

1. Record Nr.	UNINA9910451352303321
Titolo	Asserting jurisdiction : international and European legal perspectives / / edited by Patrick Capps, Malcolm Evans, and Stratos Konstadinidis
Pubbl/distr/stampa	Oxford ; ; Portland, Oregon : , : Hart Publishing, , 2003
ISBN	1-4725-6281-X 1-280-80773-3 9786610807734 1-84731-028-1
Edizione	[1st ed.]
Descrizione fisica	1 online resource (344 p.)
Disciplina	341.4
Soggetti	Jurisdiction (International law) Electronic books.
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Papers presented at the EC/International Law Forum held May 2001 at the University of Bristol.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Contents: 1. Introduction -- (A) Theoretical Approaches to the Assertion of Jurisdiction: 2. Jurisdiction: The State / Frank Berman -- 3. New Wine in Old Bottles or Old Wine in New Bottles or Only Old Wine in Old Bottles? Reflections on the Assertion of Jurisdiction in Public International Law / Iain Scobbie -- 4. The Exercise of Jurisdiction in Private International Law / Jonathan Hill -- (B) Approaches to the Assertion of Jurisdiction Political Bodies: 5. National Law, International Law and EU Law - How do they Relate? / Trevor Hartley -- 6. The Member States' Competence and Jurisdiction under the EU/EC Treaties / Stephen Hyett -- 7. Competition Law in a Globalized Marketplace: Beyond Jurisdiction / Brenda Sufrin -- 8. The Jurisdiction of the Security Council: Original Intention and New World Order(s) / Colin Warbrick -- 9. Jurisdiction, NATO and the Kosovo Conflict / Christopher Greenwood -- (C) Approaches to the Assertion of Jurisdiction by Adjudicative Bodies: 10. Approaches of Domestic Courts to the Assertion of International Jurisdiction / Hazel Fox -- 11. Assertion of Jurisdiction by the International Court of Justice / Abdul Koroma -- 12. Approaches to the Assertion of International Jurisdiction: The Human Rights Committee / Dominic McGoldrick -- 13. Some Problems of Compulsory

Jurisdiction before Specialised Tribunals: The Law of the Sea / Alan Boyle --14 Activism and Restraint in the European Court of Justice / Stephen Weatherill -- 15. The Assertion of Jurisdiction by the European Court of Justice / John Usher.

Sommario/riassunto

"The essays in this collection explore the various ways in which a number of key European and International legal institutions attempt to define the boundaries of jurisdictional competence. The principle questions which are addressed are: (a) Does the relevant institution have a jurisdictional competence adequate to the challenges that it faces? (b) What are the parameters that bear upon the exercise of a particular jurisdictional competence? (c) What are the effects, positive or negative, of extending, restraining or creating a particular jurisdictional competence on those subject to its jurisdiction, other actors and the rule of law itself? Examples of the institutions covered in this book are the Security Council, the European Court of Justice, NATO, the International Court of Justice and the State."--Bloomsbury Publishing.
