

International Courts and the Development of International Law

The present publication was produced with the generous support of the following Italian universities

The University of Milano

The University of Milano-Bicocca

The University of Cagliari

The University of Trento

The University of Parma

The University of Brescia

Nerina Boschiero · Tullio Scovazzi
Cesare Pitea · Chiara Ragni
Editors

International Courts and the Development of International Law

Essays in Honour of Tullio Treves



ASSER PRESS



Springer

Editors

Nerina Boschiero
Dipartimento di diritto pubblico
italiano e sovranazionale
University of Milano
Milan
Italy

Cesare Pitea
Dipartimento di Giurisprudenza
University of Parma
Parma
Italy

Tullio Scovazzi
Dipartimento delle scienze giuridiche
nazionali e internazionali
University of Milano-Bicocca
Milan
Italy

Chiara Ragni
Dipartimento di diritto pubblico
italiano e sovranazionale
University of Milano
Milan
Italy

ISBN 978-90-6704-893-4 ISBN 978-90-6704-894-1 (eBook)
DOI 10.1007/978-90-6704-894-1

Library of Congress Control Number: 2012949075

© T.M.C. ASSER PRESS, The Hague, The Netherlands, and the authors 2013

Published by T.M.C. ASSER PRESS, The Hague, The Netherlands www.asserpress.nl
Produced and distributed for T.M.C. ASSER PRESS by Springer-Verlag Berlin Heidelberg

No part of this work may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, microfilming, recording or otherwise, without written permission from the Publisher, with the exception of any material supplied specifically for the purpose of being entered and executed on a computer system, for exclusive use by the purchaser of the work. The use of general descriptive names, registered names, trademarks, etc. in this publication does not imply, even in the absence of a specific statement, that such names are exempt from the relevant protective laws and regulations and therefore free for general use.

Printed on acid-free paper

Springer is part of Springer Science+Business Media (www.springer.com)

Preface

Under Article 38 of its Statute, the International Court of Justice can apply judicial decisions only as a “subsidiary means for the determination of rules of law”. However, there are many reasons to believe that international courts and tribunals do play quite an important role in the progressive development of international law. There are a number of decisions which are inevitably recalled as the first step, or a decisive step, in the process of the formation of a new rule of customary international law. Can, in these cases, the judge be considered as a subsidiary of others? Are these cases compatible with the common belief that a judge cannot create law? Is this a peculiarity of international law, which is characterized by the existence of several courts but the lack of a legislator? Do decisions by different courts lead to the consequence of a fragmented international law? This volume aims to provide the reader with an elaboration of various questions linked to the legislative or, depending on the preferences, quasi-legislative role of courts.

In their choices of subjects, the contributors have taken into account both the general aspects of the development of international rules through court decisions and the instances of specific sectors of international law, such as human rights, international crimes, international economic law, environmental law, and the law of the sea. Others have chosen the subject of rules on jurisdiction and the procedure of international courts. The question of the courts’ role, *mutatis mutandis*, in the development of areas of law different from public international law, namely private international law and European Union law, has also been considered.

* * *

The subject of this collection of essays is also linked to the outstanding characteristics of the scholar in honour of whom it is published at the time of his retirement from the University of Milan. Tullio Treves combines an academic background with the experiences of a negotiator of international treaties and a judge of an international tribunal.¹ He has been professor of international law

¹ For more details see the *curriculum vitae* included in this volume.

in the Italian Universities of Sassari, Turin, and Milan and has given and will deliver lectures and courses in many and prestigious academies all around the world, including the Hague Academy of International Law. His bibliography is impressive for the quality and number of works, as well as for the variety of the subjects and languages.² His first diplomatic experience, as a legal expert of the Italian delegation at the Third Conference of codification of international law of the sea (1973–1982), has been followed by several others. In 1996 he was elected judge of the International Tribunal for the Law of Sea where he sat until 2011. He was subsequently also elected by his colleagues as President of the Seabed Disputes Chamber of the Tribunal and largely contributed to the seminal advisory opinion rendered by it in 2011 on *Responsibilities and Obligations of States Sponsoring Persons and Entities with respect to Activities in the Area*.

It is also because he has a great deal to say on how international law develops that the editors of this collection are certain that Tullio Treves will appreciate the contributions written by friends and colleagues and collected in this volume.

* * *

The two original editors Nerina Boschiero and Tullio Scovazzi, owe a great debt of gratitude to Tullio Treves under the supervision of whom they have begun their legal studies and with whom they have subsequently shared many unforgettable experiences. They have taken the initiative of promoting this collection of essays also as the less young³ among those who have the privilege to consider Tullio Treves as their mentor.

In their task, while having the benefit of reading in advance the contributions and learning a great deal from them, the editors had to address two inevitable questions

The first question was the drawing of the list of contributors. It was evident that it would have been impossible to include all those who were willing to participate for well justified reasons of friendship and collaboration and that a difficult and perhaps questionable choice had to be made. The editors finally decided to invite a number of lawyers who have participated with Tullio Treves in diplomatic negotiations or have been judges at the International Tribunal for the Law of the Sea. They have also included his colleagues at the Department of International Law of the University of Milan and on the board of editors of the *Rivista di Diritto Internazionale Privato e Processuale*. Finally, they have invited some young scholars who have benefited from academic advice and supervision by Tullio Treves during the development of their legal research.

The second question was the dimension of the contributions in order not to exceed what could be contained in one volume. The editors started by prescribing a precise limit of space and continued by strictly enforcing it. Most contributors

² See the bibliography included in this volume.

³ To be precise, Tullio Scovazzi is much older than Nerina Boschiero.

have complied with this imposition and the editors are sincerely grateful to them because they have facilitated their task. Other contributors have not⁴ and the editors are equally grateful to them, because they have understood the deeply rooted Mediterranean culture of the editors, according to which every rule has its exceptions.

* * *

The editors wish to thank all those people who in one way or another have helped to bring this collection of essays to its conclusion. In particular the editors are indebted to Chiara Ragni and Cesare Pitea, who with a lot of competence and goodwill took much of the burden of the editorial effort on their shoulders and were finally appointed editors, together with the two original ones. They are also grateful to Angelica Bonfanti, Benedetta Cappiello, Chiara Sisler, Elena Fasoli, Francesca Romanin Jacur, Giorgia Sosio De Rosa, Giulia Bigi, Luigi Crema, Maria Chiara Noto, Michele Potest, Sabrina Urbinati, Seline Trevisanut, and Stefano Brugnattelli who acted as 'stylists' in ensuring that each paper was written in a uniform style as for abbreviations, quotations, and other details. Special thanks are due to Peter Morris who supervised most of the papers written by non-English native language contributors, to Seline Trevisanut, who did a similar work for texts in French, as well as to Philip van Tongeren and Marjolijn Bastiaans who provided the highly professional publishing services of T.M.C. Asser Press. It is also appropriate to thank the Universities of Brescia, Cagliari, Milan, Milano-Bicocca, Parma, and Trento which financed the publication of this book. Above all the editors wish to express their gratitude to the group of friends, colleagues and followers of Tullio Treves who generously contributed their intellectual resources and valuable time to make possible the completion of this collective effort.

Milan, June 2012

Nerina Boschiero
Tullio Scovazzi

⁴ Regrettably one of the editors is among them.



Tullio Treves: A Biographical Note

Tullio Treves was born in Tucumán, Argentina, on 20 September 1942. His father, Renato Treves, an eminent philosopher and sociologist of law, and his mother, Fiammetta Lattes, had fled to Argentina to escape the anti-semitic laws of Fascist Italy.

He studied in the Italian school system from elementary school until he graduated at Milan University Faculty of Law in 1964. He then started a scholarly and academic career under Professor Mario Giuliano who taught Private International Law and later International Law at the University of Milan's Faculty of Law. He held the position of Assistant to Professor Giuliano after 1967; from 1969 onwards he gave courses as *chargé de cours* at the Universities of Pavia and Sassari. In 1972, he became a full professor (*straordinario*, tenured as *ordinario* in 1975) teaching at the University of Sassari's Faculty of Law from 1972 to 1974 (as dean in 1973–1974) and at the University of Turin's Faculty of Political Sciences from 1974 to 1980. From 1980 until his retirement in 2012 he taught at the University of Milan's Faculty of Law. In Milan he gave courses on Private International Law, General International Law, and he inaugurated the teaching, which he continued for many years, of Advanced International Law, promoting an interactive method focusing on specific subjects and international case law. In Milan he also gave informal seminars on new developments on international law involving his pupils, young colleagues, and graduate students.

In his scholarly writing Tullio Treves started with private international law, publishing books on exchange controls in the conflict of laws (1967) and on jurisdiction in international criminal law (1973) and he wrote numerous articles and notes stimulated by his participation in the *Rivista di diritto internazionale privato e processuale*. In these writings, while following the technical methodology of the Italian approach to private international law, he also devoted a great deal of attention to comparative law and to the connections between private and public international law, as well as to the political implications of cases and doctrinal trends.

His interests soon moved toward public international law. He published a long essay on the topical issue of the continuity of treaties and new independent States

in 1969, and, stimulated by his involvement in the Italian Delegation to the Preparatory Committee to the Third UN Conference on the Law of the Sea, and to the Conference itself, he started writing on the law of the sea, dispute settlement, international environmental law, and general questions of international law. He continued and still continues to focus on these issues. Among the books published, the following should be mentioned: *Diritto Internazionale. Problemi fondamentali* (2005), the 1991 Hague lectures (in French) on State practice and the codification of the Law of the Sea, the book (in Italian) on International disputes, new trends and new tribunals (1999), and the 2006 Castellòn General Course in English on International Law: Achievements and Challenges, in which he sets out his personal views on customary law and international law-making, the fragmentation of international law, the settlement of disputes, and other general topics.

