ICC TC VI Judgment (8 July 2019) ICC-01/04-02/06-2359.*
- Prosecutor v Bosco Ntaganda, ICC TC VI Second decision on the Defence's challenge to the jurisdiction of the Court in respect of Counts 6 and 9 (4 January 2017) ICC-01/04-02/06-1707.*
- Prosecutor v Germain Katanga ICC TC II Judgment pursuant to Article 74 of the Statute (7 March 2014) ICC-01/04-01/07-3436-tENG.*
- Prosecutor v Germain Katanga ICC AC, Judgment on the appeal of Mr. Germain Katanga against the decision of Pre-Trial Chamber I entitled "Decision on the Defence Request Concerning Languages" (27 May 2008) ICC-01/04-01/07-522.*
- Prosecutor v Germain Katanga and Mathieu Ngudjolo Chui ICC PTC I Decision on the confirmation of charges (13 October 2008) ICC-01/04-01/07-717.*
- Prosecutor v Jean-Pierre Bemba Gombo ICC TC III Judgment pursuant to Article 74 of the Statute (21 March 2016) ICC-01/05-01/08-3343.*
- Prosecutor v Jean-Pierre Bemba Gombo et al ICC AC Judgment (8 March 2018) ICC-01/05-01/13-2275-Red.*
- Prosecutor v Mathieu Ngudjolo Chui ICC TC II Judgment pursuant to Article 74 of the Statute (18 December 2012) ICC-01/04-02/12-3-tENG.*
- Prosecutor v Mathieu Ngudjolo Chui Judgment pursuant to Article 74 of the Statute Concurring Opinion of Judge Christine Van den Wyngaert (18 December 2012) ICC-01/04-02/12-4.*
- Prosecutor v Omar Hassan Ahmad Al Bashir ICC PTC I Decision on the Prosecution's Application for a Warrant of Arrest (4 March 2009) ICC-02/05-01/09-3.*
- Prosecutor v Omar Hassan Ahmad Al Bashir ICC PTC I Decision Pursuant to Article 87(7) of the Rome Statute on the Failure by the Republic of Malawi to Comply with the Cooperation Requests Issued by the Court with Respect to the Arrest and Surrender of Omar Hassan Ahmad Al Bashir (13 December 2011) ICC-02/05-01/09-139-Corr.*
- Prosecutor v Omar Hassan Ahmad Al Bashir ICC PTC I Decision pursuant to article 87(7) of the Rome Statute on the refusal of the Republic of Chad to comply with the cooperation requests issued by the Court with respect to*

Bibliography

- the arrest and surrender of Omar Hassan Ahmad Al Bashir (13 December 2011) ICC-02/05-01/09-140-tENG.
- Prosecutor v Omar Hassan Ahmad Al Bashir* ICC PTC II Decision on the Cooperation of the Democratic Republic of the Congo Regarding Omar Al Bashir's Arrest and Surrender to the Court (9 April 2014) ICC-02/05-01/09-195.
- Prosecutor v Omar Hassan Ahmad Al-Bashir* ICC PTC II Decision under article 87(7) of the Rome Statute on the non-compliance by South Africa with the request by the Court for the arrest and surrender of Omar Al-Bashir (6 July 2017) ICC-02/05-01/09-302.
- Prosecutor v Omar Hassan Ahmad Al-Bashir* ICC AC Judgment (6 May 2019) ICC-02/05-01/09 OA2.
- Prosecutor v Omar Hassan Ahmad Al-Bashir* ICC AC Joint Concurring Opinion of Judges Eboe-Osuji, Morrison, Hofmański and Bossa (6 May 2019) ICC-02/05-01/09-397-Anx1-Corr.
- Prosecutor v Thomas Lubanga Dyilo* ICC AC Judgment on the Appeal of Mr. Thomas Lubanga Dyilo against the Decision on the Defence Challenge to the Jurisdiction of the Court pursuant to article 19 (2) (a) of the Statute of 3 October 2006 (14 December 2006) ICC-01/04-01/06-772.
- Prosecutor v Thomas Lubanga Dyilo* ICC TC I Decision Regarding the Practices Used to Prepare and Familiarise Witnesses for Giving Testimony at Trial (30 November 2007) ICC-01/04-01/06-1049.
- Prosecutor v Thomas Lubanga Dyilo* ICC TC I Judgment pursuant to Article 74 of the Statute (14 March 2012) ICC-01/04-01/06-2842.
- Prosecutor v Thomas Lubanga Dyilo* ICC AC Judgment (1 December 2014) ICC-01/04-01/06-3121-Red.
- Prosecutor v Thomas Lubanga Dyilo* ICC TC II Judgment pursuant to Article 74 of the Statute, Concurring Opinion of Judge Christine Van den Wyngaert (20 December 2012) ICC-01/04-02/12-4.
- Prosecutor v Thomas Lubanga Dyilo* ICC TC I Judgment pursuant to Article 74 of the Statute, Separate Opinion of Judge Adrian Fulford (14 March 2012) ICC-01/04-01/06-2842.
- Prosecutor v Thomas Lubanga Dyilo* ICC PTC I Decision on the confirmation of charges (7 February 2007) ICC-01/04-01/06-803-tEN.
- Prosecutor v William Samoei Ruto et al* ICC PTC II Decision on the Confirmation of Charges Pursuant to Article 61(7)(a) and (b) of the Rome Statute (23 January 2012) ICC-01/09-01/11-373.
- Situation in the Democratic Republic of Congo* ICC AC Judgment on the Prosecutor's Application for Extraordinary Review of Pre-Trial Chamber

I's 31 March 2006 Decision Denying Leave to Appeal (13 July 2006) ICC-01/04-168.

Situation in the State of Palestine ICC PTC I Decision on the Prosecution request pursuant to article 19(3) for a ruling on the Court's territorial jurisdiction in Palestine (5 February 2021) ICC-01/18-143.

