

# **European Journal of International Law**

Volume 11, Number 1, 2000

## **Articles** ■

JS Lehman

**Unilateralism in international law: a United States-European symposium**

WM Reisman

**Unilateral action and the transformations of the world constitutive process: the special problem of humanitarian intervention**

P-M Dupuy

**The place and role of unilateralism in contemporary international law**

C Chinkin

**The state that acts alone: bully, good samaritan or iconoclast?**

F Francioni

**Multilateralism à la carte: the limits to unilateral withholdings of assessed contributions to the UN budget**

A Gerson

**Multilateralism à la carte: the consequences of unilateral 'pick and pay' approaches**

EJ Cárdenas

**UN financing: some reflections**

P Malanczuk

**The International Criminal Court and landmines: what are the consequences of leaving the US behind?**

K Anderson

**The Ottawa Convention banning landmines, the role of international non-governmental organizations and the idea of international civil society**

JC Hathaway

**America, defender of democratic legitimacy?**

J Goldsmith

**Unilateral regulation of the Internet: a modest defence**

FC Mayer

**Europe and the Internet: the old world and the new medium**

Y Benkler

**Internet regulation: a case study in the problem of unilateralism**

A Cassese

**The Martens Clause: half a loaf or simply pie in the sky?**

J Trachtman

**Decision of the appellate body of the World Trade Organization**

B Fassbender

**Review essay: *Quis judicabit?* The Security Council, its powers and its legal control**

**Book reviews**

**New and forthcoming publications**

## **Volume 11, Number 2, 2000**

### **Articles**

R Howse and D Regan

**The product/process distinction - an illusory basis for disciplining 'unilateralism' in trade policy**

P Sands

**'Unilateralism', values, and international law**

JH Jackson

**Comments on *Shrimp/Turtle* and the product/process distinction**

B Jansen

**The limits of unilateralism from a European perspective**

L Boisson de Chazournes

**Unilateralism and environmental protection: issues of perception and reality of issues**

D Bodansky

**What's so bad about unilateral action to protect the environment?**

R Wedgwood

**Unilateral action in the UN system**

V Gowlland-Debbas

**The limits of unilateral enforcement of community objectives in the framework of UN peace maintenance**

A Pellet

**Brief remarks on the unilateral use of force**

JE Alvarez

**Multilateralism and its discontents**

R Baratta

**Should invalid reservations to human rights treaties be disregarded?**

J Huber

**The past, present and future ACP-EC trade regime and the WTO**

G Simpson

**The situation on the international legal theory front: the power of rules and the rule of power**

AL Paulus

**Law and politics in the age of globalization**

## **Volume 11, Number 3, 2000**

### **Articles**

M Craven

**Legal differentiation and the concept of the human rights treaty in international law**

WA Schabas

**Perverse effects of the *nulla poena* principle: national practice and the ad hoc tribunals**

N Blokker

**Is the authorization authorized? Powers and practice of the UN Security Council to authorize the use of force by 'coalitions of the able and willing'**

PL Robinson

**Ensuring fair and expeditious trials at the International Criminal Tribunal for the former Yugoslavia**

DR Rothwell

**Polar environmental protection and international law: the 1991 Antarctic Protocol**

A Carty

**A colloquium on international law textbooks in England, France and Germany: introduction**

C Warbrick

***Brownlie's principles of public international law: an assessment***

P Capps

**Incommensurability, purposivity and international law**

S Schieder

**Pragmatism as a path towards a discursive and open theory of international law**

M Schmoeckel

**The internationalist as a scientist and Herald: Lassa Oppenheim**

A Carty

**Convergences and divergences in European international law traditions**

J Trachtman

**Decisions of the appellate body of the World Trade Organization**

**Book reviews**

**New and forthcoming publications**

**Volume 11, Number 4, 2000**

### **Articles** ■

PC Mavroidis

**Remedies in the WTO legal system: between a rock and a hard place**

S Marr

**The Southern Bluefin Tuna cases: the precautionary approach and conservation and management of fish resources**

P Hudson

**Does the death row phenomenon violate a prisoner's human rights under international law?**

M Frulli

**The special court for Sierra Leone: some preliminary comments**

P-M Dupuy

**The European tradition in international law: Charles de Visscher. By way of an introduction**

F Rigaux

**An exemplary lawyer's life (1884-1973)**

J Verhoeven

**Charles de Visscher: living and thinking international law**

P Couvreur

**Charles de Visscher and international justice**

**Book reviews**

**New and forthcoming publications**

**Volume 12, Number 1, 2001**

**Articles** 

G Pentassuglia

**The EU and the protection of minorities: the case of Eastern Europe**

DZ Cass

**The 'constitutionalization' of international trade law: judicial norm-generation as the engine of constitutional development in international trade**

M Zahraa

**Prospective Anglo-Scottish maritime boundary revisited**

S Marks

**Big brother is bleeping us - with the message that ideology doesn't matter**

M Plachta

**The Lockerbie Case: the role of the Security Council in enforcing the principle *aut dedere aut judicare***

CE Foster

**Articulating self-determination in the draft declaration on the rights of indigenous peoples**

**Book reviews**

**New and forthcoming publications**

**Volume 12, Number 2, 2001**

**Articles** ■

José E. Alvarez

**Do Liberal States Behave Better? A Critique of Slaughter's Liberal Theory**

Frédéric Mégret

**Epilogue to an Endless Debate: The International Criminal Court's Third Party Jurisdiction and the Looming Revolution of International Law**