He conceived and directed with enthusiasm collective research endeavours on topical issues which actively involved young researchers in scholarly and organizational tasks, affording them the opportunity to interact with recognized international scholars. Among them are those whose results appear, or are to appear in book form, on Civil Society and International Courts and Tribunals, on Non-Compliance Mechanisms and the Effectiveness of International Environmental Law, and on Common Concerns and the Protection of International Investment.

Tullio Treves has been involved in international activities since the early 1970s. First, as a member of the Italian Delegation to the Third UN Conference on the Law of the Sea (1973–1992), where he chaired the French Language Group of the Drafting Committee, and at other conferences. Between 1984 and 1992, he was the Legal Adviser to the Permanent Mission of Italy at the United Nations in New York. In this capacity he chaired various working groups of the Sixth Committee and was a member of the Italian delegation to the Security Council. In 1996, he was elected as a Judge of the International Tribunal for the Law of the Sea, a position which, after having been re-elected in 2002, he left in 2012. At the Tribunal he was twice President of the Seabed Disputes Chamber, including the proceedings for the delivery, on 1 February 2011, of an Advisory Opinion upon the request of the Council of the International Seabed Authority. He chaired the Tribunal's Committee of the Whole for the drafting of the Rules of the Tribunal. Apart from his involvement in the International Tribunal for the Law of the Sea, Tullio Treves is an active participant in international litigation: counsel for France in the Arbitration with Canada on the delimitation of maritime zones in the area of Saint-Pierre-et-Miquelon; counsel for Finland in the Great Belt case before the International Court of Justice; counsel for Peru in the Peru v. Chile maritime dispute before the ICJ; an arbitrator in the Bangladesh v. India maritime delimitation case. A consultant to various Governments, International Organizations and private entities; and Chairman of an Arbitration Tribunal for the Cairo Regional Centre for International Commercial Arbitration.

He has given courses and lectured at many distinguished learning institutions, including the Universities of Paris I and II, the Institute for Advanced Legal Studies of Geneva, the Hague Academy of International Law, the Castellon

Bancaja Euromediterranean Courses of International Law (1997 and in 2007 the general course), the Rhodes Academy for Maritime Law and Policy (every year since its inception in 1995), the Instituto Ortega y Gasset in Madrid, the University of California at Berkeley School of Law, the Cursos de Invierno de derecho internacional (Belo Horizonte, Brazil, 2010), the UNITAR and later UN Courses on International Law (The Hague, Quito, Yaoundé); the UN Regional Courses on International Law (Addis Abeba 2011 and 2012), and the OAS Courses on International Law (Rio de Janeiro, 2012).

A Member of the “Curatorium” of the Hague Academy of International Law since 2010, he taught at the Academy in 1991, and at the external sessions in Cairo in 2000 and Abu Dhabi in 2010. He is invited to deliver the General Course in 2015.

He is a member of numerous learned societies, including the *Institut de droit international* (since 1999); the *Società italiana di diritto internazionale* (as member of the Board 1998–2003); the *American Society of International Law*, *Société française de droit international*; the *Law of the Sea Institute* (a member of the Board 1984–1990); the *European Council for Environmental Law* (as president since 2006); and the *Monetary Law Committee* of the International Law Association.

He is editor of the *Rivista di diritto internazionale privato e processuale*, a co-editor of the *Italian Yearbook of International Law*, the editor of *Comunicazioni e studi*, a member of the Boards of the *Max-Planck Encyclopedia of Public International Law*, *The Law and Practice of International Courts and Tribunals*, the *Ocean Development and International Law Journal*, *Il diritto marittimo*, *Rivista di diritto della navigazione*, *Revue belge de droit international*, *Revista Española de derecho internacional*, as well as being a correspondent for Italy of the *Journal du droit international*.

Publications of Tullio Treves

Books and Monographs

- Il controllo dei cambi nel diritto internazionale privato*, Padova, 1967, XIV–345.
- La continuità dei trattati e i nuovi Stati indipendenti*, Comunicazioni e Studi, 1969, 333–454.
- La giurisdizione nel diritto penale internazionale*, Padova, 1973, VIII–317.
- Military Installations, Structures, and Devices on the Seabed*, American Journal of International Law, vol. 74, 1980, 808–857.
- La Convenzione delle Nazioni Unite sul diritto del mare del 10 dicembre 1982*, Milano, 1983, XVIII–518.
- Problemas generales del Derecho Internacional a la luz de la Convención de la Naciones Unidas sobre el derecho del mar*, Cursos de Derecho Internacional de Vitoria-Gasteiz, 1984, 17–62.
- (With M. Giuliano and T. Scovazzi), *Diritto internazionale*, vol. 1 and 2, Milano, 1983, XLIV–674 and XVI–611.
- (With M. Giuliano and T. Scovazzi) *Diritto internazionale*. Parte Generale, 2nd ed., Milano, 1991, XXVI–643.
- La navigation*, in R. J. Dupuy and D. Vignes (eds), *Traité du nouveau droit de la mer*, Paris-Bruxelles, 1985, 687–808.
- Navigation*, in R. J. Dupuy and D. Vignes (eds), *A Handbook on the New Law of The Sea*, vol. 2, Dordrecht, Boston, Lancaster, 1991, 835–976.
- Codification du droit international et pratique des Etats dans le droit de la mer*, Recueil des cours de l'Académie de droit international de La Haye, vol. 223, 1990-IV, 9–302.
- L'Italia e il diritto del mare*, Milano, 1995, XXVI–155.
- Le controversie internazionali. Nuove tendenze, nuovi tribunali*, Milano, 1999, XII–292.
- Diritto internazionale. Problemi fondamentali*, Milano, 2005, XXVI–781.
- International Law: Achievements and Challenges*, Cursos Euromediterráneos Bancaja de Derecho Internacional, vol. X, 2006 (publ. 2010), 45–270.

Edited Books

- (With M. Giuliano and F. Lanfranchi) *Corpo-indice degli accordi bilaterali in vigore tra l'Italia e gli Stati esteri*, Milano, 1968, 14–555.
- I conflitti di leggi in materia di vendita. Materiali e letture per il corso di diritto internazionale*, Milano, 1971, 260.
- (With M. Giuliano and F. Pocar) *Codice delle convenzioni di diritto internazionale privato e processuale*, Milano 1977; 2nd ed., Milano, 1981, XIV–1944; with F. Pocar, R. Clerici, P. De Cesari, and F. Trombetta-Panigadi, 3th ed., Milano, 1999, XXVI–2629.
- (With L. Amato, P. De Cesari, and G. Gasparro) *La giurisprudenza italiana sul diritto del mare/Italian Cases on the Law of the Sea*, Milano, 1979, XIV–261.
- La ricerca scientifica nell'evoluzione del diritto del mare*, Milano, 1981, VIII–196.
- (With L. Amato, T. Faranda, and T. Scovazzi) *La legislazione italiana sul diritto del mare/Italian Legislation on the Law of the Sea*, Milano, 1981, LII–290.
- Lo sfruttamento dei fondi marini internazionali*, Milano, 1982, XII–195.
- Verso una disciplina comunitaria della legge applicabile ai contratti*, Padova, 1983.
- (With P. De Cesari, L. Migliorino, T. Scovazzi, and F. Trombetta-Panigadi), *Index of Multilateral Treaties on the Law of the Sea*, Milano, 1985, VIII–374.
- (With T. Scovazzi), *World Treaties for the protection of the Environment*, Milano, Istituto per l'Ambiente, 1992, 720.
- (With E. Miles), *The Law of the Sea: New Worlds, New Discoveries (Proceedings 26th Ann. Conf. Law of the Sea Institute)*, Honolulu, 1993, X–630.
- (With L. Campiglio, L. Pineschi, and D. Siniscalco), *The Environment after Rio, International Law and Economics*, London, Dordrecht, Boston, 1994, XVII–285.
- (With M. C. Maffei, L. Pineschi, and T. Scovazzi), *Participation in World Treaties on the Protection of the Environment, A Collection of Data*, London, The Hague, Boston, 1996, XVI–290.
- The Law of the Sea: The European Union and its Member States*, The Hague, Boston, London, 1997, XXIV–590.
- (With M. Frigessi di Rattalma), *The United Nations Compensation Commission. A Handbook*, The Hague, London, Boston, 1999.
- (With L. Pineschi and A. Fodella), *International Law and Protection of Mountain Areas/Droit international et protection des régions de montagne*, Milano, 2002, XVI–325.
- (With L. Pineschi and A. Fodella), *Sustainable Development of Mountain Areas, Legal Perspectives after Rio and Johannesburg/Développement durable des régions de montagne, Les perspectives juridiques à partir de Rio et Johannesburg*, Milano, 2004, XXVIII–373.
- (With M. Frigessi di Rattalma, A. Tanzi, A. Fodella, C. Pitea, and C. Ragni), *Civil Society, International Courts and Compliance Bodies*, The Hague, 2005, XX–317.
- (With L. Pineschi, A. Tanzi, C. Pitea, C. Ragni, and F. Romanin Jacur) *Non-Compliance Procedures and Mechanisms and the Effectiveness of International Environmental Agreements*, The Hague, 2009, XLVIII–586.