Situation in the State of Palestine ICC PTC I Decision on the Prosecution request pursuant to article 19(3) for a ruling on the Court's territorial jurisdiction in Palestine, Judge Péter Kovács, Partly Dissenting Opinion (5 February 2021) ICC-01/18-143-Anx1.

Extraordinary Chambers in the Courts of Cambodia

Decision on the Appeals against the Co-Investigating Judges Order on Joint Criminal Enterprise (JCE) ECCC (20 May 2010) D97/15/9.

Special Tribunal for Lebanon

Interlocutory Decision on the Applicable Law: Terrorism, Conspiracy, Homicide, Perpetration, Cumulative Charging STL AC (11 February 2011) STL-11-01/I/AC/R176bis.

Special Court Sierra Leone

Prosecutor v Charles Ghankay Taylor Special Court of Sierra Leone, AC Decision on Immunity from Jurisdiction (31 May 2004) SCSL-2003-01-I.

Prosecutor v Sam Hinga Norman SCSL AC Decision on Preliminary Motion Based on Lack of Jurisdiction (Child Recruitment) (31 May 2004) SCSL-2004-14-AR72(E).

Arbitration (ICSID, NAFTA, SCC, UNCITRAL)

ADF Group Inc v United States of America Award (9 January 2003) ICSID Case No. ARB (AF)/00/1.

Asian Agricultural Products Ltd v Republic of Sri Lanka Final Award (27 June 1990) ICSID Case No. ARB/87/3.

Bibliography

- Azurix Corp v The Argentine Republic* Award (14 July 2006) ICSID Case No. ARB/01/12.
- Bernhard von Pezold and Others v Republic of Zimbabwe* Award (28 July 2015) ICSID Case No. ARB/10/15.
- CC/Devas and the Republic of India* Decision on the Respondent's challenge to the Hon. Marc Lalonde as Presiding Arbitrator and Prof. Francisco Orrego Vicuña as Co-Arbitrator (30 September 2013) PCA Case No 2013-09.
- Chemtura Corporation v Canada* Award (2 August 2010) PCA Case No. 2008-01.
- CMS Gas Transmission Company v Argentine Republic* Award (12 May 2005) ICSID Case No. ARB/01/8.
- CMS Gas Transmission Company v Argentine Republic* Decision of the Ad Hoc Committee on the Application for Annulment of the Argentine Republic (25 September 2007) ICSID Case No. ARB/01/8.
- Compana de Aguas del Aconquija SA and Vivendi Universal SA v Argentine Republic* Award (20 August 2007) ICSID Case No. ARB/97/3.
- Continental Casualty Company v Argentine Republic* Award (5 September 2008) ICSID Case No. ARB/03/9.
- Continental Casualty Company v Argentine Republic* Decision on the Application for Annulment of the Argentine Republic (16 September 2011) ICSID Case No. ARB/03/9.
- EDFI International SA, SAUR International SA and LEON Participaciones Argentinas SA v Argentine Republic* Award (11 June 2012) ICSID Case No. ARB/03/23.
- EDFI International SA, SAUR International SA and LEON Participaciones Argentinas SA v Argentine Republic* Decision (5 February 2016) ICSID Case No. ARB/03/23.
- El Paso Energy International Company v Argentina* Award (31 October 2011) ICSID Case No ARB/03/15.
- Enron Creditors Recovery Corp Ponderosa Assets, LP v Argentine Republic* Award (22 May 2007) ICSID Case No. ARB/01/3.
- Enron Creditors Recovery Corp Ponderosa Assets, LP v Argentine Republic* Decision on the Application for Annulment of the Argentine Republic (30 July 2010) ICSID Case No. ARB/01/3.
- Fireman's Fund Insurance Company v The United Mexican States* Award (17 July 2006) ICSID Case No. ARB(AF)/02/1.
- Glamis Gold, Ltd v The United States of America* Award (8 June 2009) UNCITRAL/NAFTA 48 ILM 1038.

- LG&E Energy Corp, et al v Argentine Republic* Decision on Liability (3 October 2006) ICSID Case No. ARB/02/1.
- Loewen Group, Inc and Raymond L Loewen v United States of America* Award (26 June 2003) ICSID Case No. ARB(AF)/98/3.
- Merrill & Ring Forestry LP v Canada* Award (31 March 2010) ICSID Case No. UNCT/07/1.
- Metalclad Corporation v The United Mexican States* Award (30 August 2008) NAFTA ARB(AF)/97/1.
- Methanex Corporation v United States of America* Final Award of the Tribunal on Jurisdiction and Merits (3 August 2005) UNCITRAL/NAFTA, 44 ILM 1345.
- Mondev International Ltd v United States of America* Award (11 October 2002) ICSID Case No. ARB(AF)/99/2.
- Occidental Exploration and Production Company v The Republic of Ecuador* Final Award (1 July 2004) UNCITRAL LCIA Case No. UN3467.
- Occidental Petroleum Corporation and Occidental Exploration and Production Company v The Republic of Ecuador* Decision on Annulment of the Award (2 November 2015) ICSID Case No. ARB/06/11.
- Pope & Talbot Inc v The Government of Canada* Award on the merits of phase 2 (10 April 2001) UNCITRAL/NAFTA 7 ICSID Reports 102; 122 ILR 352.
- Pope & Talbot Inc v The Government of Canada* Award in respect of damages (31 May 2002) UNCITRAL/NAFTA 7 ICSID Reports 148, 126 ILR 131.
- Quasar de Valores SICAV SA v Russian Federation* Award (20 July 2012) SCC No. 24/2007.
- Saipem SpA v The People's Republic of Bangladesh* Decision on Jurisdiction and Recommendation on Provisional Measures (21 March 2007) ICSID Case No. ARB/05/07.
- Saluka Investments BV v The Czech Republic* Award (17 March 2006) UNCITRAL (1976) PCA Case No. 2001-04.
- SD Myers, Inc v Government of Canada* Partial Award (13 November 2000) UNCITRAL/NAFTA (2001) 40 ILM 1408.
- Sempra Energy International v Argentine Republic* Award (28 September 2007) ICSID Case No. ARB/02/16.
- Sempra Energy International v Argentine Republic* Decision on the Argentine Republic's Application for Annulment of the Award (29 June 2010) ICSID Case No. ARB/02/16.
- Siemens AG v The Argentine Republic, Award* (17 January 2007) ICSID Case No. ARB/02/8.