Stephen Hall

**The Persistent Spectre: Natural Law, International Order and the Limits of Legal Positivism**

A.F.M. Maniruzzaman

**State Contracts in Contemporary International Law: Monist versus Dualist Controversies**

Micaela Frulli

**Are Crimes against Humanity More Serious than War Crimes?**

Philip Alston

**Charging for Access to International Law Treaty Information: Time for the UN to Rethink a Perverse Initiative**

Marius Bordanalba and Lew Sundberg

**The International Practice of the European Communities International Trade Developments, Including Commercial Defence Actions XVI: 1 January 1999–31 December 1999**

Monica Feria Tinta

**Due Process and the Right to Life in the Context of the Vienna Convention on Consular Relations: Arguing the LaGrand Case**

Andreas Paulus

**Book Review. The International Law Commission 1949–1998, 3 vols Watts Arthur**

**New and Forthcoming Publications**

**Volume 12, Number 3, 2001**

**Articles** ■

Tarcisio Gazzini

**NATO Coercive Military Activities in the Yugoslav Crisis (1992–1999)**

Peter Hilpold

**Humanitarian Intervention: Is There a Need for a Legal Reappraisal?**

John Cerone

**Minding the Gap: Outlining KFOR Accountability in Post-Conflict Kosovo**

W.J. Fenrick

**Targeting and Proportionality during the NATO Bombing Campaign against Yugoslavia**

Paolo Benvenuti

**The ICTY Prosecutor and the Review of the NATO Bombing Campaign against the Federal Republic of Yugoslavia**

Michael Bothe

**The Protection of the Civilian Population and NATO Bombing on Yugoslavia: Comments on a Report to the Prosecutor of the ICTY**

Gerry Simpson

**Two Liberalisms**

Christian Reus-Smit

**The Strange Death of Liberal International Theory**

Salvatore Zappalà

**Do Heads of State in Office Enjoy Immunity from Jurisdiction for International Crimes? The Ghaddafi Case Before the French Cour de Cassation**

Marius Bordanalba and Polly Mihaylova

**The International Practice of the European Communities: Current Survey International Trade Developments, Including Commercial Defence Actions XVII: 1 January 2000—30 June 2000**

Franz C. Mayer

**Review Essay The Internet and Public International Law — Worlds Apart?**

Christoph Schreuer

**Review: International Organizations Before National Courts • August Reinisch: *International Organizations Before National Courts***

**Volume 12, Number 4, 2001**

**Articles** ■

Jason A. Beckett

**Behind Relative Normativity: Rules and Process as Prerequisites of Law**

Catriona Drew

**The East Timor Story: International Law on Trial**

David M. Ong

**The Impact of Environmental Law on Corporate Governance: International and Comparative Perspectives**

Stefan Talmon

**The Cyprus Question before the European Court of Justice**

Ana Stanic

**Financial Aspects of State Succession: The Case of Yugoslavia**

Pietro Manzini

**The Priority of Pre-Existing Treaties of EC Member States within the Framework of International Law**

Joel Trachtman

**Decisions of the Appellate Body of the World Trade Organization**

Paul Conlon

**Review: Die Rechtmässigkeit von UNO-Wirtschaftssanktionen in Anbetracht ihrer Auswirkungen auf die Zivilbevölkerung • Dorothee Starck: *Die Rechtmässigkeit von UNO-Wirtschaftssanktionen in Anbetracht ihrer Auswirkungen auf die Zivilbevölkerung***

Marius Emberland

**Review: Freedom of Religion Under the European Convention on Human Rights • Carolyn Evans: *Freedom of Religion Under the European Convention on Human Rights***

James Turpin

**New and Forthcoming Publications**

**Volume 12, Number 5, 2001**

**Articles** ■

Christopher C. Joyner and Catherine Lotrionte

**Information Warfare as International Coercion: Elements of a Legal Framework**



Robert McCorquodale and Raul Pangalangan

**Pushing Back the Limitations of Territorial Boundaries**

Enzo Cannizzaro

**The Role of Proportionality in the Law of International Countermeasures**

Teraya Koji

**Emerging Hierarchy in International Human Rights and Beyond: From the Perspective of Non-derogable Rights**

Jurij Daniel Aston

**The United Nations Committee on Non-governmental Organizations: Guarding the Entrance to a Politically Divided House**

James Crawford, Jacqueline Peel, and Simon Olleson

**The ILC's Articles on Responsibility of States for Internationally Wrongful Acts: Completion of the Second Reading**

Antonio Cassese

**Terrorism is Also Disrupting Some Crucial Legal Categories of International Law**

Patrick Capps

**The Kantian Project in Modern International Legal Theory**

Andreas Paulus

**Review: International Law Situated: An Analysis of the Lawyer's Stance towards Culture, History and Community • Korhonen Outi: *International Law Situated: An Analysis of the Lawyer's Stance towards Culture, History and Community***

Günther J. Auth

**Review: Die Schule von New Haven. Darstellung und Kritik einer amerikanischen Völkerrechtslehre • Voos Sandra: *Die Schule von New Haven. Darstellung und Kritik einer amerikanischen Völkerrechtslehre***