Chapters in Books and Articles

- Problemi internazionalprivatistici delle obbligazioni pecuniarie nella giurisprudenza italiana*, Rivista di diritto internazionale privato e processuale, 1965, 246–290.
- Sulla contumacia “faute de conclure” nel diritto belga e gli articoli 797 n. 3 e 798 cod. proc. civ.*, Rivista di diritto internazionale privato e processuale, 1965, 323–328.
- Considerazioni in tema di ordine pubblico e norme materiali applicate dal giudice straniero in sede di delibazione*, Rivista di diritto internazionale privato e processuale, 1965, 504–520.
- In tema di applicabilità al Marocco di accordi italo-francesi*, Rivista di diritto internazionale privato e processuale, 1966, 83–105.
- Norme dispositive e inderogabili di diritto internazionale privato, ordine pubblico e delibazione di sentenze straniere*, Rivista di diritto internazionale privato e processuale, 1966, 780–787.
- Sulla volontà delle parti di cui all’articolo 25 delle preleggi e sul momento del suo sorgere*, Rivista di diritto internazionale privato e processuale, 1967, 315–335.
- Les nationalisations en Allemagne de l’Est et la Fondation Carl Zeiss*, Revue critique de droit international privé, 1967, 23–54.
- Il caso Zeiss*, Rivista di diritto internazionale privato e processuale, 1967, 437–502.
- Sulla legge regolatrice dell’azione diretta del mandante nei confronti del sostituito nel mandato*, Rivista di diritto internazionale privato e processuale, 1968, 848–853.
- Il meccanismo della “bilateralizzazione” e gli effetti obbligatori della Convenzione dell’Aja sul riconoscimento e l’esecuzione delle sentenze straniere*, Rivista di diritto internazionale privato e processuale, 1969, 174–182 and in: L’efficacia delle sentenze straniere nelle convenzioni dell’Aja e di Bruxelles, Padova, 1969, 281–290.
- Modificazioni al codice civile in tema di società in attuazione di direttiva della CEE*, Rivista di diritto internazionale privato e processuale, 1970, 294–299 (in German: Assenwirtschaftsdienst des Betriebs-Beraters, 1970, p. 129).
- Dichiarazioni dei nuovi Stati e accordi multilaterali dei loro predecessori*, Rivista di diritto internazionale, 1970, 21–35.
- Recenti sviluppi del caso “Zeiss”*, Rivista di diritto internazionale privato e processuale, 1970, 451–460.
- Les clauses monétaires dans les émissions d’euro-obligations*, Rivista di diritto internazionale privato e processuale, 1971, 775–825 (shorter version in: Les euro-obligations/Eurobonds, Paris, 1972).
- La crisi monetaria del 1972 e il diritto internazionale*, Rivista trimestrale di diritto pubblico, 1972, 1366–1392.
- Les privilèges et immunités des membres de la Commission et de la Cour Européenne des droits de l’homme*, in Multitudo legum, Ius unum, Festschrift W. Wengler, Berlin, 1973, 667–684.

- Il labirinto della vendita internazionale*, *Politica del diritto*, 1973, 97–109.
- Imprenditori italiani e stranieri tra la disciplina della concorrenza nella CEE e interventi statali nell'economia*, in *Concentrazioni di imprese e investimenti stranieri nel mercato comune*, Bari, 1974, 139–144.
- La crisi monetaria davanti alla Corte delle Comunità Europee*, *Rivista di diritto internazionale privato e processuale*, 1974, 46–57.
- Gli incarichi di insegnamento universitario a cittadini stranieri: uno strano caso di ricorso alla reciprocità per analogia*, *Rivista di diritto internazionale privato e processuale*, 1974, 374–375.
- Valore dell'oro e limitazione della responsabilità dell'armatore espressa in franchi Poincaré*, *Il diritto marittimo*, 1974, 12–29.
- Les unités de compte dans les conventions et organisations internationales*, *Annuaire français de droit international*, 1974, 753–772.
- Vis atractiva e rapporti di lavoro nella Convenzione CEE e nella legge fallimentare*, in *La legge fallimentare, bilancio e prospettive dopo 30 anni di applicazione*, Milano, 1975, 1227–1229.
- Appunti in tema di dirottamenti aerei nel diritto internazionale generale*, in: *Studi in onore di Manlio Udina*, vol. 1, Milano, 1975, 813–824 (updated version in: L. Bonanate (ed.), *Dimensioni del terrorismo politico*, Milano, 1979).
- Costituzione e accordo italo-argentino sulla cittadinanza*, *Rivista di diritto internazionale privato e processuale*, 1975, 294–300.
- Le decisioni interpretative dell'Accordo istitutivo del Fondo monetario internazionale*, *Comunicazioni e studi*, 1975, 925–944 (in French: *Revue générale de droit international public*, 1975, 1–20).
- Gold Clauses in International Treaties*, *The Italian Yearbook of International Law*, vol. 1, 1975, 132–149.
- Una svolta alla conferenza del diritto del mare? Il "Testo unico informale di negoziato"*, *Rivista di diritto internazionale*, 1974, 459–463.
- Devices to Facilitate Consensus: the Experience of the Law of the Sea Conference*, *The Italian Yearbook of International Law*, vol. 2, 1976, 39–60.
- (with M. Scerni) *La tavola rotonda del 1975 sul diritto del mare presso l'Istituto Italo-Latinoamericano*, *Rivista di diritto internazionale*, 1975, 85–89.
- Les tendances récentes du droit conventionnel de la responsabilité et le nouveau droit de la mer*, *Annuaire français de droit international*, 1975, 767–783.
- Chronique de jurisprudence italienne*, *Journal du droit international*, 1976, 152–184.
- La Comunità economica europea e la Conferenza sul diritto del mare*, *Rivista di diritto internazionale*, 1976, 445–467.
- Conventions de droit privé uniforme et clauses or*, *Rivista di diritto internazionale privato e processuale*, 1976, 16–49.
- La Communauté Européenne et la zone économique exclusive*, *Annuaire français de droit international*, 1976, 653–677.
- Note sous Cour d'appel de Paris 9 juillet 1975*, *Revue critique de droit international privé*, 1977, 98–103.

- Le transfert de technologie et la Conférence sur le droit de la mer*, Journal du droit international, 1977, 43–65.
- The Monetary Clauses in the 1975 Montreal Protocols to the Warsaw Air Law Convention*, in Internationales Recht und Wirtschaftsordnung/International Law and Economic Order, Festschrift F. A: Mann, München, 1977, 795–806.
- L'elezione a suffragio universale del Parlamento europeo e l'equilibrio tra le istituzioni della CEE*, Amministrazione e società, 1977, 1301–1310.
- La diffusion des clauses en droits de tirage spéciaux dans les traités internationaux*, Annuaire français de droit international, 1977, 700–708.
- Il codice di condotta sul trasferimento della tecnologia*, Rivista di diritto internazionale privato e processuale, 1977, 705–732.
- La Conferenza del diritto del mare: dal "Testo unico riveduto" del 1976 al "Testo composito informale" del 1977*, Rivista di diritto internazionale, 1977, 566–578.
- L'informazione sulla politica estera dell'Italia: il caso dei trattati internazionali*, in: Studi in onore di G. Balladore Pallieri, vol. 2, Milano, 1978, 614–630.
- Sulla conversione in moneta nazionale dei limiti di responsabilità in franchi oro della Convenzione di Varsavia*, Il diritto marittimo, 1978, 83–89.
- L'inquinamento marino: profili di diritto internazionale e comunitario*, Studi marittimi, 1978, 31–42.
- L'abrogazione del divieto delle clausole oro negli Stati Uniti*, Rivista di diritto internazionale privato e processuale, 1978, 55–60.
- La riforma del Fondo monetario internazionale*, in Studi in onore di E.T. Liebman, Milano, 1978, 3205–3220.
- (with P. L. Lamberti Zanardi) *Introduzione*, in Il primato del diritto comunitario e i giudici italiani, Milano, 1978.
- La pollution résultant de l'exploration des fonds marins en droit international*, Annuaire français de droit international, 1978, 827–850.
- La settima sessione della Conferenza sul diritto del mare*, Rivista di diritto internazionale, 1979, 125–154.
- Euro-obbligazioni*, in U. Carnevali (ed.), Dizionario del diritto commerciale e industriale, Milano 1979.
- Currency indemnity clauses, evoluzione recente della giurisprudenza inglese in tema di obbligazioni di moneta estera e diritto internazionale dei commercianti*, in Studi in onore di C. Grassetti, Milano, 1979.
- L'ottava sessione della Conferenza sul diritto del mare*, Rivista di diritto internazionale, 1979, 717–742.
- La nona sessione della Conferenza sul diritto del mare*, Rivista di diritto internazionale, 1980, 432–463.
- La notion d'utilisation des espaces marins à des fins pacifiques dans le nouveau droit de la mer*, Annuaire français de droit international, 1980, 687–699.
- Drafting the LOS Convention*, Marine Policy, 1981, 273–276.
- Une nouvelle technique dans la codification du droit international: le Comité de rédaction de la Conférence sur le droit de la mer*, Annuaire français de droit international, 1981, 65–85.