Bibliography

- ST-AD GmbH v Republic of Bulgaria* Award on Jurisdiction (18 July 2013) PCA Case No. 2011-06.
- Técnicas Medioambientales Tecmed, SA v The United Mexican States* Award (29 May 2003) ICSID Case No. ARB(AF)/00/2.
- Total SA v The Argentine Republic* Decision on Liability (27 December 2010) ICSID Case No ARB/04/01.
- Waste Management, Inc v United Mexican States ("Number 2")* Award (30 April 2004) ICSID Case No ARB(AF)/00/3.
- William Ralph Clayton, William Richard Clayton, Douglas Clayton, Daniel Clayton and Bilcon of Delaware Inc v Government of Canada: Award on Jurisdiction and Liability* (17 March 2015) UNCITRAL PCA Case No. 2009-04.

Further arbitration awards

- Affaire du Neptune* Great Britain v. U.S.A., Gr. Brit.-U.S. Arb. Trib. 1797 Recueil des arbitrages internationaux Tome 1 (de Lapradelle / Politis, Paris 1905) 137.
- Antoine Fabiani Case* France. v. Venezuela (31 July 1905) X RIAA 83.
- B E Chattin* United States v. United Mexican States (23 July 1927) IV RIAA 282.
- BP Exploration Company (Libya) Limited v Government of the Libyan Arab Republic* Lagergreen, Sole Arbitrator, Award (10 October 1973, 1 August 1974) 53 ILR 297.
- Delimitation of the Continental Shelf between the United Kingdom of Great Britain and Northern Ireland, and the French Republic* Court of Arbitration (Decisions of 30 June 1977 and 14 March 1978) XVIII RIAA 3.
- Eastern Extension, Australasia and China Telegraph Company, Ltd* Great Britain v. United States (9 November 1923) VI RIAA 112.
- Eritrea-Ethiopia Claims Commission* Eritrea's Claim 17, Partial Award: Prisoners of War (1 July 2003) XXVI RIAA 23.
- F H Redward* U.K. v. U.S.A., Gr. Brit.-U.S. Arb. Trib. (10 November 1925) VI RIAA 157.
- Flegenheimer Case* United States of America v. Italy, Italian-United States Conciliation Commission (20 September 1958) XIV RIAA 327.
- Gentini* Italy v. Venezuela, Award (1 July 1903) X RIAA 551.
- George W Hopkins* U.S.A. v. United Mexican States (31 March 1926) IV RIAA 41.

- Georges Pinson case* France v. United Mexican States (19 October 1928) V RIAA 327.
- Harry Roberts* U.S.A. v. United Mexican States, (2 November 1926) IV RIAA 77.
- International Conference on the Former Yugoslavia Arbitration Commission* Opinion No 13 (16 July 1993) 96 ILR 727.
- Island of Palmas Case* Netherlands v. U.S.A. (4 April 1928) II RIAA 829.
- L F H Neer and Pauline Neer* U.S.A. v. United Mexican States (15 October 1926) IV RIAA 60.
- LIAMCO v The Government of the Libyan Arab Republic* Sobhi Mahmassani, Sole Arbitrator, Award (12 April 1977) 20 ILM 1.
- Norwegian shipowners' claims* Norway v. USA (13 October 1922) I RIAA 307.
- Petroleum Development (Trucial Coast) Ltd v Sheikh of Abu Dhabi* Award of Lord Asquith of Bishopstone (September 1951) 1 ICLQ 247.
- Robert E Brown* U.S. v. U.K, Gr. Brit.-U.S. Arb. Trib. (23 November 1923) VI RIAA 120.
- Russian Indemnities Case* Russia v. Turkey (11 November 1912) XI RIAA 421.
- Sapphire International Petroleums Ltd v National Iranian Oil Company* Pierre Cavin, Sole Arbitrator, Award (15 March 1963) 35 ILR 136.
- Saudi Arabia v Arabian American Oil Company* Sausser-Hall Referee, Badawi/Hassan, Habachy Arbitrators, Award (23 August 1958) 27 ILR 117.
- Texaco Overseas Petroleum Company and California Asiatic Oil Company v The Government of the Libyan Arab Republic* Jean-Marie Dupuy, Sole Arbitrator, Awards on the Merits (19 January 1977) 53 ILR 420.
- The Government of the State of Kuwait v The American Independent Oil Company* Paul Reuter, Hamed Sultan, Sir Gerald Fitzmaurice, arbitrators, Award (14 March 1982) 21 ILM 976.
- The Rhine Chlorides Arbitration concerning the Auditing of Accounts* The Netherlands v. France, Award (12 May 2004) PCA Case No 2000-02.
- Yuille Shortridge & Company* Great Britain v. Portugal, (21 October 1861) XXIX RIAA 57.

Bibliography

GATT/WTO Dispute Settlement Body

EC - Measures Affecting the Approval and Marketing of Biotech Products Panel Report (6 February 2006) WT/DS291/R WT/DS292/R WT/DS293/R.

United States - Import Prohibition of Certain Shrimp and Shrimp Products Appellate Body (12 October 1998) AB-1998-4.

Human Rights Committee

General Comment No 20: Article 7 (Prohibition of Torture, or Other Cruel, Inhuman or Degrading Treatment or Punishment) Human Rights Committee E/C.12/GC/20 (10 March 1992).