Dirk Pulkowski

**Review: Die völkerrechtswidrige Entführung und ihre Rechtsfolgen [Abduction contrary to international law and its legal consequences] • Wilske Stephan: *Die völkerrechtswidrige Entführung und ihre Rechtsfolgen [Abduction contrary to international law and its legal consequences]***

**Volume 13, Number 1, 2002**

**Articles** ■

Christine Gray

**From Unity to Polarization: International Law and the Use of Force against Iraq**

Michael Byers

**The Shifting Foundations of International Law: A Decade of Forceful Measures against Iraq**

Matthew Craven

**Humanitarianism and the Quest for Smarter Sanctions**

Mary Ellen O'Connell

**Debating the Law of Sanctions**

H. C. Graf Sponeck

**Sanctions and Humanitarian Exemptions: A Practitioner's Commentary**

Robert Howse

**The Road to Baghdad is Paved with Good Intentions**

Lutz Oette

**A Decade of Sanctions against Iraq: Never Again! The End of Unlimited Sanctions in the Recent Practice of the UN Security Council**

Dieter Fleck

**Developments of the Law of Arms Control as a Result of the Iraq-Kuwait Conflict**

David J. Bederman

**Collective Security, Demilitarization and 'Pariah' States**

Chantal de Jonge Oudraat

**UNSCOM: Between Iraq and a Hard Place**

Hélène Ruiz Fabri

**The UNSCOM Experience: Lessons from an Experiment**

Andrea Gattini

**The UN Compensation Commission: Old Rules, New Procedures on War Reparations**

David D. Caron and Brian Morris

**The UN Compensation Commission: Practical Justice, not Retribution**

Merritt B. Fox

**Imposing Liability for Losses from Aggressive War: An Economic Analysis of the UN Compensation Commission**

Mariano J. Aznar-Gómez

**A Decade of Human Rights Protection by the UN Security Council: A Sketch of Deregulation?**

Karima Bennoune

**‘Sovereignty vs. Suffering’?<sup>1</sup> Re-examining Sovereignty and Human Rights through the Lens of Iraq**

Andrea Bianchi

**Ad-hocism and the Rule of Law**

Bardo Fassbender

**Uncertain Steps into a Post-Cold War World: The Role and Functioning of the UN Security Council after a Decade of Measures against Iraq**

Lori F. Damrosch

**The Permanent Five as Enforcers of Controls on Weapons of Mass Destruction: Building on the Iraq ‘Precedent’?**

Nico Krisch

**Review Essay Legality, Morality and the Dilemma of Humanitarian Intervention after Kosovo**

Luisa Vierucci

**Review: Multilateral Treaty-Making: The Current Status of Challenges to and Reforms Needed in the International Legislative Process**

**Volume 13, Number 2, 2002**

### **Articles** ▣

Frédéric Mégret

**‘War’? Legal Semantics and the Move to Violence**

Benedict Kingsbury

**Legal Positivism as Normative Politics: International Society, Balance of Power and Lassa Oppenheim's Positive International Law**

Konstantin Korkelia

**New Challenges to the Regime of Reservations under the International Covenant on Civil and Political Rights**

Bardo Fassbender

**Stories of War and Peace On Writing the History of International Law in the ‘Third Reich’ and After**

Andrea Gattini

**A Trojan Horse for Sudeten Claims? On Some Implications of the Prince of Liechtenstein v. Germany**

Karima Bennoune

**Review: A Country Unmasked: Inside South Africa's Truth and Reconciliation Commission**

Mathias Schmoeckel

**Review: Carl Schmitt: Antworten in Nürnberg**

José E. Alvarez

**Review: Bowett's Law of International Institutions**

Peter H. Sand

**Review: State Responsibility for Transboundary Air Pollution in International Law**

### **Volume 13, Number 3, 2002**

#### **Articles** ■

Immi Tallgren

**The Sensibility and Sense of International Criminal Law**

Daniel H. Joyner

**The Kosovo Intervention: Legal Analysis and a More Persuasive Paradigm**

Ernst-Ulrich Petersmann

**Time for a United Nations 'Global Compact' for Integrating Human Rights into the Law of Worldwide Organizations: Lessons from European Integration**

Robert Howse

**Human Rights in the WTO: Whose Rights, What Humanity? Comment on Petersmann**

Konstantinos D. Magliveras

**The Interplay Between the Transfer of Slobodan Milosevic to the ICTY and Yugoslav Constitutional Law**

Gerard Conway

**Breaches of EC Law and the International Responsibility of Member States**

Rosalind Dixon

**Rape as a Crime in International Humanitarian Law: Where to from Here?**

Joel Trachtman

**Decisions of the Appellate Body of the World Trade Organization**

Kevin R. Gray

**Case Concerning the Arrest Warrant of 11 April 2000**

A.W. Brian Simpson

**Review: A World Made New. Eleanor Roosevelt and the Universal Declaration of Human Rights • Mary Ann Glendon: *A World Made New. Eleanor Roosevelt and the Universal Declaration of Human Rights***

Rein Müllerson

**Review: The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870–1960 • Martti Koskenniemi: *The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870–1960***