- La decima sessione della Conferenza sul diritto del mare*, Rivista di diritto internazionale, 1982, 24–55.
- Continuité et innovation dans les modèles de gestion des ressources minérales des fonds marins*, in Académie de droit international de La Haye/Université des Nations Unies, La gestion des ressources pour l'humanité: le droit de la mer, Colloque 1981, The Hague, Boston, London, 1982, 63–83.
- Fondo monetario internazionale*, in Appendice al Novissimo Digesto Italiano, Torino, 1982.
- La protection des investissements préparatoires et la résolution N. 2 de la Conférence des Nations Unies sur le droit de la mer*, Annuaire français de droit international, 1982, 851–872.
- Seabed Mining and the United Nations Law of the Sea Convention*, The Italian Yearbook of International Law, vol. 5, 1981/1982, 22–51.
- La nouvelle Convention du droit de la mer, Structure et problèmes généraux*, Environmental Policy and Law, vol. 10, 1983, 78–82.
- Norme imperative e di applicazione necessaria nella Convenzione di Roma del 19 giugno 1980*, Rivista di diritto internazionale privato e processuale, 1983, 25–41.
- The EEC and the Law of the Sea: How Close to One Voice?*, Ocean Development and International Law, vol. 12, 1983, 173–189.
- (with R. Clerici and C. Biscaretti di Ruffia) *Chronique de jurisprudence italienne*, Journal du droit international, 1983, 160–203.
- Principe du consentement et nouveau régime juridique de la recherche scientifique marine*, in D. Bardonnet and M. Virally (eds), Le nouveau droit de la mer, Paris, 1983, 269–285 (updated version: *Principe du consentement et recherche scientifique dans le nouveau droit de la mer*, Revue générale de droit international public, 1980, 253–268).
- The Adoption of the Law of the Sea Convention: Prospects for Seabed Mining*, Marine Policy, 1983, 3–13.
- Mare (diritto nazionale e internazionale)*, in Appendice al Novissimo Digesto Italiano, Torino, 1984.
- Evolución del sistema monetario internacional y unidades monetarias de oro de las convenciones internacionales de unificación del derecho privado*, Juridica, Anuario del Departamento de derecho de la Universidad Ibero-americana, vol. 16, 1984, 373–379.
- Accommodation of Multiple Uses of the Seas in International Law, with Special Reference to the Mediterranean*, in D. M. Johnston and N. Letalik (eds), The Law of the Sea and Ocean Industry: New Opportunities and Restraints (1982 Law of the Sea Institute Conference), Honolulu, 1984, 51–62.
- The United Nations Law of the Sea Convention of 1982: Prospects for Europe*, in M. B. F. Ranken (ed.), Greenwich Forum IX, Britain and the Sea, Edimburgh, 1984, 166–182.

- The U.N. Convention on the Law of the Sea as a Non-Universally Accepted Instrument: Notes on the Convention and Customary Law*, in A. W. Koers and B. H. Oxman (eds), *The 1982 Convention on the Law of the Sea (1983 Law of the Sea Institute Conference)*, Honolulu, 1984, 685–690.
- Le nouveau régime des espaces marins et la circulation des navires*, in Université de Paris I- Panthéon Sorbonne, *Objectif mer*, Paris, 1984, 107–123 (republished with a bibliographical note in B. Vukas (ed.), *Essays On The New Law of the Sea*, Zagreb, 1985, 202–220).
- Observers Signatory of the Final Act in the International Seabed Authority's Preparatory Commission*, *German Yearbook of International Law*, vol. 27, 1984, 303–314.
- Innovation dans la technique de codification du droit international - la préparation de la Conférence de Vienne sur les traités passés par les organisations internationales*, *Annuaire français de droit international*, 1986, 474–494.
- Notes on Transit Passage through Straits and Customary Law*, in A. Bos and H. Siblesz (eds), *Realism in Law-Making, Essays in International Law in Honor of Willem Riphagen*, Dordrecht, Boston, Lancaster, 1985, 247–259.
- The EEC, the UN and the Law of the Sea*, in E. D. Brown and R. Churchill (eds), *The UN Convention on the Law of the Sea: Impact and Implementation (1985 Law of the Sea Institute Conference)*, Honolulu, 1987, 518–526.
- La convenzione istitutiva della MIGA come codice di condotta in tema di investimenti*, *Rivista di diritto internazionale privato e processuale*, 1987, 1–12.
- Mario Giuliano, *Rivista di diritto internazionale*, 1987, 110–124.
- La déclaration des Nations Unies sur le renforcement de l'efficacité du principe du non-recours à la force*, *Annuaire français de droit international*, 1987, 379–398.
- Comments*, in G. Ulfstein, P. Andersen, and R. Churchill (eds), *Council of Europe, The Regulation of Fisheries: Legal, Economic and Social Aspects*, Strasbourg, 1987, 179–182.
- La participation de l'“Organisation internationale compétente” aux décisions de l'Etat côtier dans le nouveau droit de la mer*, *Le droit international à l'heure de sa codification. Etudes en l'honneur de Roberto Ago*, vol. 2, Milano, 1987, 473–490.
- International Legal Problems of Scientific Research with Particular Reference to the Mediterranean*, in U. Leanza (ed.), *Il regime giuridico del mare Mediterraneo*, Milano, 1987, 288–307.
- The United Nations General Assembly, Antarctica and the Law of the Sea Convention*, in F. Francioni and T. Scovazzi (eds), *International Law for Antarctica*, Milano, 1987, 281–289.
- Les fonds marins au-delà de la juridiction nationale*, in R. J. Dupuy (ed.), *Manuel sur les organisations internationales/Handbook on International Organisations*, Dordrecht, Boston, Lancaster, 1988, 584–598 (new version titled: *Les fonds marins au-delà de la juridiction nationale L'Autorité internationale des fonds marins*, in the second edition of the Manual, Dordrecht, Boston, London, 1998, 776–794).

- Banca internazionale per la Ricostruzione e lo Sviluppo (e istituzioni collegate)*, in Digesto IV Edizione, Torino, 1988.
- La prévention des conflits internationaux dans la déclaration adoptée en 1988 par l'Assemblée Générale de l'O.N.U.*, Annuaire français de droit international, 1988, 437–453.
- High Seas*, in R. Bernhardt (ed.), Encyclopedia of Public International Law, vol. 2, Amsterdam, New York, Oxford, Tokio, 1989, (publ. 1995) 705–710.
- Marine Research*, in R. Bernhardt (ed.), Encyclopedia of Public International Law, vol. 3, Amsterdam, New York, Oxford, Tokio, 1989, (publ. 1997) 296–298.
- Le Nazioni Unite e il diritto internazionale privato*, in L'unificazione del diritto internazionale privato e processuale, Studi in memoria di Mario Giuliano, Padova, 1989, 897–916.
- L'apertura alla firma della Convenzione UNCITRAL sulla cambiale internazionale: problemi relativi all'ambito di applicazione*, Rivista di diritto internazionale privato e processuale, 1989, 325–330.
- La convenzione e il protocollo di Roma sugli illeciti contro la sicurezza della navigazione e delle piattaforme fisse*, Rivista di diritto internazionale privato e processuale, 1989, 489–514.
- La limite extérieure du plateau continental: évolution récente de la pratique*, Annuaire français de droit international, 1989, 724–735.
- The UN Body of Principles for the Protection of Detained or Imprisoned Persons*, American Journal of International Law, vol. 84, 1990, 578–586.
- The Role of Universal International Organizations in Implementing the 1982 UN Law of the Sea Convention*, in A. H. A. Soons (ed.), Implementing the Law of the Sea Convention through International Institutions, Law of the Sea Institute Conference 1989, 1990, 14–37.
- Pagamenti internazionali*, in Enciclopedia Giuridica, vol. XXII, 1990.
- (with N. Boschiero and R. Clerici) *Chronique de jurisprudence italienne*, Journal du droit international, 1990, 645–682.
- The Rome Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation*, in N. Ronzitti (ed.), Maritime Terrorism and International Law, Dordrecht, Boston, London, 1990, 69–90.
- La convention de 1989 sur les mercenaires*, Annuaire français de droit international, 1990, 520–535.
- Fondo Monetario Internazionale*, in Digesto, IV edizione, vol. VI Pubblicistico, Torino, 1991.
- Deep Sea-Bed Mining: The Practice of the Pioneer Investors*, in R. Wolfrum (ed.), Law of the Sea at a Crossroads: The Continuing Search for a Universally Accepted Regime, Berlin, 1991, 331–349.
- La loi namibienne sur la zone économique exclusive de 1990 et les pouvoirs de l'Etat côtier*, Espaces et ressources maritimes, 1991, 145–147.
- L'amendement de 1991 à la loi namibienne sur la mer territoriale et la zone économique de 1990*, Espaces et ressources maritimes, 1992, 149–150.

- Le navire et la compatibilité entre les utilisations de la mer*, in Société française de droit international, Colloque de Toulon, *Le navire en Droit international*, Paris, 1992, 151–168.
- Introduction*, in EC:EEZ? - The Future of Europe's Offshore Waters, Special Issue of Ocean Development and International Law, vol. 23, 1992, 93–96.
- La pêche en haute mer et l'avenir de la Convention des Nations Unies sur le droit de la mer*, Annuaire français de droit international, 1992, 885–904.
- Il diritto dell'ambiente a Rio e dopo Rio*, in Rivista giuridica dell'ambiente, 1993, 577–583.
- Stato costiero e archeologia sottomarina*, Rivista di diritto internazionale, 1993, 698–719.
- Droit de passage en transit et protection de l'environnement dans le détroit de Bonifacio*, Espaces et ressources maritimes, 1993, 175–184.
- L'entrée en vigueur de la Convention des Nations Unies sur le Droit de la mer et les conditions de son universalisme*, Annuaire français de droit international, 1993, 850–873.
- Transit Passage and Protection of the Environment in the Strait of Bonifacio*, in A. Kiss and F. Burhenne Guilmin (eds), *A Law for the Environment, Essays in Honour of Wolfgang E. Burhenne*, Gland, Cambridge, 1994, 121–128.
- Aspetti internazionali della responsabilità civile per danni all'ambiente*, Rivista giuridica dell'ambiente, 1994, 105–116.
- The Protection of the Oceans in Agenda 21 and International Environmental Law*, in L. Campiglio, L. Pineschi, D. Siniscalco, and T. Treves (eds), *The Environment after Rio*, London, Dordrecht, Boston, 1994, 161–171.
- Arrivano i primi frutti del vertice della terra*, Impresa Ambiente, 1994, 14–18.
- Réflexions sur quelques conséquences de l'entrée en vigueur de la Convention des Nations Unies sur le droit de la mer*, Annuaire français de droit international, 1994, 849–863.
- The Agreement Completing the U.N. Law of the Sea Convention: Formal and Procedural Aspects*, in M. Nordquist, and J. N. Moore (eds), 1994 Rhodes Papers, *Entry into Force of the Law of the Sea Convention*, The Hague, Boston, London, 1995, 99–118.
- Entry into Force of the United Nations Law of the Sea Convention: the Road towards Universality*, in N. Al-Nauimi, and R. Meese (eds), *Legal Issues Arising under the United Nations Decade of International Law*, The Hague, 1995, 443–480.
- Rapport général* (on the theme: *Action commune pour la protection de l'environnement marin*), Revue de l'Inedemer, Convergences Méditerranéennes, Actes du Colloque, 1995, vol. 3, 71–86.
- The Law of the Sea Tribunal: its Status and Scope of Jurisdiction after November 16, 1994*, Heidelberg Journal of International Law (Zeitschrift für ausländisches öffentliches Recht und Völkerrecht), 1995, vol. 55, 421–451. (Updated version: *The Jurisdiction of the International Tribunal for the Law of the Sea*, Indian Journal of International Law, vol. 37, 1997, 396–419).

