

1. Record Nr.	UNINA9910484834003321
Titolo	Provisional measures issued by international courts and tribunals // edited by Fulvio Maria Palombino, Roberto Virzo, Giovanni Zarra
Pubbl/distr/stampa	The Hague, The Netherlands : , : T.M.C. Asser Press, , [2021] Â©2021
ISBN	94-6265-411-5
Edizione	[1st ed. 2021.]
Descrizione fisica	1 online resource (VI, 369 p. 2 illus.)
Disciplina	341
Soggetti	Provisional remedies International courts Civil procedure (International law)
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di contenuto	Chapter 1. Introduction -- Part I: General Features of Provisional Measures in International Adjudication -- Chapter 2. Provisional Measures: How 'Provisional' is 'Provisional'? -- Chapter 3. Requirements for the Issuance of Provisional Measures -- Chapter 4. Autonomy of Provisional Measures -- Chapter 5. The Humanisation of Provisional Measures? — Plausibility and the Interim Protection of Rights before the ICJ -- Part II: Provisional Measures Issued by Universal Courts and Inter-State Arbitral Tribunals -- Chapter 6. Opposites Attract? — Provisional Measures in the International Court of Justice Oscillating Between the Judicial Function and Party Autonomy -- Chapter 7. A “Game of Give and Take”: The ITLOS, the ICJ and Provisional Measures -- Chapter 8. Interim Measures in the Practice of the International Court of Justice and the International Criminal Court -- Chapter 9. Reflections on Provisional Measures in Inter-State Arbitration -- Part III: Provisional Measures Issued by Regional Courts -- Chapter 10. The Procedural Features of Interim Relief before the Court of Justice of the European Union -- Chapter 11. Interim Measures at the European Court of Human Rights: Current Practice and Future Challenges -- Chapter 12. Provisional Measures under the African Human Rights System -- Part IV. Provisional Measures Issued by Commercial and Investments Arbitral Tribunals -- Chapter 13. The

Functions of Provisional Measures in International Commercial Arbitration: Between Efficacy and Innovation -- Chapter 14. The Enforcement of Provisional Measures -- Chapter 15. Provisional Measures in ICSID Arbitration Proceedings: Between the Current Legal Framework and the Proposed Reform -- Chapter 16. Conclusions.

Sommario/riassunto

This book makes a significant contribution to the comprehension of the law and practice of provisional measures issued by international courts and tribunals, including international commercial arbitration. After having analyzed the common features of provisional measures, it provides an overview of the peculiarities of these orders within the context of different international proceedings (e.g. the ICJ, the ITLOS, the CJEU, the ICC, human rights courts and investment arbitration). In this regard, the book is valuable in offering a broad and rigorous comparative analysis between the various forms of provisional measures. Owing to its original cross-cutting and case-driven approach, the book will be an essential tool for both scholars and practitioners dealing with the law of provisional measures in international adjudication. Indeed, this book will be an important novelty in international law libraries due to the broad range of regimes scrutinized and to a detailed analysis of the general trends within the contemporary law of provisional measures. Fulvio Maria Palombino is Professor of International Law in the Department of Law at the University of Naples Federico II, Naples, Italy. Roberto Virzo is Associate Professor of International Law in the Department of Law, Economics, Management and Quantitative Methods (DEMM) at the University of Sannio, Benevento, Italy. Giovanni Zarra is Adjunct Professor of International Law in the Department of Law at the University of Naples Federico II, Naples, Italy.