**Volume 13, Number 4, 2002**

## **Articles**

Gabrielle Marceau

**WTO Dispute Settlement and Human Rights**

Philip Alston

**Resisting the Merger and Acquisition of Human Rights by Trade Law: A Reply to Petersmann**

Ernst-Ulrich Petersmann

**Taking Human Dignity, Poverty and Empowerment of Individuals More Seriously: Rejoinder to Alston**

Antonio Cassese

**When May Senior State Officials Be Tried for International Crimes? Some Comments on the *Congo v. Belgium* Case**

Steffen Wirth

**Immunity for Core Crimes? The ICJ's Judgment in the *Congo v. Belgium* Case**

Marina Spinedi

**State Responsibility v. Individual Responsibility for International Crimes: *Tertium Non Datur?***

**Symposium on Thomas M. Franck's *Fairness in International Law and Institutions* (1995)**

Colin Warbrick

**Introduction to the Symposium**

Iain Scobbie

**Tom Franck's Fairness**

Holly Cullen

**The Role of History in Thomas Franck's *Fairness in International Law and Institutions***

Stephen Tierney

**The Search for a New Normativity: Thomas Franck, Post-modern Neo-tribalism and the Law of Self-determination**

Dino Kritsiotis

**Imagining the International Community**

John Tasioulas

**International Law and the Limits of Fairness**

Thomas M.

**Epistemology at a Time of Perplexity**

Riccardo Pisillo Mazzeschi

**Review: Il principio della proporzionalità nell'ordinamento internazionale • Enzo Cannizzaro: *Il principio della proporzionalità nell'ordinamento internazionale***

**Volume 13, Number 5, 2002**

### **Articles** ■

Alexandros Yanniss

**The Concept of Suspended Sovereignty in International Law and Its Implications in International Politics**

Pierre-Marie Dupuy

**A General Stocktaking of the Connections between the Multilateral Dimension of Obligations and Codification of the Law of Responsibility**

Georg Nolte

**From Dionisio Anzilotti to Roberto Ago: The Classical International Law of State Responsibility and the Traditional Primacy of a Bilateral Conception of Inter-state Relations**

Marina Spinedi

**From One Codification to Another: Bilateralism and Multilateralism in the Genesis of the Codification of the Law of Treaties and the Law of State Responsibility**

Linos-Alexander Sicilianos

**The Classification of Obligations and the Multilateral Dimension of the Relations of International Responsibility**

Eric Wyler

**From ‘State Crime’ to Responsibility for ‘Serious Breaches of Obligations under Peremptory Norms of General International Law’**

Christian J. Tams

**Do Serious Breaches Give Rise to Any Specific Obligations of the Responsible State?**

Andrea Gattini

**A Return Ticket to ‘Communitarisme’, Please**

Iain Scobbie

**The Invocation of Responsibility for the Breach of ‘Obligations under Peremptory Norms of General International Law’**

Denis Alland

**Countermeasures of General Interest**

Pierre Klein

**Responsibility for Serious Breaches of Obligations Deriving from Peremptory Norms of International Law and United Nations Law**

Christian J. Tams

**Consular Assistance: Rights, Remedies and Responsibility: Comments on the ICJ's Judgment in the *LaGrand* Case**

Frédéric Mégret

**The Politics of International Criminal Justice**

Philip Alston

**Review: Basic Documents in International Law. 5th ed: *Basic Documents in International Law. 5th ed***

**Volume 14, Number 1, 2003**

## **Articles**

Anne Peters

**International Dispute Settlement: A Network of Cooperational Duties**

Robert Wai

**Countering, Branding, Dealing: Using Economic and Social Rights in and around the International Trade Regime**

Carsten Stahn

**The Ambiguities of Security Council Resolution 1422 (2002)**

Onuma Yasuaki

**International Law in and with International Politics: The Functions of International Law in International Society**

Akbar Rasulov

**Revisiting State Succession to Humanitarian Treaties: Is There a Case for Automaticity?**

Ryan Goodman and Derek Jinks

**Measuring the Effects of Human Rights Treaties**

Oona A. Hathaway

**Testing Conventional Wisdom**

Peter Hilpold

**Review: The EU and the WTO. Legal and Constitutional Issues: *The EU and the WTO. Legal and Constitutional Issues***

Wolfgang Schomburg and Nina H. B. Jørgensen

**Review: Towards an International Criminal Procedure • Christoph J. M. Safferling: *Towards an International Criminal Procedure***

Wolfgang Schomburg and Nina H. B. Jørgensen

**Review: Der Allgemeine Teil des Völkerstrafrechts: Ansätze einer Dogmatisierung • Kai Ambos: *Der Allgemeine Teil des Völkerstrafrechts: Ansätze einer Dogmatisierung***

**Volume 14, Number 2, 2003**

### **Articles**

Abraham D. Sofaer

**On the Necessity of Pre-emption**

Michael Bothe

**Terrorism and the Legality of Pre-emptive Force**

Joan Fitzpatrick

**Speaking Law to Power: The War Against Terrorism and Human Rights**

Sabine von Schorlemer

**Human Rights: Substantive and Institutional Implications of the War Against Terrorism**

Gerald L. Neuman

**Humanitarian Law and Counterterrorist Force**



Jan Klabbers

**Rebel with a Cause? Terrorists and Humanitarian Law**

Detlev F. Vagts

**Which Courts Should Try Persons Accused of Terrorism?**

Frédéric Mégret

**Justice in Times of Violence**

Sean D. Murphy

**International Law, the United States, and the Non-military 'War' against Terrorism**

Jean-Marc Sorel

**Some Questions About the Definition of Terrorism and the Fight Against Its Financing**

Joel Trachtman

**Decisions of the Appellate Body of the World Trade Organization**

Ernst-Ulrich Petersmann

**On 'Indivisibility' of Human Rights**

Karima Bennoune

**Review: Peoples' Rights: The State of the Art: *Peoples' Rights: The State of the Art***

Karima Bennoune

**Review: Self-Determination in International Law: *Self-Determination in International Law***

Gaetano Pentassuglia

**Review: Towards International Personality: The Position of Minorities and Indigenous Peoples in International Law • Anna Meijknecht: *Towards International Personality: The Position of Minorities and Indigenous Peoples in International Law***