- The Convention and the Development of the Rule of Law*, Heidelberg Journal of International Law (Zeitschrift für ausländisches öffentliches Recht und Völkerrecht), 1995, vol. 55, 652–654.
- I condizionamenti di diritto internazionale della legislazione ambientale: aspetti generali*, in Studi in ricordo di Antonio Filippo Panzera, vol. II, Bari, 1995, 945–951.
- The Expansion of the World Community and Membership of the United Nations*, The Finnish Yearbook of International Law, vol. 6, 1995, 248–278.
- Commenti agli artt. 17, 57 e 59 della Legge di riforma del diritto internazionale privato*, Rivista di diritto internazionale privato e processuale, 1995, 986–990, 1176–1186, 1193–1197.
- Intervention en haute mer et navires étrangers*, Annuaire français de droit international, 1995, 651–675.
- Aspects of the Relationship Between the Jurisdiction of the International Tribunal for the Law of the Sea and of the International Court of Justice*, in The American Society of International Law, Nederlandse Vereniging voor Internationaal Recht, Contemporary International Law Issues: Conflicts and Convergence, Proceedings of the Third Joint Meeting held in The Hague, July 13–14, 1995, The Hague, 1996, 305–309.
- (with M. Frigessi di Rattalma) *Italie*, in P. M. Eisemann (ed.), L'intégration du droit international et communautaire dans l'ordre juridique national, Etude de la pratique en Europe, The Hague, London, Boston, 1996, 365–406.
- The Proceedings Concerning Prompt Release of Vessels and Crews before the International Tribunal for the Law of the Sea*, The International Journal of Marine and Coastal Law, vol. 11, 1996, 179–200.
- Les lectures nationales de la convention de Montego Bay*, in Ministère de la Défense, Droits maritimes et défense, Colloque, 28 et 29 Mars 1996, Paris, 1996, 32–42.
- Compulsory Settlement of Disputes: A New Element in the Antarctic System*, in F. Francioni and T. Scovazzi (eds), International Law for Antarctica, 2nd ed., The Hague, 1996, 603–612.
- Harmonies et contradictions de la codification du droit international*, in R. Ben Achour and S. Laghmani (eds), Harmonies et contradiction en droit international, Paris, 1996, 77–94.
- Un nuovo labirinto normativo in tema di legge applicabile alla vendita: le vendite ai consumatori*, in Collisio Legum, Studi di diritto internazionale privato per Gerardo Broggin, Milano, 1997, 561–575.
- Difficultés et perspectives de la codification du droit international: quelques observations*, in: Währung und Wirtschaft, Das Geld im Recht, Festschrift für Prof. Dr. Hugo H. Hahn, Baden Baden, 1997, 563–571.
- L'enseignement du droit international en Italie, note de présentation*, in: Société française pour le droit international, Journées d'études, Enseignement du droit international recherche et pratique, Paris, 1997, 197–202.
- Le Tribunal international du droit de la mer, Débuts et perspectives*, Annuaire du droit de la mer, 1996, 27–46.

- L'Assemblea Generale e il diritto internazionale, Il ruolo dell'Italia*, in A. Bedeschi Magrini (ed.), *L'Italia e l'ONU, Esperienze e prospettive*, Padova, 1997, 95–104.
- The Jurisdiction of the International Tribunal for the Law of the Sea*, *Indian Journal of International Law*, vol. 37, 1997, 396–419 (updated version in P. Chandrasekhara Rao and Rahmatullah Khan (eds), *The International Tribunal for the Law of the Sea*, The Hague, 2001, 111–131).
- Le règlement du Tribunal international du droit de la mer entre tradition et innovation*, *Annuaire français de droit international*, 1997, 341–367.
- Règlement des conflits interétatiques: possibilités et limites à l'aube du système de Stockholm*, in L. Cafilisch (ed.), *Règlement pacifique des différends entre Etats: Perspectives universelle et européenne - The Peaceful Settlement of Disputes between States: Universal and European Perspectives*, The Hague, London, Boston, 1998, 3–15.
- (with N. Boschiero and R. Clerici) *Chronique de Jurisprudence Italienne*, *Journal du Droit International*, 1998, 431–461.
- Recent Trends in the Settlement of International Disputes*, in J. Cardona (ed.), *Cursos euromediterráneos de Derecho Internacional*, vol. I, Pamplona, 1998, 395–437.
- The Law of the Sea 'System' of Institutions*, *Max Planck Yearbook of United Nations Law*, vol. 2, 1998, 325–340.
- "Compulsory" Conciliation in the U.N. Law of the Sea Convention*, in V. Goetz, P. Selmer, and R. Wolfrum (ed.), *Liber Amicorum Guenther Jaenicke - Zum 85. Geburtstag*, Berlin etc., 1998, 611–629.
- The Procedure Before the International Tribunal for the Law of the Sea: The Rules of the Tribunal and Related Documents*, *Leiden Journal of International Law*, vol. 11, 1998, 565–594.
- Tribunale internazionale del diritto del mare*, *Enciclopedia del diritto*, II aggiornamento, Milano 1998, 999–1006.
- Fondi marini internazionali*, *Enciclopedia del diritto*, II Aggiornamento, Milano, 1998, 347–360.
- The Rules of the International Tribunal for the Law of the Sea*, *Indian Journal of International Law*, vol. 38, 1998, 381–409.
- The Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation*, *Singapore Journal of International and Comparative Law*, vol. 2, 1998, 541–556.
- La giurisdizione obbligatoria del Tribunale Internazionale del Diritto del Mare*, in Istituto Italo-Latino Americano, *Convegno Italo-Latino Americano, Prospettive del diritto del mare all'alba del XXI secolo*, Roma, 1999, 225–245.
- Il nuovo diritto del mare e le convenzioni internazionali sulla protezione dell'ambiente marino*, *Il diritto marittimo*, 1999, 219–231.
- Private Maritime Law Litigation and the International Tribunal for the Law of the Sea*, *Rabels Zeitschrift fuer auslaendisches und internationales Privatrecht*, 1999, 350–360.

- La codification du droit international: l'expérience du droit de la mer*, in Societe Française pour le Droit International, Colloque d'Aix-en-Provence, La codification du droit international, Paris, 1999, 309–318.
- Conflicts Between the International Tribunal for the Law of the Sea and the International Court of Justice*, New York University Journal of International Law and Politics, vol. 31, 1999, 809–821.
- Conflictos entre la Corte Internacional de Justicia y el Tribunal Internacional del Derecho del mar*, in B. S. Torres, T. Treves, and N. Valticos (eds), Tres estudios sobre la Corte internacional de Justicia, Univ. Carlos III de Madrid, 1999, 47–66.
- The Settlement of Disputes According to the Straddling Stocks Agreement of 1995*, in A. Boyle and D. Freestone (eds), International Law and Sustainable Development, Oxford, 1999, 253–269.
- The International Tribunal for the Law of the Sea and the International Court of Justice: Concurrent Jurisdiction or Complementarity?*, in O. Baptista and F. da Fonseca (dir.), O direito internacional no terceiro Milênio, Estudos em Homagem ao Prof. Vicente Marotta Rangel, LTR, republicação de estudos de Carlos Jimenez Piernas etc., São Paulo, 1998.
- Trasparenza e confidenzialità degli atti di parte davanti alla Corte internazionale di Giustizia e al Tribunale internazionale del diritto del mare*, in Divenire sociale e adeguamento del diritto. Studi in onore di Francesco Capotorti, I, Milano, 1999, 535–547.
- Les nodules polymétalliques et le droit*, in J. P. Beurrier, A. Kiss, and S. Mahmoudi (eds), New Technologies and Law of the Marine Environment, London, 1999, 111–126.
- Dispute-settlement Clauses of the Law of the Sea Convention and their Impact on the Protection of the Marine Environment*, Review of European Community and International Environmental Law, vol. 8, 1999, 6–9.
- New Trends in the Settlement of Disputes and the Law of the Sea Convention*, in H. Scheiber (ed.), The Law of the Sea, The Hague, 2000, 61–86.
- Monetary Sovereignty Today*, in M. Giovanoli (ed.), International Monetary Law, Issues for the New Millennium, Oxford, 2000, 111–118.
- Tendenze evolutive della sovranità monetaria*, Rivista di diritto internazionale privato e processuale, 2000, 661–668 (also in: SIDI, La sovranità monetaria tra sovranità statale e diritto internazionale, Napoli, 2001, 11–22).
- Advisory Opinions of the International Court of Justice on Questions Raised by Other International Tribunals*, Max Planck Yearbook of United Nations Law, vol. 4, 2000, 215–231.
- Le Tribunal international du droit de la mer et la multiplication des juridictions internationales*, in R. Ben Achour and S. Laghmani (eds), Justice et Juridictions Internationales, Paris, 2000, 101–123.
- Le Tribunal international du droit de la mer et la multiplication des juridictions internationales*, Rivista di diritto internazionale, 2000, 726–746.
- Aspetti generali del diritto internazionale dell'ambiente*, Il diritto della Regione, Rivista bimestrale della Regione del Veneto, 2000, 175–185.