General Comment No 24: Issues Relating to Reservations Made upon Ratification or Accession to the Covenant or the Optional Protocols thereto, or in Relation to Declarations under Article 41 of the Covenant Human Rights Committee CCPR/C/21/Rev.1/Add.6 (4 November 1994).

General Comment No 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant Human Rights Committee CCPR/C/21/Rev.1/Add. 13 (26 May 2004).

General Comment No 36 on article 6 of the International Covenant on Civil and Political Rights, on the right to life Advanced unedited version Human Rights Committee CCPR/C/GC/36 (30 October 2018).

Report of the Human Rights Committee UN Doc A/50/40 (3 October 1995).

United Nations Materials

Historical Survey of the Question of International Criminal Jurisdiction Memorandum submitted by the Secretary-General (1949) UN Doc A/CN.4/7Rev.1.

Preparatory Study Concerning A Draft Declaration on the rights and Duties of States (Memorandum submitted by the Secretary-General) (15 December 1948) UN Doc A/CN.4/2.

Report of the Secretary-General Pursuant to Paragraph 2 of Security Council Resolution 808 (1993) (3 May 1993) UN Doc S/25704.

Report of the Secretary-General Pursuant to Paragraph 5 of Security Council Resolution 955(1994) (13 February 1995) UN Doc S/1995/134.

- Report of the Sixth Committee* (8 December 1950) UN Doc A/1639.
- Survey of International Law in Relation to the Work of Codification of the International Law Commission: Preparatory work within the purview of article 18, paragraph 1, of the International Law Commission* Memorandum submitted by the Secretary-General (10 February 1949) A/CN.4/1/Rev.1.
- UNCTAD, *World Investment Report 2015* (2015) <https://unctad.org/en/PublicationsLibrary/wir2015_en.pdf> accessed 1 February 2023.
- *World Investment Report 2016* (2016) <https://unctad.org/en/PublicationsLibrary/wir2016_en.pdf> accessed 1 February 2023.
 - *World Investment Report 2017* (2017) <https://unctad.org/en/PublicationsLibrary/wir2017_en.pdf> accessed 1 February 2023.
 - *World Investment Report 2018* (2018) <https://unctad.org/en/PublicationsLibrary/wir2018_en.pdf> accessed 1 February 2023.
 - *World Investment Report 2019* (2019) <https://unctad.org/en/PublicationsLibrary/wir2019_en.pdf> accessed 1 February 2023.
- UNGA Res 94 (I) (11 December 1946) UN Doc A/RES/94(I).
- UNGA Res 95 (I) (11 December 1946) UN Doc A/RES/95(I).
- UNGA Res 96 (I) (11 December 1946) UN Doc A/RES/96 (I).
- UNGA Res 174 (II) (21 November 1947) UN Doc A/RES/174(II).
- UNGA Res 217 A (III) (10 December 1948) UN Doc A/RES/3/217 A.
- UNGA Res 375 (IV) (6 December 1949) UN Doc A/RES/375(IV).
- UNGA Res 799 (VIII) (7 December 1953) UN Doc A/RES/799 (VIII).
- UNGA Res 898 (IX) (14 December 1954) UN Doc A/RES/898(IX).
- UNGA Res 897 (IX) (4 December 1954) UN Doc A/RES/897(IX).
- UNGA Res 1187 (XII) (11 December 1957) UN Doc A/RES/1187(XII).
- UNGA Res 1186 (XII) (11 December 1957) UN Doc A/RES/1186(XII).
- UNGA Res 1514 (XV) (14 December 1960) UN Doc A/Res/1514(XV).
- UNGA Res 1721 (XVI) A (20 December 1961) UN Doc A/RES/1721(XVI)A-E.
- UNGA Res 1803 (XVII) (14 December 1962) UN Doc A/RES/1803(XVII).
- UNGA Res 1962 (XVIII) (13 December 1963) UN Doc A/RES/1962(XVIII).
- UNGA Res 3314 (XXIX) (14 December 1974) UN Doc A/RES/3314 (XXIX).
- UNGA Res 3201 (S-VI) (1 May 1974) UN Doc A/RES/3201(S-VI).
- UNGA Res 3281 (XXIX) (12 December 1974) UN Doc A/RES/3281(XXIX).
- UNGA Res 35/49 (4 December 1980) UN Doc A/RES/3549.
- UNGA Res 36/106 (10 December 1981) UN Doc A/RES/36/106.
- UNGA Res 56/83 (12 December 2001) UN Doc A/RES/56/83.
- UNGA Res 73/203 (20 December 2018) UN Doc A/RES/73/203.

Bibliography

- UNGA Res 73/202 (20 December 2018) UN Doc A/RES/73/202.
UNGA Res 74/180 (18 December 2019) UN Doc A/RES/74/180.
UNGA Res 77/103 (19 December 2022) UN Doc A/RES/77/103.
United Nations Basic Principles and Guidelines on Remedies and Procedures on the Right of Anyone Deprived of Their Liberty to Bring Proceedings Before a Court Report of the Working Group on Arbitrary Detention (6 July 2015) UN Doc A/HRC/30/37.
United Nations Conference on the Law of Treaties, First session Vienna, 26 March - 24 May 1968, Official Records (vol A/CONF.39/11, 1969).
United Nations Report of the Preparatory Committee on the Establishment of an International Criminal Court, Volume I, Proceedings of the Preparatory Committee during March-April and August 1996 (13 September 1996) UN Doc A/51/22.
UNSC Res 827/1993 (25 May 1993) UN Doc S/RES/827(1993).
UNSC Res 955/1994 (8 November 1994) UN Doc S/RES/955(1994).
UNSC Res 1593 (31 March 2005) UN Doc S/RES/1593(2005).
UNSC Res 1966 (22 December 2010) UN Doc S/RES/1966(2010).

