

1. Record Nr.	UNINA9910150186403321
Titolo	A farewell to fragmentation : reassertion and convergence in international law // edited by Mads Andenas and Eirik Bjorge [[electronic resource]]
Pubbl/distr/stampa	Cambridge : , : Cambridge University Press, , 2015
ISBN	1-316-36561-1 1-316-37161-1 1-316-37561-7 1-316-37661-3 1-316-37761-X 1-316-37461-0 1-139-97949-3
Descrizione fisica	1 online resource (ix, 593 pages) : digital, PDF file(s)
Collana	Studies on international courts and tribunals
Classificazione	LAW051000
Disciplina	341
Soggetti	International law International courts
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Title from publisher's bibliographic system (viewed on 05 Oct 2015).
Nota di contenuto	; 1. Introduction : from fragmentation to convergence in international law / Mads Andenas and Eirik Bjorge -- ; Part I. Reassertion and convergence : 'Proliferation' of courts and the centre of international law -- ; A. At the centre: The International Court -- ; 2. Unity and diversity in international law / Sir Christopher Greenwood -- ; 3. A century of international justice and prospects for the future / Antonio Augusto Cancado Trindade -- ; 4. The International Court of Justice and human rights treaty bodies / Sir Nigel Rodley -- ; 5. The ICJ and the challenges of human rights law / Vera Gowlland-Debbas -- ; 6. Factors influencing fragmentation and convergence in international courts / Philippa Webb -- ; B. 'Regimes' of international law -- ; 7. Fragmentation or partnership? : the reception of ICJ case-law by the European Court of Human Rights / Dean Spielmann -- ; 8. Factors influencing the reception of international law in the ECtHR's case law : an overview / Magdalena Forowicz -- ; 9. The influence of the

International Court of Justice on the law of provisional measures / Cameron A. Miles -- ; 10. Just another case of treaty interpretation? : reconciling humanitarian law and human rights law in the ICJ / Lawrence Hill-Cawthorne -- ; 11. Fragmentation within international human rights law / Mehrdad Payandeh -- ; 12. The European Union's participation in international economic institutions : a mutually beneficial reassertion of the centre / Emanuel Castellarin -- ; 13. Reinforcing the ICJ's central international role? : domestic courts' enforcement of ICJ decisions and opinions / Veronika Fikfak -- ; Part 2. A farewell to fragmentation and the sources of law -- ; A. Custom and Jus Cogens -- ; 14. The International Court of Justice and the international customary law game of cards / Lorenzo Gradoni -- ; 15. State practice, treaty practice and state immunity in international and English law / Alexander Orakhelashvili -- ; 16. Historical sketches about custom in international law / Jean-Louis Halperin -- ; B. Treaty Interpretation -- ; 17. Is there a subject-matter ontology in interpretation of international legal norms? / Robert Kolb -- ; 18. Halfway between fragmentation and convergence : the role of the rules of the organization in the interpretation of constituent treaties / Paolo Palchetti -- 19. The convergence of the methods of treaty interpretation : different regimes, different methods of interpretation? / Eirik Bjorge -- ; 20. Reassertion and transformation of international law / Mads Andenas.

Sommario/riassunto

Fragmentation has been much discussed as a threat to international law as a legal system. This book contends that the fragmentation of international law is far exceeded by its convergence, as international bodies find ways to account for each other and the interactions of emerging sub-fields. Reasserting its role as the 'principal judicial organ of the United Nations', the International Court of Justice has ensured that the centre of international law can and does hold. This process has strengthened a trend towards the reunification of international law. In order to explore this process, this book looks at fragmentation and convergence from the point of view of the centre of the International Court and of the position of other courts and tribunals. Featuring contributions by leading international lawyers from a range of backgrounds, this volume proposes both a new take and the last word on the fragmentation debate in international law.