- The Rules of the International Tribunal for the Law of the Sea*, in P. Chandrasekhara Rao and Rahmatullah Khan (eds), *The International Tribunal for the Law of the Sea*, The Hague etc., 2001, 135–159.
- Some Practical Remarks on the Early Functioning of the International Criminal Court*, in M. Politi and G. Nesi (eds), *The Rome Statute of the International Criminal Court, A Challenge to Impunity*, Adelshot etc., 2001, 271–280.
- Advisory Opinions under the Law of the Sea Convention*, in M. H. Nordquist and J. N. Moore (eds), *Current Marine Environmental Issues and the International Tribunal for the Law of the Sea*, The Hague, London, New York, 2001, 81–93.
- Les zones maritimes en Méditerranée: compatibilité et incompatibilité avec la Convention sur le droit de la mer de 1982*, *Revue de l’Indermer*, Actes du Colloque Les zones maritimes en Méditerranée, Monaco, 4–6 October 2001, n. 6, (publ. 2003), 19–35.
- L’état du droit de la mer à l’approche du XXIème siècle*, *Annuaire du droit de la mer*, 2000, 123–136.
- L’état du droit de la mer au début du 21ème siècle*, in G. Cataldi (ed.), *La Méditerranée et le droit de la mer à l’aube du 21 ème siècle*, Bruxelles, 2002, 13–28.
- The International Tribunal for the Law of the Sea (1996-2000)*, *Italian Yearbook of International Law*, 2000, 233–240.
- The European Community and the Law of the Sea: New Developments*, in E. Cannizzaro (ed.), *The European Union as an Actor in International Relations*, The Hague etc., 2002, 279–296.
- Preliminary Proceedings in the Settlement of Disputes under the United Nations Law of the Sea Convention: Some Observations*, in N. Ando, J. A. Frowein, and R. Wolfrum (eds), *Liber Amicorum Judge Shigeru Oda*, The Hague etc., 2002, 749–761.
- International Organizations as Parties to Contentious Cases: Selected Aspects*, in L. Boisson de Chazournes, C. Romano, and R. Mackenzie (eds), *International Organizations and International Dispute Settlement: Trends and Prospects*, Ardsley, New York, 2002, 37–46.
- Protection of the Environment on the High Seas and in Antarctica*, in *Thesaurus Acroasium*, vol. XXXI, *Protection of the Environment for the New Millenium*, 2000 International Law Courses, Athens-Thessalononiki, 2002, 69–125.
- The European Community and the Settlement of Disputes under the UN Law of the Sea Convention*, in *Estudios de derecho internacional en homenaje al professor Ernesto J. Rey Caro*, Córdoba, Argentina, 2002, 355–362.
- The International Tribunal for the Law of the Sea (2001)*, *Italian Yearbook of International Law*, 2003, 165–174.
- Presentazione*, in B. Nascimbene (ed.), *Il processo comunitario dopo Nizza*, Milano, 2003, XI–XIV.
- Regional Approaches to the Protection of the Marine Environment*, in M. H. Nordquist, J. N. Moore, and S. Mahmoudi (eds), *The Stockholm Declaration and the Protection of the Marine Environment*, The Hague etc., 2003, 137–154.

- L'approche régionale en matière de protection de l'environnement marin*, in: La mer et son droit, Mélanges offerts à Laurent Lucchini et Jean-Pierre Quéneudec, Paris, 2003, 591–610.
- The Exclusive Economic Zone and the Settlement of Disputes*, in E. Franckx and P. Gautier (eds), La zone économique exclusive et la Convention des Nations Unies sur le Droit de la Mer, 1982-2000: Un premier bilan de la pratique des Etats, Bruxelles, 2003, 79–96.
- La jurisprudencia del Tribunal internacional del derecho del mar*, Cuadernos de derecho pesquero, Fundación Pedro Barrié de la Maza, 2003, 13–21.
- The Political Use of Unilateral Applications and Provisional Measures Proceedings*, in J. A. Frowein, K. Schariot, I. Winkelmann, and R. Wolfrum (eds), Verhandeln fuer den Frieden, Negotiating for Peace, Liber Amicorum Tono Eitel, Berlin etc., 2003, 463–481.
- The International Tribunal for the Law of the Sea (2002)*, Italian Yearbook of International Law, 2003, 207–218.
- Diritto internazionale e condizionalità etiche - Osservazioni introduttive*, in N. Boschiero (ed.), Ordine internazionale e valori etici, VIII Congresso SIDI, Napoli, 2003, 191–193.
- Beyond the Law of the Sea Convention: Status and Prospects of the Law of the Sea Convention at the 20th Anniversary*, in Mobilizing for Implementation of the Commitments made at the 2002 World Summit on Sustainable Development on Oceans, Coasts, and Small Islands Developing States, Co-Chairs' Report of 2003 Global Conference on Oceans, Coasts, and Islands, UNESCO, Paris, November 12–14, 2003, 45–49., B. Cicin-Sain, P. A. Bernal etc., Newark, 2004, 115–118.
- Provisional Measures Granted by an International Tribunal Pending the Constitution of an Arbitral Tribunal*, in Studi di diritto internazionale in onore di Gaetano Arangio-Ruiz, Napoli, 2004, 1443–1463.
- The Law of the Sea Convention Ten Years after Entry into Force: Positive Developments and Reasons for Concern*, in D. D. Caron and H. N. Scheiuber (eds), Bringing New Law to Ocean Waters, Leiden, 2004, 349–354.
- Flags of Convenience Before the law of the Sea Tribunal*, San Diego International Law Journal, vol. 6, 2004, 179–190.
- The International Tribunal for the Law of the Sea (2003)*, Italian Yearbook of International Law, 2005, 157–169.
- Judicial Lawmaking in an Era of 'Proliferation' of International Courts and Tribunals: Development or Fragmentation of International Law?*, in R. Wolfrum and V. Roeben (eds), Developments of International Law in Treaty Making, Berlin, Heidelberg etc., 2005, 587–620.
- The International Law Commission's Articles on State Responsibility and the Settlement of Disputes*, in M. Ragazzi (ed.), International Responsibility Today, Leiden, 2005, 223–234.
- La Politique commune de la Pêche et les compétences du Tribunal international du droit de la mer*, in Conférence «Aspects juridiques de l'application des règles de la Politique commune de la Pêche», Actes de la Conférence, Bruxelles 20 Juin 2005, Luxembourg, Communautés Européennes, 2005, 50–55.

- L'Europe et la navigation maritime (Remarques introductives)*, in R. Casado Raigón (dir.), *L'Europe et la mer (Pêche, navigation et environnement marin/ Europe and the sea (fisheries, navigation and marine environment)*, Bruxelles, 2005, 121–125.
- The General Assembly and the Meeting of States Parties in the Implementation of the LOS Convention*, in A. Oude Elferink (ed.), *Stability and Change in the Law of the Sea: The Role of the LOS Convention*, Leiden, Boston, 2005, 55–74.
- The International Tribunal for the Law of the Sea (2004)*, *Italian Yearbook of International Law*, 2005, 289–302.
- “*Straddling and Highly Migratory Flags*” *before the International Tribunal for the Law of the Sea*, in S. Charnowitz, D. Steger, and P. Van den Bossche (eds), *Law in the Service of Human Dignity, Essays in Honour of Florentino Feliciano*, Cambridge, 2005, 323–335.
- Le Tribunal international du droit de la mer dans la pléiade des juridictions internationales*, in O. Delas, R. Côté, F. Crépeau, and P. Leuprecht (eds), *Les juridictions internationales: complémentarité ou concurrence?*, Bruxelles, 2005, 9–39.
- Introduction*, in M. Frigessi di Rattalma, A. Tanzi, A. Fodella, C. Pitea, and C. Ragni (eds), *Civil Society, International Courts and Compliance Bodies*, TMC Asser Press, The Hague, 2005, 1–7.
- Lex mercatoria dei naviganti*, *Sociologia del diritto*, 2005, 379–382.
- Choice of Procedure for the Compulsory Settlement of Disputes under the Law of the Sea Convention*, in L. Caffisch, R. Bermejo Garcia, J. Diez-Hochleitner, and C. Gutiérrez Espada (eds), *El derecho internacional: normas, hechos y valores. Liber amicorum José Antonio Pastor Ridruejo*, Servicio publicaciones facultad de derecho Universidad Compludense Madrid, 2006, 447–453.
- What have the United Nations Convention and the International Tribunal for the Law of the Sea to Offer as Regards Maritime Delimitation Disputes?*, in R. Lagoni and D. Vignes (eds), *Maritime Delimitation*, Leiden, 2006, 63–78.
- The International Tribunal for the Law of the Sea: Applicable Law and Interpretation*, in G. Sacerdoti, A. Yanovich, and J. Bohanes, *The WTO and Ten, The Contribution of the Dispute Settlement System*, Cambridge, 2006, 490–500.
- A System for Law of the Sea Dispute Settlement*, in D. Freestone, R. Barnes, and D. Ong, (eds), *The Law of the Sea, Progress and Prospects*, Oxford, 2006, 416–432.
- The International Tribunal for the Law of the Sea (2005)*, *Italian Yearbook of International Law*, 2006, 254–262.
- Tribunale internazionale del diritto del mare*, in S. Cassese (ed.) *Dizionario di diritto pubblico*, Milano, 2006, 5993–5997.
- The Settlement of Disputes under the Law of the Sea Convention. Questions in Light of the United States Position*, *Eur-America (Institute of European and American Studies, Academia Sinica)*, 2006, 395–425.