ILC Materials

- Article 24 of the Statute of the International Law Commission A Working Paper by Manley O Hudson* 3 March 1950 UN Doc A/CN.4/16 + Add.1 24.
Comment by Georg Nolte, Summary record of the 3226th meeting, 17 July 2014 UN Doc A/CN.4/SR.3226 (PROV.)
Comment by Georg Nolte, Summary record of the 3274th meeting, 22 July 2015 UN Doc A/CN.4/SR.3274 (PROV.)
Comment by Judge Ronny Abraham, Summary record of the 3274th meeting, 22 July 2015 UN Doc A/CN.4/SR.3274 (PROV.)
Comment by Roman A Kolodkin, Summary record of the 3361st meeting, 19 May 2017 UN Doc A/CN.4/SR.3361 (PROV.)
Comment by Sean Murphy, Summary record of the 3362nd meeting, 23 May 2017 UN Doc A/CN.4/SR.3362 (PROV.)
Comment by Georg Nolte, Summary record of the 3365th meeting, 30 May 2017 UN Doc A/CN.4/SR.3365 (PROV.)
Comment by Georg Nolte, Summary record of the 3417th meeting, 2 July 2018 UN Doc A/CN.4/SR.3417 (PROV.)

- Comment by Sean Murphy, Summary record of the 3587th meeting, 4 July 2022 UN Doc A/CN.4/SR.3587 (PROV.)*
- Comment by Shinya Murase, Summary record of the 3587th meeting, 4 July 2022 UN Doc A/CN.4/SR.3587 (PROV.)*
- Comment by Ki-Gab Park, Summary record of the 3588th meeting, 5 July 2022 UN Doc A/CN.4/SR.3588 (PROV.)*
- Comment by Mathias Forteau, Summary record of the 3588th meeting, 5 July 2022 UN Doc A/CN.4/SR.3588 (PROV.)*
- Comment by Sir Michael Wood, Summary record of the 3588th meeting, 5 July 2022 UN Doc A/CN.4/SR.3588 (PROV.)*
- Comment by Aniruddha Rajput, Summary record of the 3589th meeting, 6 July 2022 UN Doc A/CN.4/SR.3589 (PROV.)*
- Comment by August Reinisch, Summary record of the 3589th meeting, 6 July 2022 UN Doc A/CN.4/SR.3589 (PROV.)*
- Comment by Eduardo Valencia-Ospina, Summary record of the 3589th meeting, 6 July 2022 UN Doc A/CN.4/SR.3589 (PROV.)*
- Comment by Claudio Grossman Guiloff, Summary record of the 3590th meeting, 7 July 2022 UN Doc A/CN.4/SR.3590 (PROV.)*
- Comment by Huikang Huang, Summary record of the 3590th meeting, 7 July 2022 UN Doc A/CN.4/SR.3590 (PROV.)*
- Draft Articles on Responsibility of States for Internationally Wrongful Acts (ARSIWA) UN Doc A/56/10, Supplement no. 10.*
- Draft Articles on the Responsibility of International Organizations (ARIO) UN Doc A/66/10.*
- Eleventh report on the draft Code of Crimes against the Peace and Security of Mankind, by Mr Doudou Thiam, Special Rapporteur 25 March 1993 UN Doc A/CN.4/449.*
- Fifth State responsibility report by FV Garcia-Amador, Special Rapporteur 9 February 1960 UN Doc A/CN.4/125 and Corr. 1.*
- Fifth report by Sir Gerald Fitzmaurice, Special Rapporteur 21 March 1960 UN Doc A/CN.4/130.*
- Fifth report on immunity of State officials from foreign criminal jurisdiction, by Concepción Escobar Hernández, Special Rapporteur 14 June 2016 UN Doc A/CN.4/701.*
- First report on diplomatic protection, by Mr John R Dugard, Special Rapporteur 7 March and 20 April 2000 UN Doc A/CN.4/506 and Add. 1.*
- First report on formation and evidence of customary international law by Michael Wood, Special Rapporteur 17 May 2013 UN Doc A/CN.4/663.*

Bibliography

- First report on general principles of law by Marcelo Vázquez-Bermúdez, Special Rapporteur* 5 April 2019 UN Doc A/CN.4/732.
- Fourth Report on State Responsibility by Francisco V Garcia Amador*, 26 February 1959 UN Doc A/CN.4/119.
- Fourth report on State responsibility, by Mr Gaetano Arangio-Ruiz, Special Rapporteur* 12 and 25 May and 1 and 17 June 1992 UN Doc A/CN.4/444 and Add.1-3.
- Fourth report on State responsibility, by Mr James Crawford, Special Rapporteur* 2 and 3 April 2001 UN Doc A/CN.4/517 and Add. 1.
- Fragmentation of international law: difficulties arising from diversification and expansion of international law, Report of the Study Group of the International Law Commission, Finalized by Martti Koskenniemi* 13 April 2006 UN Doc A/CN.4/L.682.
- First report by Sir Gerald Fitzmaurice, Special Rapporteur* 14 March 1956 UN Doc A/CN.4/101.
- First report on subsequent agreements and subsequent practice in relation to treaty interpretation by Georg Nolte, Special Rapporteur* 19 March 2013 UN Doc A/CN.4/660.
- Guide to Practice on Reservations to Treaties* ILC Ybk (2011 vol 2 part three).
- ILC Ybk* (1949).
- ILC Ybk* (1950 vol 1).
- ILC Ybk* (1950 vol 2).
- ILC Ybk* (1951 vol 1).
- ILC Ybk* (1951 vol 2).
- ILC Ybk* (1952 vol 1).
- ILC Ybk* (1955 vol 1).
- ILC Ybk* (1953 vol 2).
- ILC Ybk* (1956 vol 1).
- ILC Ybk* (1956 vol 2).
- ILC Ybk* (1957 vol 2).
- ILC Ybk* (1958 vol 1).
- ILC Ybk* (1958 vol 2).
- ILC Ybk* (1959 vol 1).
- ILC Ybk* (1959 vol 2).
- ILC Ybk* (1960 vol 1).
- ILC Ybk* (1960 vol 2).
- ILC Ybk* (1961 vol 1).
- ILC Ybk* (1961 vol 2).

