Record Nr. UNINA9910782585303321 Autore Rosenne Shabtai Titolo Interpretation, revision, and other recourse from international judgments and awards [[electronic resource] /] / by Shabtai Rosenne Leiden: Boston: Martinus Nijhoff Publishers, 2007 Pubbl/distr/stampa 1-281-92645-0 **ISBN** 9786611926458 90-474-2146-9 Descrizione fisica 1 online resource (224 p.) Collana International litigation in practice, , 1874-0502;; v. 1 Disciplina 341.5/22 Soggetti Arbitration (International law) Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Description based upon print version of record. Includes bibliographical references (p. [195]) and index. Nota di bibliografia Introducing the topic -- The origins in arbitration -- The statutes --Nota di contenuto The rules -- International case law I--interpretation -- International case law II--revision, recourse -- Some essential procedural matters. Although there had been a few cases of the interpretation of judgments Sommario/riassunto of the Permanent Court of International Justice and the International Court of Justice, it was not until the mid-1980s that serious judicial discussion of the related problems of the interpretation and revision by the International Court of one of its own judgments came before the Court. Similar cases have also arisen in international arbitration proceedings between States. Interpretation, revision, and other forms of 'reference' to the International Court from some other international body, court or arbitral tribunal have produced a complex pattern of black letter texts supplemented by an even more complex set of judge made rules and practices. The close tie between the final decision and the highly political context of the obligation to comply with it produces a continuing tension between the finality of the decision and any one of the possible references in recourse from it. If any tendency can be discerned from the relevant materials it is in the strong preference for

maintaining the integrity and the authority of the res judicata, provided that no obvious miscarriage of justice is engendered. Interpretation is preferable to revision. This book is the first in the

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