- La politique commune des pêches et les compétences du Tribunal international du droit de la mer*, Annuaire du droit de la mer 2005, Paris, 2006, 13–23.
- Remarks on Submissions to the Commission on the Limits of the Continental Shelf: Response to Judge Marotta's Report*, The International Journal of Marine and Coastal Law, vol. 21, 2006, 363–367.
- Dispute-Settlement in the Law of the Sea: Disorder or System?*, in M. Kohen (ed.), Promoting Justice, Human Rights and Conflict Resolution through International Law/ La promotion de la justice, des droits de l'homme et du règlement des conflits par le droit international, Liber Amicorum Lucius Cafilich, Leiden, 2007, 927–949.
- La nécessité en droit de la mer*, in Société française de droit international, Colloque de Grenoble, La nécessité en droit international, Paris, 2007, 237–246.
- Some International Law Aspects of the Use of Vessel Monitoring Systems for Preventing Illegal Unreported Unregulated Fishing*, in T. M. Ndjaye and R. Wolfrum (eds), Law of the Sea, Environmental Law and Settlement of Disputes, Liber Amicorum Judge Thomas A. Mensah, Leiden/Boston, 2007, 811–820.
- The International Tribunal for the Law of the Sea and other Law of the Sea Jurisdictions (2006)*, Italian Yearbook of International Law, 2007, 227–243.
- Etats et organisations non gouvernementales*, Droit du Pouvoir, pouvoir du droit, Mélanges offerts à Jean Salmon, Bruxelles, 2007, 659–680.
- Fragmentation of International Law: the Judicial Perspective*, Comunicazioni e Studi, 2007, 821–875.
- Aspects of Legitimacy of Decisions of International Courts and Tribunals*, in R. Wolfrum and V. Roeben (eds), Legitimacy in International Law, Berlin, Heidelberg, New York, 2008, 169–188.
- La communauté internationale et la délimitation du plateau continental au-delà des 200 milles marins*, Mélanges en l'honneur de Jean-Pierre Puissochet, L'Etat souverain dans le monde d'aujourd'hui, Paris, 2008, 311–315
- The European Community and the European Union and the Law of the Sea: Recent Developments*, Indian Journal of International Law, vol. 48, 2008, 1–20.
- Customary International Law*, in R. Wolfrum (ed.) Max Planck Encyclopedia of International Law, Oxford, 2012, vol. 3, 937–957.
- Disposizioni pattizie per assicurare comportamenti di Stati terzi conformi ad accordi multilaterali. Appunti*, in: Studi in onore di Vincenzo Starace, Napoli, 2008, 823–828.
- Violenza in mare: iniziative dopo l'11 settembre 2001*, in: Studi in onore di Umberto Leanza, Napoli, 2008, 1817–1823.
- Diritto individuale di petizione e sanzioni "intelligenti". Appunti*, in G. Venturini and S. Bariatti (eds), Diritti individuali e giustizia internazionale, Liber Fausto Pocar, Milano, 2009, 913–918.
- Alexandre-Charles Kiss and the Law of the Environment*, in Iustum, Aequum, Salutare (Pázmány Péter Katolikus Egyetem), Budapest, V, 2009, I, 9–14.

- La Comunità Europea, l'Unione Europea e il diritto del mare: recenti sviluppi*, in A. Del Vecchio (ed.), *La politica marittima comunitaria*, Roma, 2009, 187–212.
- High Seas*, in R. Wolfrum (ed.) *Max Planck Encyclopedia of International Law*, vol. 4, Oxford, 2012, (updated 2009), 795–804.
- Marine Scientific Research*, in R. Wolfrum (ed.) *Max Planck Encyclopedia of International Law*, vol. 6, Oxford, 2012, (updated 2008), 1063–1069.
- Some Peculiarities of the UN Convention on Jurisdictional Immunities of States and their Property: a Footnote on the Codification Technique*, in I. Buffard, J. Crawford, A. Pellet, and S. Wittich (eds), *International Law Between Universalism and Fragmentation*, *Festschrift in Honor of Gerhard Hafner*, Brill, Leiden, 2009, 503–508.
- Piracy, Law of the Sea, and Use of Force: Developments off the Coast of Somalia*, *European Journal of International Law*, vol. 20, 2009, 399–414.
- Action for International Adjudication by the Flag States of Fishing Vessels in: Essays in Commemoration of the Seventieth Anniversary of Professor Yanai Shunji, Hogaku Shimpo, *The Chuo Law Review*, CXVI, 2009, 55–80.
- La pesca ilegal, no declarada y no reglamentada: Estado del pabellón, Estado costero y Estado del Puerto*, in J. Pueyo Losa and J. G. Urbina (eds), *La cooperación internacional en la ordenación de los mares y océanos*, Iustel, Madrid, 2009, 135–158.
- Do Fisheries Organizations and Agreements Provide an Appropriate Framework for Sustainable Management of Deep-Sea Fisheries in the High Seas?*, *Océanis*, vol. 35 1/2 (Toward a New Governance of High Seas Biodiversity), 2009, 71–91.
- The Security Council as Legislator*, in A. Constantinides and N. Zaikos (eds), *The Diversity of International Law, Essays in Honor of Professor Kalliopi K. Koufa*, Leiden, Boston, 2009, 61–70.
- Osservazioni conclusive*, in: N. Boschiero (ed.), *La nuova disciplina comunitaria della legge applicabile ai contratti* (Roma I), Torino, 2009, 539–544.
- Les mesures conservatoires au Tribunal du droit de la mer et à la Cour internationale de Justice: Contribution au dialogue entre cours et tribunaux internationaux*, in *Liber amicorum Jean-Pierre Cot*, *Le procès international*, Bruylant, Bruxelles, 2009, 341–348.
- Daniel Vignes et la Troisième Conférence sur le droit de la mer*, in R. Casado Raigón and G. Cataldi (eds), *L'évolution et l'état actuel du droit international de la mer*, *Mélanges de droit de la mer offerts à Daniel Vignes*, Bruxelles, 2009, XV–XXIV.
- Introduction*, in T. Treves, L. Pineschi, A. Tanzi, C. Pitea, C. Ragni, and F. Romanin Jacur (eds), *Non-Compliance Procedures and Mechanisms and the Effectiveness of International Environmental Agreements*, The Hague, 2009, 1–8.
- The Settlement of Disputes and Non-Compliance Procedures*, in T. Treves, L. Pineschi, A. Tanzi, C. Pitea, C. Ragni, and F. Romanin Jacur (eds), *Non-Compliance Procedures and Mechanisms and the Effectiveness of International Environmental Agreements*, The Hague, 2009, 499–518.

- Governing the Oceans: Risks and Potential Conflicts*, in XVII Malente Symposium: More than Water, Oceans and Global Responsibility, Luebeck, 12–14 October 2008, 39–48 (publ. 2009).
- Navigation of Ships with Nuclear Cargoes: Dialogue between Flag and Coastal States as a Method for Managing the Dispute*, in D. D. Caron and H. N. Scheiber (eds), *The Oceans in the Nuclear Age, Legacies and Risks*, Leiden, Boston, 2010, 217–235.
- La soluzione delle controversie in materia ambientale e le procedure di non-compliance*, in A. Fodella and L. Pineschi (eds), *La protezione dell'ambiente nel diritto internazionale*, Torino, 2010, 217–234.
- Les différends en droit international de l'environnement: règlement judiciaire et méthodes alternatives*, in Société française de droit international, Colloque d'Aix-en-Provence, *Le droit international face aux enjeux environnementaux*, Paris, 2010, 433–450.
- Principles and Objectives of the Legal Regime Governing Areas Beyond National Jurisdiction*, in A. G. Oude Elferink and E. J. Molenaar (eds), *The International Legal Regime of Areas beyond National Jurisdiction: Current and Future Developments*, Leiden, 2010, 7–25.
- Human Rights and the Law of the Sea*, *Berkeley Journal of International Law*, vol. 28, 2010, 1–14.
- The Development of the Law of the Sea since the Adoption of the UN Convention on the Law of the Sea: Achievements and Challenges for the Future*, in D. Vidas (ed.), *Law, Technology and Sciences for Oceans in Globalisation, IUU Fishing, Oil Pollution, Bioprospecting, Outer Continental Shelf*, Leiden-Boston, 2010, 41–58.
- Judicial Settlement of Disputes and International Peace and Security*, in K. Koufa (ed.), *Thesaurus Achroasium*, vol. XXXIII, *International Challenges to Peace and Security in the New Millennium*, Athens- Thessaloniki, 2010, 201–247 (course given in 2002).
- The International Tribunal for the Law of the Sea and other Law of the Sea Jurisdictions (2008–2009)*, *Italian Yearbook of Int. Law*, 2009 (publ. 2010), 315–322.
- Judicial Action for the Common Heritage*, in N. Matz-Lueck, A. Siebert-Fohr, and S. Vonecky (eds), *Law of the Sea in Dialogue*, Berlin - Heidelberg, 2010, 113–133.
- Jurisdiction over Vessels in the Areas of Pollution and Fisheries: General Report*, in E. Franckx and P. Gautier (eds), *The Exercise of Jurisdiction over Vessels: New Developments in the Fields of Pollution, Fisheries, Crimes at Sea and Trafficking of Weapons of Mass Destruction*, Bruxelles, 2010, 1–28.
- Disputes in International Environmental Law: Judicial Settlement and Alternative Methods*, in Y. Kebrat and S. Maljean-Dubois (eds), *The Transformation of International Environmental Law*, Oxford-Paris, 2011, 285–304.
- (with I. Papanicolopulu) *The Law Applicable to the Continental Shelf and the Exclusive Economic Zone: The Italian Perspective*, *Ocean Yearbook*, vol. 25, 2011, 347–356.