ILC Ybk (1962 vol 2).
ILC Ybk (1963 vol 1).
ILC Ybk (1963 vol 2).
ILC Ybk (1964 vol 1).
ILC Ybk (1964 vol 2).
ILC Ybk (1966 vol 1 part 2).
ILC Ybk (1966 vol 2).
ILC Ybk (1968 vol 1).
ILC Ybk (1968 vol 2).
ILC Ybk (1969 vol 1).
ILC Ybk (1970 vol 1).
ILC Ybk (1971 vol 2).
ILC Ybk (1972 vol 1).
ILC Ybk (1974 vol 2 part 1).
ILC Ybk (1976 vol 1).
ILC Ybk (1977 vol 2 part 2).
ILC Ybk (1978 vol 1).
ILC Ybk (1980 vol 2 part 2).
ILC Ybk (1982 vol 2 part 1).
ILC Ybk (1992 vol 2 part 1).
ILC Ybk (1992 vol 2 part 2).
ILC Ybk (1993 vol 2 part 1).
ILC Ybk (1993 vol 2 part 2).
ILC Ybk (1994 vol 1).
ILC Ybk (1994 vol 2 part 2).
ILC Ybk (1996 vol 2 part 2).
ILC Ybk (1998 vol 2 part 1).
ILC Ybk (1999 vol 1).
ILC Ybk (1999 vol 2 part 1).
ILC Ybk (2000 vol 2 part 1).
ILC Ybk (2001 vol 2 part 1).
ILC Ybk (2001 vol 2 part 2).
ILC Ybk (2006 vol 2 part 2).
ILC Ybk (2013 vol 2 part 1).
ILC Ybk (2014 vol 1).
ILC Ybk (2014 vol 2 part 1).
ILC Ybk (2015 vol 1).
ILC Ybk (2015 vol 2 part 1).

- International responsibility: report by F V Garcia Amador, Special Rapporteur* 20 January 1956 UN Doc A/CN.4/96.
- International responsibility: Second report by F V Garcia Amador, Special Rapporteur* 15 February 1957 UN Doc A/CN.4/106.
- International responsibility: Third report by F V Garcia Amador, Special Rapporteur* 2 January 1958 UN Doc A/CN.4/111.
- Peremptory Norms of General International Law (Jus Cogens). Statement of the Chair of the Drafting Committee Mr Claudio Grossmann Guiloff of 31 May 2019 (2019) (https://legal.un.org/ilc/documentation/english/statements/2019_dc_chairman_statement_jc.pdf) accessed 1 February 2023.
- Preliminary Report on Diplomatic Protection by Mr Mohamed Bennouna, Special Rapporteur* 4 February 1998 UN Doc A/CN.4/484.
- Provisional summary record of the 3378th meeting, 20 July 2017* UN Doc A/CN.4/SR.3378 (PROV.)
- Report of the International Law Commission: Fifty-third session (23 April–1 June and 2 July–10 August 2001)* UN Doc A/56/10.
- Report of the International Law Commission: Seventy-third session (18 April–3 June and 4 July–5 August 2022)* UN Doc A/77/10.
- Report of the International Law Commission: Fifty-eighth session (1 May–9 June and 3 July–11 August 2006)* UN Doc A/61/10.
- Report of the International Law Commission: Sixty-third session (26 April–3 June and 4 July–2 August 2011)* UN Doc A/66/10.
- Report of the International Law Commission: Sixty-fifth session (6 May–7 June and 8 July–9 August 2013)* UN Doc A/68/10.
- Report of the International Law Commission: Sixty-sixth session (5 May–6 June and 7 July–8 August 2014)* UN Doc A/69/10.
- Report of the International Law Commission: Sixty-eighth session (2 May–10 June and 4 July–12 August 2016)* UN Doc A/71/10.
- Report of the International Law Commission: Sixty-ninth session (1 May–2 June and 3 July–4 August 2017)* UN Doc A/72/10.
- Report of the International Law Commission: Seventieth session (30 April–1 June and 2 July–10 August 2018)* UN Doc A/73/10.
- Report of the International Law Commission: Seventy-first session (29 April–7 June and 8 July–9 August 2019)* UN Doc A/74/10.
- Report of the International Law Commission: Seventy-second session (26 April–4 June and 5 July–6 August 2021)* UN Doc A/76/10.
- Report of the International Law Commission: Seventy-third session (18 April–3 June and 4 July–5 August 2022)* UN Doc A/77/10.