Christoph J.M. Safferling

**Review: Torture as Tort: Comparative Perspectives on the Development of Transnational Human Rights Litigation: *Torture as Tort: Comparative Perspectives on the Development of Transnational Human Rights Litigation***

**Volume 14, Number 3, 2003**

**Articles** 📄

R. Dobie Langenkamp and Rex J. Zedalis

**What Happens to the Iraqi Oil?: Thoughts on Some Significant, Unexamined International Legal Questions Regarding Occupation of Oil Fields**

Ian Johnstone

**Security Council Deliberations: The Power of the Better Argument**

Darryl Robinson

**Serving the Interests of Justice: Amnesties, Truth Commissions and the International Criminal Court**

Steven Wheatley

**Deliberative Democracy and Minorities**

Alexander Orakhelashvili

**Restrictive Interpretation of Human Rights Treaties in the Recent Jurisprudence of the European Court of Human Rights**

Gerrit Betlem and André Nollkaemper

**Giving Effect to Public International Law and European Community Law before Domestic Courts: A Comparative Analysis of the Practice of Consistent Interpretation**

Christian Hauswaldt

**Problems under the EC–Israel Association Agreement: The Export of Goods Produced in the West Bank and the Gaza Strip under the EC–Israel Association Agreement**

Jan Klabbers

**Review: Der Glaube an das universale Recht: Zur Völkerrechtstheorie Hans Kelsens und seiner Schüler • Von Bernstorff Jochen: *Der Glaube an das universale Recht: Zur Völkerrechtstheorie Hans Kelsens und seiner Schüler***

Philip Alston

**Review: The Judicial Application of Human Rights Law: National, Regional and International Jurisprudence • Jayawickrama Nihal: *The Judicial Application of Human Rights Law: National, Regional and International Jurisprudence***

**Volume 14, Number 4, 2003**

**Articles** 📄

Francesco Francioni and Federico Lenzerini

**The Destruction of the Buddhas of Bamiyan and International Law**

Martti Koskenniemi

**Introduction: Alf Ross and Life Beyond Realism**

Knud Waaben

**Alf Ross 1899–1979: A Biographical Sketch**

Ole Spiermann

**A National Lawyer Takes Stock: Professor Ross' Textbook and Other Forays into International Law**

Alejandro Lorite Escorihuela

**Alf Ross: Towards a Realist Critique and Reconstruction of International Law**

Carl Landauer

**Antinomies of the United Nations: Hans Kelsen and Alf Ross on the Charter**

Henrik Zahle

**Legal Doctrine between Empirical and Rhetorical Truth. A Critical Analysis of Alf Ross' Conception of Legal Doctrine**

Anthony Carty

**Scandinavian Realism and Phenomenological Approaches to Statehood and General Custom in International Law**

Andreas L. Paulus

**Legalist Groundwork for the International Criminal Court: Commentaries on the Statute of the International Criminal Court**

**Volume 14, Number 5, 2003**

**Articles** 

Christine Gray

**The Use and Abuse of the International Court of Justice: Cases concerning the Use of Force after *Nicaragua***

Joost Pauwelyn

**A Typology of Multilateral Treaty Obligations: Are WTO Obligations Bilateral or Collective in Nature?**

Neil Boister

**'Transnational Criminal Law'?**

Alexander Gillespie

**Iceland's Reservation at the International Whaling Commission**

Enrico Milano

**Security Council Action in the Balkans: Reviewing the Legality of Kosovo's Territorial Status**

Michele Grigolo

**Sexualities and the ECHR: Introducing the Universal Sexual Legal Subject**

Chester Brown

**Review: The Competing Jurisdictions of International Courts and Tribunals •**

**Shany Yuval: *The Competing Jurisdictions of International Courts and Tribunals***

Montserrat Abad Castelos

**Review: Global Civil Society 2001: *Global Civil Society 2001***

Anthony Valcke

**Review: The European Union and the International Legal Order: Discord or**

**Harmony?: *The European Union and the International Legal Order: Discord or Harmony?***

Fabián Raimondo

**Review: Il diritto non cade in prescrizione: I ‘desaparecidos’ italoargentini. I**

**diritti umani tra negazione e internazionalizzazione: *Il diritto non cade in prescrizione: I ‘desaparecidos’ italoargentini. I diritti umani tra negazione e internazionalizzazione***

## **Volume 15, Number 1, 2004**

### **Articles**

B. S. Chimni

**International Institutions Today: An Imperial Global State in the Making**

Henrik Horn and Petros C. Mavroidis

**Still Hazy after All These Years: The Interpretation of National Treatment in the GATT/WTO Case-law on Tax Discrimination**