- La Corte Internacional de Justicia: su Relación con otros Tribunales Internacionales*, in A. Rodrigo and C. García (eds), *Unidad y pluralismo en el derecho internacional público y en la comunidad internacional*, Coloquio en homenaje a Oriol Casanovas, Barcelona 21-22 de Mayo de 2009, Madrid, 2011, 243–253.
- Law of the Sea*, in R. Wolfrum (ed.), *Max-Planck Encyclopedia of Public International Law*, vol. 6, Oxford, 2012, (updated 2011), 708–732.
- The International Tribunal for the Law of the Sea and other Law of the Sea Jurisdictions (2010)*, *The Italian Yearbook of International Law*, 2010 (publ. 2011), 317–343.
- The High Seas as Potential Exclusive Economic Zones in the Mediterranean*, in *Perspectives of International Law in the 21st Century*. Liber Amicorum Professor Christian Dominicé, Leiden, 2011, 175–189.
- The Law of the Sea System: Open Challenges*, *Anuario Brasileiro de Direito Internacional*, 2011, pp. 205–226.
- Book Review: Rothwell and Stephens, The International Law of the Sea*, *American Journal of International Law*, vol. 106, 2012, 184–190.

Contents

Part I Personal Perspectives

Homage to Judge Tullio Treves	3
Bernard H. Oxman	

L'Équation de Salomon	11
Pierre-Marie Dupuy	

Part II General Aspects

Le juge et la codification du droit de la responsabilité	19
Maurizio Arcari	

The Effect of Armed Conflict on Treaties: A Stocktaking	31
Lucius Caflisch	

The Growth of Specialized International Tribunals and the Fears of Fragmentation of International Law	55
Hugo Caminos	

The “Right Mix” and “Ambiguities” in Particular Customs: A Few Remarks on the <i>Navigational and Related Rights</i> Case.	65
Luigi Crema	

State Immunity: A Swedish Perspective	77
Said Mahmoudi	

Interpreting “Generic Terms”: Between Respect for the Parties’ Original Intention and the Identification of the Ordinary Meaning . . .	91
Paolo Palchetti	

Part III International Courts: Jurisdiction and Procedure

Dispute Settlement Procedures and Fresh Water: Multiplicity and Diversity at Stake	109
Laurence Boisson de Chazournes	

Quelques observations sur les mesures conservatoires indiquées par la Cour de la Haye	121
Pierre Michel Eisemann	

Evidence Before the International Court of Justice: Issues of Fact and Questions of Law in the Determination of International Custom	137
Luigi Fumagalli	

Competence and Jurisdiction in Public International Law: International Courts in the Americas	149
Luis García-Corrochano Moyano	

Procedural Aspects Concerning Jurisdiction and Admissibility in Cases of Maritime Delimitation Before the ICJ	165
Angel V. Horna	

Brief Notes on the Principle of <i>Non Bis in Idem</i> within Concurrent International and Domestic Criminal Jurisdiction	181
Fausto Pocar	

<i>Jura Novit Curia</i> in International Human Rights Tribunals	189
Dinah Shelton	

The Composition of the International Court of Justice	213
Budislav Vukas	

Interventions in Proceedings Before International Courts and Tribunals: To What Extent May Interventions Serve the Pursuance of the community Interests?	219
Rüdiger Wolfrum	

Part IV Law of the Sea

Some Aspects of the Use of Force in Maritime Law Enforcement	233
David H. Anderson	

Procedures Entailing Binding Decisions and Disputes Concerning the Interpretation or Application of the Law of the Sea 245
 Rafael Casado Raigón

Prospects for the Judicial Settlement of the Dispute Between Croatia and Slovenia Over Piran Bay. 257
 Giuseppe Cataldi

In Praise of Urgency Reflections on the Practice of ITLOS. 269
 Jean-Pierre Cot

International Courts and the Development of the International Law of the Sea on the Delimitation of the Continental Shelf. 281
 Umberto Leanza

Ships. 291
 Vaughan Lowe

Where the Judge Approaches the Legislator: Some Cases Relating to Law of the Sea 299
 Tullio Scovazzi

The Exercise of Administrative Functions by ITLOS: A Comment on Prompt Release Cases. 311
 Seline Trevisanut

Consolidation or Deviation? On Trends and Challenges in the Settlement of Maritime Delimitation Disputes by International Courts and Tribunals. 325
 Davor Vidas

Part V Environmental Law

Legal Standing of NGOs in Environmental Disputes in Europe. 337
 Elena Fasoli

Indigenous Peoples, the Environment, and International Jurisprudence 349
 Alessandro Fodella

Les vertus pratiques des obligations générales relatives à l’environnement dans la Convention des Nations Unies sur le droit de la mer 365
 Philippe Gautier

The International Court of Justice and International Environmental Law	383
José Juste-Ruiz	
Implementing Part XII of the 1982 UN Law of the Sea Convention and the Role of International Courts	403
Nilufer Oral	
The Duty of Environmental Impact Assessment in the First ITLOS Chamber’s Advisory Opinion: Toward the Supremacy of the General Rule to Protect and Preserve the Marine Environment as a Common Value?	425
Laura Pineschi	
Remarks on the Role of <i>Ex Curia</i> Scientific Experts in International Environmental Disputes	441
Francesca Romanin Jacur	
La contribution des mécanismes de contrôle et de suivi au développement du droit international: le cas du Projet du Canal de Bystroe dans le cadre de la Convention d’Espoo	457
Sabrina Urbinati	
 Part VI Human Rights	
Human Rights Judicial and Semi-Judicial Bodies and Customary International Law on State Responsibility	475
Stefano Brugnatelli	
The Vegetarian Diet in Prison: A Human Right? The Case of <i>Jakóbski v. Poland</i>	489
Maria Clara Maffei	
Mesures anti-piraterie en Somalie entre les droits de l’homme et les garanties du droit humanitaire. La contribution de la jurisprudence et de la pratique des mécanismes de contrôle non juridictionnel	497
Maria Chiara Noto	
The Inter-American Court of Human Rights and Its Contribution to the Protection of Children’s Rights	513
Fabián Novak	
International Judges and the Protection of Human Rights at Sea	535
Irina Papanicolopulu	

Interpreting the ECHR in the Light of “Other” International Instruments: Systemic Integration or Fragmentation of Rules on Treaty Interpretation? 545
 Cesare Pitea

The Rule of Prior Exhaustion of Domestic Remedies: Theory and Practice in International Human Rights Procedures. 561
 Cesare P. R. Romano

The Experiences of the European and Inter-American Courts of Human Rights with the International Standards on the Protection of Fundamental Rights in Times of Emergency 573
 Francesco Seatzu

Recent Trends in International Investment Arbitration and the Protection of Human Rights in the Public Services Sector 587
 Attila Tanzi

The European Court of Human Rights and the Best Interests of the Child in the Recent Case Law on International Child Abduction 599
 Francesca Trombetta-Panigadi

Part VII International Crimes

L’autonomie du Procureur et la supervision du Juge dans l’activation de la compétence de la Cour pénale internationale: l’affaire du Kenya 615
 Barbara Aresi

Political and Military Leaders’ Criminal Responsibility Before International Criminal Courts and Tribunals 629
 Giulia Bigi

International Courts and the Crime of Genocide 641
 Valentin Bou

Recent Developments in the Fight Against International Terrorism: The Role of the European Courts 655
 Patrizia De Cesari

The Contribution of the Special Tribunal for Lebanon to the Notion of Terrorism: Judicial Creativity or Progressive Development of International Law?	671
Chiara Ragni	
 Part VIII International Economic Law	
Public Morals in International Trade: WTO Faces Censorship.	687
Angelica Bonfanti	
The WTO Dispute Settlement Understanding Review: What Future for the Appellate Stage?	701
Marcella Distefano	
Reforms to the Global Governance Model in Times of Crisis	711
Marco Frigessi di Rattalma	
The World Bank Inspection Panel and the Development of International Law	727
Ellen Hey	
The 2008 Investment Arbitration Between Italy and Cuba: The Application of the Rules of Attribution and the 1993 BIT's Scope <i>Ratione Personae</i> Under Scrutiny	739
Enrico Milano	
State-to-State Dispute Settlement Pursuant to Bilateral Investment Treaties: Is There Potential?	753
Michele Potestà	
 Part IX Private International Law	
The ECJ's Rule of Reason and Internationally Mandatory Rules	771
Paolo Bertoli	
Jurisdictional Immunities of the State and <i>Exequatur</i> of Foreign Judgments: A Private International Law Evaluation of the Recent ICJ Judgment in <i>Germany v. Italy</i>	781
Nerina Boschiero	
Uniform International Law on the Carriage of Goods by Sea: Recent Trends Toward a Multimodal Perspective.	825
Sergio M. Carbone and Andrea La Mattina	

Freedom of States to Regulate Nationality: European versus International Court of Justice? 839
Roberta Clerici

Jurisdiction, Fair Trial and Public Policy: The *Krombach* and *Gambazzi* Cases 863
Franco Mosconi

Part X European Union Law

Some Reflections on the Principle of Consistent Interpretation Through the Case Law of the European Court of Justice 881
Antonino Ali

La Cour de Justice de l’Union Européenne se prononce sur l’importation de produits fabriqués dans les territoires palestiniens occupés: verre demi plein ou verre demi vide? 897
Matteo Fornari

Addressing Irregular Immigration Through Criminal Penalties: Reflections on the Contribution of the ECJ to Refining and Developing a Complex Balance 911
Bruno Nascimbene and Alessia Di Pascale

Table of Cases. 925