- Report of the International Law Commission: Seventy-fourth session (24 April–2 June and 3 July–4 August 2023)* UN Doc A/78/10.
- Second Report on the Regime of the High Seas by J P A François, Special Rapporteur* 10 April 1951 UN Doc A/CN.4/42.
- Second report on State responsibility, by Mr James Crawford, Special Rapporteur* 17 March, 1 and 30 April, 19 July 1999 UN Doc A/CN.4/498 and Add.1-4.
- Second report on subsequent agreements and subsequent practice in relation to the interpretation of treaties by Georg Nolte, Special Rapporteur* 26 March 2014 UN Doc A/CN.4/671.
- Second report on identification of customary international law by Michael Wood, Special Rapporteur* 22 May 2014 UN Doc A/CN.4/672.
- Second report on jus cogens by Dire Tladi, Special Rapporteur* 16 March 2017 UN Doc A/CN.4/706.
- Second report on general principles of law by Marcelo Vázquez-Bermúdez, Special Rapporteur* 9 April 2020 UN Doc A/CN.4/741.
- Sixth Report on the Law of Treaties, by Sir Humphrey Waldock, Special Rapporteur* 11 March, 25 March, 12 April, 11 May, 17 May, 24 May, 1 June and 14 June 1966 UN Doc A/CN.4/186 and Add.1-7.
- Statement of the Chairman of the Drafting Committee, Mr. Gilberto Saboia of 7 August 2014 (https://legal.un.org/ilc/sessions/66/pdfs/english/dc_chairman_statement_identification_of_custom.pdf) accessed 1 February 2023.
- Statement of the Chairman of the Drafting Committee, Mr. Ki Gab Park of 29 July 2022 (https://legal.un.org/ilc/documentation/english/statements/2022_dc_chair_statement_gpl.pdf) accessed 1 February 2023.
- Third Report on the Law of Treaties, by Sir Humphrey Waldock, Special Rapporteur* 3 March, 9 June, 12 June and 7 July 1964 UN Doc A/CN.4/167 and Add.1-3.
- Third report on the content, forms and degrees of international responsibility (part 2 of the draft articles), by Mr Willem Riphagen, Special Rapporteur* 12 and 30 March and 5 May 1982 UN Doc A/CN.4/354 and Add. 1 and 2.
- Third report on State responsibility, by Mr James Crawford, Special Rapporteur* 15 March, 15 June, 10 and 18 July and 4 August 2000 UN Doc A/CN.4/507 and Add. 1–4.
- Third report on identification of customary international law by Michael Wood, Special Rapporteur* 27 March 2015 UN Doc A/CN.4/682.
- Third report on peremptory norms of general international law (jus cogens) by Dire Tladi, Special Rapporteur* 12 February 2018 UN Doc A/CN.4/714.

Bibliography

Third report on general principles of law by Marcelo Vázquez-Bermúdez, Special Rapporteur 18 April 2022 UN Doc A/CN.4/753.

United Kingdom

- A and others v Secretary of State for the Home Department* House of Lords [2005] UKHL 71.
- Abd Ali Hameed Al-Waheed v Ministry of Defence and Serdar Mohammed v Ministry of Defence* UKSC [2017] UKSC 2.
- Al-Saadoon and Others v Secretary of State for Defence* England and Wales High Court of Justice, QB [2015] EWHC 715.
- Al-Saadoon and Others v Secretary of State for Defence, and Rahmatullah & ANR v The Secretary of State for Defence* England and Wales Court of Appeal, QB [2016] EWCA Civ 811.
- Attorney General v Nissan* House of Lords [1969] UKHL 3.
- Benkharbouche (Respondent) v Secretary of State for Foreign and Commonwealth Affairs (Appellant) and Secretary of State for Foreign and Commonwealth Affairs and Libya (Appellants) v Janah (Respondent)* UKSC [2017] UKSC 62.
- Benkharbouche & Janah v Embassy of the Republic of Sudan* England and Wales Court of Appeal, QB [2015] EWCA Civ 33.
- Her Majesty's Treasury (Respondent) v Mohammed Jabar Ahmed and others (FC) (Appellants) Her Majesty's Treasury (Respondent) v Mohammed al-Ghabra (FC) (Appellant) R (on the application of Hani El Sayed Sabaei Youssef) (Respondent) v Her Majesty's Treasury (Appellant)* UKSC [2010] UKSC 2.
- Holland v Lampen-Wolfe* House of Lords [2000] UKHL 40.
- Johnson v Unisys Limited* House of Lords [2001] UKHL 13.
- Jones v Ministry of Interior Al-Mamlaka Al-Arabiya AS Saudiya (the Kingdom of Saudi Arabia) and others* House of Lords [2006] UKHL 26.
- Kennedy v Charity Commission* UKSC [2014] UKSC 20.
- Mohammed (Serdar) v Ministry of Defence, Qasim v Secretary of State for Defence, Rahmatullah v Ministry of Defence, Iraqi Civilians v Ministry of Defence* UK Court of Appeal [2015] EWCA Civ 843.
- Montgomery v Lanarkshire Health Board* UKSC [2015] UKSC 11.
- Osborn v The Parole Board, Booth v The Parole Board In the matter of an application of James Clyde Reilly for Judicial Review (Northern Ireland)* UKSC [2013] UKSC 61.

- R (Daly) v Secretary of State for the Home Department* House of Lords [2001] UKHL 26.
- R (Guardian News and Media Ltd) v City of Westminster Magistrates' Court (Article 19 intervening)* England and Wales Court of Appeal, QB [2013] QB 618.
- R (on the application of Faulkner) v Secretary of State for Justice and others* UKSC [2013] UKSC 23.
- Rahmatullah v Ministry of Defence and another, Mohammed and others v Ministry of Defence and another* UKSC [2017] UKSC 1.
- Regina v Parole Board ex parte Smith, Regina v Parole Board ex parte West* House of Lords [2005] UKHL 1.
- Regina v The Secretary of State for the Home Department ex Parte Mark Francis Leech* England and Wales Court of Appeal [1993] EWCA Civ 12.
- Thomas Bonham v College of Physicians* Court of Common Pleas (1610) 77 Eng. Rep. 638.
- Watkins v Home Office* House of Lords [2006] UKHL 17.

USA

- Erie Railroad Company v Tompkins* SCOTUS 304 U.S. 64.
- Van Beeck v Sabine Towing Co* SCOTUS 300 U.S. 342.

South Africa

- In the matter between Democratic Alliance and Minister of International Relations and Cooperation et al* High Court of South Africa (Gauteng Division, Pretoria) (22 February 2017) Case No 83145/2016.
- Southern Africa Litigation Centre v Minister of Justice And Constitutional Development and Others* High Court of South Africa (Gauteng Division, Pretoria) (26 June 2015) (27740/2015) [2015] ZAGPPHC 402.
- The Minister of Justice and Constitutional Development v The Southern African Litigation Centre* Supreme Court of Appeal of South Africa (15 March 2016) (867/15) [2016] ZASCA 17.

Bibliography

Israel

Attorney General v Adolf Eichmann District Court of Israel, Criminal Case No. 40/61 36 ILR 236-237.

France

Judgment of 13 January 2021 French Court of Cassation, Criminal Division Appeal No. 20-80.511.

