

Jurisprudence of the PCIJ and of the ICJ on Interim Measures of Protection

Ewa Sałkiewicz-Munnerlyn

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Preface

I wrote this book because the subject has interested me since 1976, when I first attended The Peace Palace Academy in the Hague as a student and had the opportunity to participate in a case before the ICJ.

The book covers the period of both the PCIJ (1922–1946) and the ICJ (1946–2020). It is a long period of time, and it is possible to notice what the tendencies in doctrine and jurisprudence were of the courts concerning interim measures of protection.

The question of the binding force of these measures is of a particular interest, because until the judgment of the ICJ in *LaGrand (Germany v. United States of America)*, ICJ Reports 2001, these measures were not enforced by the parties and in most doctrines they were not considered to be binding.

There are plenty of books on procedure before the ICJ, but this book is unique in several ways. First of all, because it covers literature not only from Western European authors, but also from Central European ones, including Polish authors. Moreover, it is not a compilation produced by several authors, but one, which was not easy.

The fact that English is not my mother tongue meant that I had a lot of help from Ms. Kiki van Gurp, Production Coordinator at T.M.C. ASSER PRESS, to whom I would like to express my special thanks.

The book will be helpful for both theoreticians and practitioners, professors and students who are interested in the procedure in front of the ICJ.

Kalisz, Poland
July 2021

Ewa Sałkiewicz-Munnerlyn

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Abbreviations

AEDI	Annuaire Egyptienne de Droit International
AFDI	Annuaire Français de Droit International
AJIL	American Journal of International Law
ASDI	Annuaire Suisse de Droit International
BYIL	British Yearbook of International Law
ICJ	International Court of Justice
IQLR	International and Comparative Law Review
JDI	Journal de Droit International
MTS	Międzynarodowy Trybunał Sprawiedliwości
PCIJ	Permanent Court of International Justice
RdC	Recueil des cours de l'Académie de La Haye
RGDIP	Revue Générale de Droit International Public
TAM	Tribunaux Arbitraux Mixtes