Ralph Wilde

**Representing International Territorial Administration: A Critique of Some Approaches**

Erika de Wet

**The Prohibition of Torture as an International Norm of jus cogens and Its Implications for National and Customary Law**

Haochen Sun

**The Road to Doha and Beyond: Some Reflections on the TRIPS Agreement and Public Health**

Marie-Bénédicte Dembour and Emily Haslam

**Silencing Hearings? Victim-Witnesses at War Crimes Trials**

Anne Orford

**Review: The Gift of Formalism • Bruno Simma: *The Charter of the United Nations: A Commentary. 2nd edition***

Peer Zumbansen

**Review: Sustaining Paradox Boundaries: Perspectives on Internal Affairs in Domestic and International Law • A. Claire Cutler: *Private Power and Global Authority: Transnational Merchant Law in the Global Political Economy***

Christian Pippan

**Review: A Theory of Universal Democracy: Beyond the End of History • L. Ali Khan: *A Theory of Universal Democracy: Beyond the End of History***

Christian Pippan

**Review: Right to Democracy in International Law • Jude I. Ibegu: *Right to Democracy in International Law***

Ikechi Mgbeoji

**Review: Issues of Sovereignty, Strategy and Security in the Economic Community of West African States (ECOWAS): Intervention in the Liberian Civil War • Thomas Jaye: *Issues of Sovereignty, Strategy and Security in the Economic Community of West African States (ECOWAS): Intervention in the Liberian Civil War***

Ikechi Mgbeoji

**Review: Liberia's Civil War: Nigeria, ECOMOG, and Regional Security in West Africa • Adekeye Adebajo: *Liberia's Civil War: Nigeria, ECOMOG, and Regional Security in West Africa***

Ikechi Mgbeoji

**Review: Building Peace in West Africa: Liberia, Sierra Leone, and Guinea-Bissau • Adekeye Adebajo: *Building Peace in West Africa: Liberia, Sierra Leone, and Guinea-Bissau***

Bill Gilmore

**Review: The Right of Hot Pursuit in International Law, Second Edition • Nicholas M. Poulantzas: *The Right of Hot Pursuit in International Law, Second Edition***

Robert Dufresne

**Review: The Accountability of Armed Opposition Groups in International Law • Liesbeth Zegveld: *The Accountability of Armed Opposition Groups in International Law***

Dmitry K. Labin

**Review: The Law of Treaties in Russia and the Commonwealth of Independent States. Text and Commentary • William E. Butler: *The Law of Treaties in Russia and the Commonwealth of Independent States. Text and Commentary***

## **Volume 15, Number 2, 2004**

### **Articles** 📄

Dino Kritsiotis

**Arguments of Mass Confusion**

George Letsas

**The Truth in Autonomous Concepts: How To Interpret the ECHR**

Joanne Scott

**International Trade and Environmental Governance: Relating Rules (and Standards) in the EU and the WTO**

Rosemary Byrne, Gregor Noll, and Jens Vedsted-Hansen

**Understanding Refugee Law in an Enlarged European Union**

Sundhya Pahuja

**'This is the World: Have Faith': Shelley Wright, International Human Rights, Decolonisation and Globalisation: Becoming Human. London and New York: Routledge, 2001.**

Gaetano Pentassuglia

**Review: Diversity and Self- Determination in International Law**

Abdullahi An-Na'im

**Review: International Human Rights and Islamic Law**

Abdullahi An-Na'im

**Review: Human Rights in the Muslim World: Fundamentalism, Constitutionalism and International Politics**

## **Volume 15, Number 3, 2004**

### **Articles** 📄

Robin R. Churchill and Urfan Khaliq

**The Collective Complaints System of the European Social Charter: An Effective Mechanism for Ensuring Compliance with Economic and Social Rights?**

Philip Alston

**'Core Labour Standards' and the Transformation of the International Labour Rights Regime**

Jörg Kammerhofer

**Uncertainty in the Formal Sources of International Law: Customary International Law and Some of Its Problems**

Sebastiaan Princen

**EC Compliance with WTO Law: The Interplay of Law and Politics**

Joost Pauwelyn

**Recent Books on Trade and Environment: GATT Phantoms Still Haunt the WTO**

Peter Hilpold

**Review: International Economic Law • Andreas F. Lowenfeld: *International Economic Law***

Peter Hilpold

**Review: The World Trade Organization • Mitsuo Matsushita, Thomas J. Schoenbaum, Petros Mavroidis: *The World Trade Organization***

Hatla Thelle

**Review: Human Rights in Chinese Thought. A Cross-Cultural Inquiry. • Stephen C. Angle: *Human Rights in Chinese Thought. A Cross-Cultural Inquiry***

Hatla Thelle

**Review: Bridging the Global Divide on Human Rights. A Canada- China Dialogue: *Bridging the Global Divide on Human Rights. A Canada- China Dialogue***

Ineta Ziemele

**Review: The Break-up of Yugoslavia and International Law • Peter Radan: *The Break-up of Yugoslavia and International Law***

Mariano Aznar

**Review: Archaeological and/or Historic Valuable Shipwrecks in International Waters. Public International Law and What it Offers • Eke Boesten: *Archaeological and/or Historic Valuable Shipwrecks in International Waters. Public International Law and What it Offers***

