Record Nr.	UNINA9910809904803321
Autore	Reinisch August
Titolo	International organizations before national courts / / August Reinisch
Pubbl/distr/stampa	Cambridge [England] ; ; New York, : Cambridge University Press, 2000
ISBN	1-107-11768-2 0-511-01190-3 1-280-42073-1 0-511-17290-7 0-511-15180-2 0-511-32486-3 0-511-49443-2 0-511-04841-6
Edizione	[1st ed.]
Descrizione fisica	1 online resource (Ixviii, 449 pages) : digital, PDF file(s)
Collana	Cambridge studies in international and comparative law;; 10
Disciplina	341.5/5
Soggetti	International agencies International and municipal law Jurisdiction
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 bibliografia	Includes bibliographical references (p. 394-443) and index.
Nota di contenuto	 Purpose, subject and methodology of this study Pt. I. Descriptive Analysis 2. Avoidance techniques 3. Strategies of judicial involvement Pt. II. Policy Issues 4. Rationales for judicial abstention 5. Reasons for asserting jurisdiction Pt. III. Future Developments 6. Do national courts provide an appropriate forum for disputes involving international organizations? 7. Conclusions.
Sommario/riassunto	A radical, empirical investigation of how national courts 'react' to disputes involving international organizations. Through comprehensive analysis of the attitudes and techniques of national courts and underlying political motives, Professor Reinisch first describes various legal approaches that result in adjudication or non-adjudication of disputes concerning international organizations. Secondly he discusses policy issues pro and contra the adjudication of such disputes. His study then scrutinizes the rationale for immunizing international

organizations from domestic litigations, especially the 'functional' need for immunity, and substantially debates the implications of a human rights-based right of access to court on immunizing international organizations against national jurisdictions. Finally he identifies contemporary trends, seeking to ascertain whether a more flexible principle exempting certain types of disputes from domestic adjudication might substitute for the traditional immunity concept, which would simultaneously guarantee the functioning and independence of international organizations without impairing private parties' access to a fair dispute settlement procedure.