

# Table of Contents

## Opening Address

Rüdiger Wolfrum .....	1
-----------------------	---

## Panel I: What Makes the WTO Dispute Settlement Procedure Particular: Lessons to be Learned for the Settlement of International Disputes in General?

Presentation by David Unterhalter .....	5
Comment by Georges Abi-Saab.....	13
Discussion.....	23

## Panel II: Advisory Opinions: Are they a Suitable Alternative for the Settlement of International Disputes?

Presentation by Rüdiger Wolfrum.....	35
Comment by Pierre-Marie Dupuy.....	69
Comment by Alena F. Douhan: Advisory Opinions of the Economic Court of the Commonwealth of Independent States: A New Means of Settlement of International Disputes in the Region?.....	79
Discussion.....	109

## Panel III: Interaction between Counsel and International Courts and Arbitral Tribunals: Ethical Standards for Counsel

Presentation by Philippe Sands QC .....	127
---	-----

Annex: The Hague Principles on Ethical Standards for Counsel Appearing before International Courts and Tribunals .....	137
---	-----

Comment by Antony Aust .....	145
Discussion.....	149

#### **Panel IV: International Courts as Lawmakers**

Presentation by Armin von Bogdandy and Ingo Venzke .....	161
--	-----

Comment by Abdul G. Koroma: An Investigation of International Courts, Public Authority and its Democratic Justification .....	215
Discussion.....	221

Paper submitted by Ingo Venzke: Antinomies and Change in International Dispute Settlement: An Exercise in Comparative Procedural Law.....	235
---	-----

Paper submitted by Jean d'Aspremont: The Non-Monopolistic Role of International Courts and Tribunals in Designing the Rules of Recognition of the International Legal System.....	271
---	-----

Paper submitted by Marjan Ajeviski: Preconditions for <i>Stare Decisis</i> – What International Law Can Learn from Comparative Constitutional Law .....	293
--	-----

Paper submitted by Hugh Thirlway: Unacknowledged Legislators: Some Preliminary Reflections on the Limits of Judicial Lawmaking.....	311
---	-----

Paper submitted by Karl Doehring †: Lawmaking of Courts and Tribunals Results in the Destruction of the Rule of Law.....	325
---	-----

**Panel V: Privatization of the Settlement of International Disputes**

Presentation by Francisco Orrego Vicuña .....	331
Comment by Christoph Schreuer .....	339
Comment by August Reinisch.....	345
Discussion.....	349
 Paper submitted by Katharina Diel-Gligor: Systemic Deficiencies of ICSID Investment Arbitration? An Inspection of the Annulment Mechanism.....	 359
 Paper submitted by Shotaro Hamamoto: New Challenges for the ICSID Annulment System: Another Private-Public Problem in the International Investment Dispute Settlement .....	 393
 Paper submitted by Mathias Forteau: The Diversity of Applicable Law before International Tribunals as a Source of Forum Shopping and Fragmentation of International Law: An Assessment.....	 417
 <b>Final Remarks and Conclusions .....</b>	 443
Rüdiger Wolfrum	

International Dispute Settlement: Room for  
Innovations?

Wolfrum, R.; Gättschmann, I. (Eds.)

2013, XIV, 450 p., Hardcover

ISBN: 978-3-642-34966-9