Kanishka Jayasuriya

**Review: Law after Ground Zero: *Law after Ground Zero***

Stanimir A. Alexandrov

**Review: The Role of the International Court of Justice as the Principal Judicial Organ of the United Nations • Mohamed Sameh M. Amr: *The Role of the International Court of Justice as the Principal Judicial Organ of the United Nations***

Stiina Löytömäki

**Review: Barbie, Touvier, Papon. Des procès pour la mémoire: *Barbie, Touvier, Papon. Des procès pour la mémoire***

Cristina Villarino Villa

**Review: L'aggressione in diritto internazionale. Da 'crimine' di Stato a crimine dell'individuo • Maria Clelia Ciciriello: *L'aggressione in diritto internazionale. Da 'crimine' di Stato a crimine dell'individuo***

## Volume 15, Number 4, 2004

### Articles ■

Jutta Brunnée

**The United States and International Environmental Law: Living with an Elephant**

Dan Sarooshi

**Sovereignty, Economic Autonomy, the United States, and the International Trading System: Representations of a Relationship**

Eyal Benvenisti

**The US and the Use of Force: Double-edged Hegemony and the Management of Global Emergencies**

William A. Schabas

**United States Hostility to the International Criminal Court: It's All About the Security Council**

Anthea Roberts

**Righting Wrongs or Wronging Rights? The United States and Human Rights Post-September 11**

Andrea Bianchi

**International Law and US Courts: The Myth of Lohengrin Revisited**

Andreas L. Paulus

**From Neglect to Defiance? The United States and International Adjudication**

Ian Johnstone

**US-UN Relations after Iraq: The End of the World (Order) As We Know It?**

Martti Koskenniemi

**Review: 'By Their Acts You Shall Know Them...' (And Not by Their Legal Theories): *Darker Legacies of Law in Europe. The Shadow of National Socialism and Fascism over Europe and Its Legal Traditions* (with a prologue by Michael Stolleis and an epilogue by JHH Weiler, Hart, 2003)**

Joel Trachtman

**Decisions of the Appellate Body of the World Trade Organization**

## Volume 15, Number 5, 2004

### Articles ■

Bardo Fassbender

**The Better Peoples of the United Nations? Europe's Practice and the United Nations**



Armin von Bogdandy

**Globalization and Europe: How to Square Democracy, Globalization, and International Law**

Mattias Kumm

**The Legitimacy of International Law: A Constitutionalist Framework of Analysis**

Antonello Tancredi

**EC Practice in the WTO: How Wide is the ‘Scope for Manoeuvre’?**

Geoff Gilbert

**Is Europe Living Up to Its Obligations to Refugees?**

Colin Warbrick

**The European Response to Terrorism in an Age of Human Rights**

Gerald L. Neuman

**Comment, Counter-terrorist Operations and the Rule of Law**

Detlev F. Vagts

**International Relations Looks at Customary International Law: A Traditionalist’s Defence**

Ward Ferdinandusse

**The Interaction of National and International Approaches in the Repression of International Crimes**

Jan Klabbers

**Review: Lessons and Legacies vol. V: The Holocaust and Justice**

Jan Klabbers

**Review: The Memory of Judgment: Making Law and History in the Trials of the Holocaust**

Gábor Sulyok

**Review: From Kosovo to Kabul: Human Rights and International Intervention**

Gábor Sulyok

**Review: Is Intervention Humanitarian? Protecting Human Rights and Democracy Abroad**

Laurence Henry

**Review: Title to Territory in International Law. A Temporal Analysis**

Laurence Henry

**Review: L’ordre international entre légalité et effectivité. Le titre juridique dans le contentieux territorial**

Christina Voigt

**Review: Methods of Resolving Conflicts between Treaties**

Christina Voigt

**Review: Conflicts in International Environmental Law**

**Volume 16, Number 1, February 2005**

### **Articles** 📄

Patrick Macklem

**Rybná 9, Praha 1: Restitution and Memory in International Human Rights Law**

Randall Lesaffer

**Argument from Roman Law in Current International Law: Occupation and Acquisitive Prescription**

Alexander Orakhelashvili

**The Impact of Peremptory Norms on the Interpretation and Application of United Nations Security Council Resolutions**

Pasquale De Sena and Francesca De Vittor

**State Immunity and Human Rights: The Italian Supreme Court Decision on the *Ferrini Case***

### **Symposium: Europe and International Law** 📄

Martti Koskenniemi

**International Law in Europe: Between Tradition and Renewal**

Oliver Gerstenberg

**What International Law Should (Not) Become. A Comment on Koskenniemi**

Pierre-Marie Dupuy

**Some Reflections on Contemporary International Law and the Appeal to Universal Values: A Response to Martti Koskenniemi**

Gerald L. Neuman

**Talking to Ourselves**

### **Review Essay** 📄

Anthony Carty

**The Iraq Invasion as a Recent United Kingdom ‘Contribution to International Law’**

## **Book Reviews** 📖

Dirk Pulkowski

**Review: Conflict of Norms in Public International Law: How WTO Law Relates to Other Rules of International Law**

Dirk Pulkowski

**Review: Die Koordination des WTO-Rechts mit anderen völkerrechtlichen Ordnungen: Konflikte des materiellen Rechts und Konkurrenzen der Streitbeileger**