Germany

Judgment of 28 January 2021 Bundesgerichtshof 3 StR 564/19.

Websites

ICC, 'Q&A Regarding Appeals Chamber's 6 May 2019 Judgment in the Jordan Referral Re Al-Bashir Appeal, ICC-PIOS-Q&A-SUD-02-01/19_Eng' (<https://www.icc-cpi.int/itemsDocuments/190515-al-bashir-qa-eng.pdf>) accessed 1 February 2023.

ICJ, 'Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation) - Latest Developments' (<https://www.icj-cij.org/en/case/182>) accessed 1 February 2023.

– 'Declarations recognizing the jurisdiction of the Court as compulsory' (<https://www.icj-cij.org/en/declarations>) accessed 1 February 2023.

– 'Request for an Examination of the Situation in Accordance with Paragraph 63 of the Court's Judgment of 20 December 1974 in the Nuclear Tests (New Zealand v. France) Case - Intervention' (<https://www.icj-cij.org/en/case/97/intervention>) accessed 1 February 2023.

– 'Rules of the Court (1978) Adopted on 14 April 1978 and entered into force on 1 July 1978' (<https://www.icj-cij.org/en/rules>) accessed 1 February 2023.

Just Security, 'U.N. General Assembly and International Criminal Tribunal for the Crime of Aggression Against Ukraine' (<https://www.justsecurity.org>).

[org/tag/u-n-general-assembly-and-international-criminal-tribunal-for-aggression-against-ukraine/](https://www.un.org/tag/u-n-general-assembly-and-international-criminal-tribunal-for-aggression-against-ukraine/)) accessed 1 February 2023.

UNCTAD, ‘International Investment Agreements Navigator’ (<https://investmentpolicy.unctad.org/international-investment-agreements>) accessed 1 February 2023.

International Factfinding Reports

Tagliavini, Heidi, Independent International Fact-Finding Mission on the Conflict in Georgia Vol I (2009) (https://www.mpil.de/files/pdf4/IIFFMCG_Volume_I2.pdf) accessed 1 February 2023.

– Independent International Fact-Finding Mission on the Conflict in Georgia Vol II (2009) (https://www.mpil.de/files/pdf4/IIFFMCG_Volume_II1.pdf) accessed 1 February 2023.

Amicus Curiae Briefs

Written observations of Professor Claus Kreß as amicus curiae with the assistance of Ms Erin Pobjie 2018 June 2018 ICC-02/05-01/09-359.

Miscellaneous

Council of Europe, ‘References to the notion of the “general principles of law recognised by the civilised nations” as contained in the travaux préparatoires of the Convention’ [1974] CDH (74) 37 ([https://www.echr.coe.int/LibraryDocs/Travaux/ECHRTravaux-PGD-CDH\(74\)37-BIL1678846.pdf](https://www.echr.coe.int/LibraryDocs/Travaux/ECHRTravaux-PGD-CDH(74)37-BIL1678846.pdf)) accessed 1 February 2023.

de Serpa Soares, Miguel, ‘Seven Women in Seventy Years: A Roundtable Discussion on Achieving Gender Parity at the International Law Commission’ [2018] United Nations Office of Legal Affairs (https://legal.un.org/ola/media/info_from_lc/mss/speeches/MSS_ILC70_gender_side_event-24-May-2018.pdf) accessed 1 February 2023.

Documents of the United Nations Conference on International Organization, San Francisco, 1945 Vol XIII (United Nations Information Organizations 1945).

Bibliography

Entwurf eines bürgerlichen Gesetzbuches für das deutsche Reich: Erste Lesung: ausgearb. durch die von dem Bundesrathe berufene Kommission (Guttentag 1888).

European Parliament resolution of 6 April 2011 on the future European international investment policy (first published 2011, 2012/C 296 E/05, 2011).

Final Record of the Diplomatic Conference of Geneva of 1949 (vol II-B, Federal Political Department).

ILA, *Statement of Principles Applicable to the Formation of General Customary International Law* (London, 2000) (https://www.ila-hq.org/en_GB/documents/conference-report-london-2000-2) accessed 1 February 2023.

League of Nations Committee of Experts for the Progressive Codification of International Law, 'Annex to Questionnaire No. 4. Report of the Sub-Committee. M. Guerrero, Rapporteur, Mr. Wang Chung-Hui' [1927] printed in (1926) 20 AJIL Supp 177–203.

– 'Report to the Council of the League of Nations on the Questions which appear ripe for international regulation' C.196.M.70.1927.V., printed in (1928) 22 AJIL Supp 4.

Ministry of Defence, United Kingdom, *The manual of the law of armed conflict* (Oxford University Press 2004).

Notes of Interpretation of Certain Chapter 11 Provisions NAFTA Free Trade Commission (31 July 2001) 6 ICSID Rep. 567.

OECD Draft Convention on the Protection of Foreign Property (1967, not open to signature) (1968) 7 ILM 117–143.

Permanent Court of International Justice – Advisory Committee of Jurists, *Documents presented to the Committee relating to existing plans for the establishment of a Permanent Court of International Justice* (1920) (https://www.icj-cij.org/files/permanent-court-of-international-justice/serie_D/D_documents_to_comm_existing_plans.pdf) accessed 1 February 2023.

– *Procès-Verbaux of the Proceedings of the Committee, June 16th-July 24th 1920* (Van Langenhuysen Brothers 1920).

United Nations, *The Work of the International Law Commission Volume I* (9th edn, 2017) (<https://www.un-ilibrary.org/content/books/9789210609203>) accessed 1 February 2023.

United States of America, *Proclamation 2667 of September 28, 1945. Policy of the United States with respect to the natural resources of the subsoil and sea bed of the continental shelf, 10 Fed. Reg. 12.305 (1945).*

US Department of Defense, *Law of War Manual June 2015 (Updated December 2016)* (Washington, D.C., 2016).