Jan Klabbers

**Review: Towards Juristocracy: The Origins and Consequences of the New Constitutionalism**

Sonia Boutillon

**Review: Environmental Principles – From Political Slogans to Legal Rules**

Georg Nolte

**Review: The Purpose of Intervention, Changing Beliefs about the Use of Force**

## **Volume 16, Number 2, April 2005**

### **Articles** 📄

David Kretzmer

**Targeted Killing of Suspected Terrorists: Extra-Judicial Executions or Legitimate Means of Defence?**

Jason A. Beckett

**Countering Uncertainty and Ending Up/Down Arguments: *Prolegomena* to a Response to NAIL**

Neha Jain

**A Separate Law for Peacekeepers: The Clash between the Security Council and the International Criminal Court**

### **Review Essay Symposium** 📄

**Review Essay Symposium: Philip Allott's *Eunomia* and *The Health of Nations*  
Thinking Another World: 'This Cannot Be How the World Was Meant to Be':  
An event to mark the retirement of Professor Philip Allott, Professor of  
International Public Law, University of Cambridge, 28–29 May 2004**

Iain Scobbie

**Slouching towards the Holy City: Some Weeds for Philip Allott**

Karen Knop

***Eunomia* is a Woman: Philip Allott and Feminism**

Martti Koskenniemi

**International Law as Therapy: Reading *The Health of Nations***

Thomas M. Franck

**The Fervent Imagination and the School of Hard Knocks**

Rosalyn Higgins

**Final Remarks**

**Volume 16, Number 3, June 2005**

**Articles** 📄

Nico Krisch

**International Law in Times of Hegemony: Unequal Power and the Shaping of the International Legal Order**

Brian A Langille

**Core Labour Rights – The True Story (Reply to Alston)**

Francis Maupain

**Revitalization Not Retreat: The Real Potential of the 1998 ILO Declaration for the Universal Protection of Workers' Rights**

Philip Alston

**Facing Up to the Complexities of the ILO's Core Labour Standards Agenda**

**Symposium: Oil Platforms Case** 📄

Enzo Cannizzaro and Beatrice Bonafé

**Fragmenting International Law through Compromissory Clauses? Some Remarks on the Decision of the ICJ in the *Oil Platforms* Case**

Natalia Ochoa-Ruiz and Esther Salamanca-Aguado

**Exploring the Limits of International Law relating to the Use of Force in Self-defence**

**Review Essays** 📄

Anthony Carty

**Conservative and Progressive Visions in French International Legal Doctrine**

George Rodrigo Bandeira Galindo

**Martti Koskenniemi and the Historiographical Turn in International Law**

Noëlle Quénivet

**The World after September 11: Has It Really Changed?**

Volume 16, Number 4, September 2005

**Articles** 📄

Andrew T. Guzman

**The Design of International Agreements**

Fleur Johns

**Guantánamo Bay and the Annihilation of the Exception**

Bernhard Knoll

**From Benchmarking to Final Status? Kosovo and The Problem of an International Administration's Open-Ended Mandate**

**Symposium: Foreign Occupation and International Law** 📄

Marco Sassòli

**Legislation and Maintenance of Public Order and Civil Life by Occupying Powers**

Steven R. Ratner

**Foreign Occupation and International Territorial Administration: The Challenges of Convergence**

Nehal Bhuta

**The Antinomies of Transformative Occupation**

William Abresch

**A Human Rights Law of Internal Armed Conflict: The European Court of Human Rights in Chechnya**

**Review Essay** 📄

Berdal Aral

**An Inquiry into the Turkish 'School' of International Law**

**Book Reviews** 📄

Aristotle Constantinides

Erika de Wet. *The Chapter VII Powers of the United Nations Security Council*. Oxford: Hart Publishing, 2004. Pp. xviii + 412, including Table of Cases and Index. ISBN 1-84113-422-8. • M.<sup>a</sup> Eugenia López-Jacoiste Díaz. *Actualidad del Consejo de Seguridad de las Naciones Unidas: La legalidad de sus decisiones y el problema de su control*. Madrid: Editorial Civitas, 2003. Pp. 396. ISBN 84-470-2081-9. • Linos-Alexander Sicilianos. *Η Εξουσιοδότηση του Συμβουλίου Ασφαλείας του ΟΗΕ για Χρήση Βίας*. Athens – Komotini: Ant. N. Sakkoulas Publishers, 2003. Pp 567, including Appendix of Documents. ISBN 960-15-1015-X

Joshua Castellino

David Raič. *Statehood & the Law of Self-Determination*. Leiden, Boston: Martinus Nijhoff Publishers, 2002. Pp. 515. ISBN 904111890x.

Sigmar Stadlmeier

**Wolfram Wormuth. *Die Bedeutung des Europarechts für die Entwicklung des Völkerrechts* (The Significance of European Law for the Development of Public International Law). Frankfurt am Main: Peter Lang, 2004. Pp. 408. €64 (paperback). ISBN 3-631-51943-5 (Published in German).**

Jonas Christoffersen

**Jukka Viljanen, *The European Court of Human Rights as a Developer of the General Doctrines of Human Rights Law. A Study of the Limitations Clauses of the European Convention on Human Rights*. Tampere: Tampereen yliopisto, 2003. Pat 342. Bibliography. €25. ISBN 951-44-5795-1.**

### ***Current Developments* 🇪🇺**

Joel Trachtman

**Decisions of the Appellate Body of the World Trade Organization**