

**Journal Table of Contents (Journal TOC)**

latest update – December 2012



Brugge

College of Europe  
Collège d'Europe



Natolin

List of journals with electronic table of contents International Law section between January and December 2012:

1. European Intellectual Property Review
2. European Journal of International Law
3. Intellectual Property Quarterly
4. International & Comparative Law Quarterly
5. International Journal of Comparative Labour Law and Industrial Relations
6. Journal of World Intellectual Property
7. Leiden journal of International Law
8. Nordic Journal of International Law

# European Intellectual Property Review

2012 Volume 34 Issue 1 ISSN: 0142-0461

Table of Contents

Opinion

*Vloutina Liakatou and Spyros Maniatis*

1

**Red Soles, Gas Bottles, and Ethereal Market Places: Competition, Context, and Trade Mark Law**

**Articles**

*Colin Davies*

4

**A Scandalous Affair: The Disparity in the Application of Morality to Trade Marks, Patents and Copyright**

*Cees Mulder*

12

**Periods and Remedies Under the EPC: Compliance of the EPC with the PLT: Part 1 - Extension of Periods and Further Processing**

*Mark Perry and Thomas Margoni*

22

**Ownership in Complex Authorship: A Comparative Study of Joint Works**

*Georgios Psaroudakis*

33

**In Search of the Trade Mark Functions: Keyword Advertising in European Law**

Christopher Morcom QC

40

**Trade Marks and the Internet: Where Are We Now?**



# European Intellectual Property Review

2012 Volume 34 Issue 12

ISSN: 0142-0461

## Table of Contents



### Opinions

*Jason Haynes*

- Critically Reconceptualising the United Kingdom's Fair Dealing Exception to Copyright Infringement in Light of the Government's Most Recent Proposals for Reform and Lessons Learnt from Civil Law Countries** 811

### Articles

*Karina O'Rourke*

- Integrity on the Web** 815

*Tshimanga Kongolo*

- Towards an International Legal Instrument on Exceptions and Limitations to Copyright for Visually Impaired Persons/Persons with Print Disabilities: Current International Negotiations** 823

*Wei-Lin Wang*

- A Study on Conflicts of Interest in Academia-Industry Co-operation: The Defence for and Modifications to the Bayh-Dole Act (Part 1)** 834

*Dr Anan Shawqi Younes*

- Trade Marks and Domain Names: Exploring the Inadequacy of Existing Protection for the Economic Value of Trade Marks** 847

*Ping-Hsun (Quincy) Chen*

- China as a Technology Exporter: A Question Mark after the Third Amendment of the China Patent Law in 2009** 853

### Comments

*Yin Harn Lee*

- Play Again? Revisiting the Case for Copyright Protection of Gameplay in Videogames** 865

*James Green*

- Apotex Inc v AstraZeneca Inc: IP Experts Take the Plunge into the Hot Tub** 874

*Pessi Honkasalo and Sanna Kaistinen*

- Smiley Faced Down: the Finnish Supreme Administrative Court decides that Emoticon cannot be Trade Marked** 877

# European Intellectual Property Review

2012 Volume 34 Issue 2 ISSN: 0142-0461

Table of Contents



## Opinion

*Clive Gringras*

**There is Nothing New Under the Sun, or in the Cloud** 73

## Articles

*Miriam Bitton*

**Implementing the Public Sector Information Directive** 75

*Gees Mulder*

**Periods and Remedies Under the EPC: Compliance of the EPC with the PLT: Part 2 - Re-establishment of Rights** 87

*Melchor Inigo Raval*

**Game Over for Mod Chips? The Aftermath of Sony v Stevens and the Australian-US Free Trade Agreement** 95

*Ioannis Avgoustis*

**Parallel Imports and Exhaustion of Trade Mark Rights: Should Steps be Taken Towards an International Exhaustion Regime?** 108

*Min Yan*

**The Law Surrounding the Facilitation of Online Copyright Infringement** 122

## Comments

*Jonathan Cornthwaite*

**Say it with Flowers: The Judgment of the Court of Justice of the European Union in Interflora v Marks & Spencer** 127

*Fleur Folmer*

**First ECJ Decision on Community Design Rights: Promer-Pepsico "Pogs" Case** 132

# European Intellectual Property Review

2012 Volume 34 Issue 8 ISSN: 0142-0461



## Table of Contents

### Opinion

*Alan Story*

**"Balanced" Copyright: Not a Magic Solving Word** 493

### Articles

*Mark Davison*

**Plain Packaging of Tobacco and the "Right" to use a Trade Mark** 498

*Richard H. Stern*

**Mayo v Prometheus: No Patents on Conventional Implementations of Natural Principles and Fundamental Truths** 502

*Samsung Xiaoxiang Shi*

**Time Shifting in a Networked Digital World: Optus TV Now and Copyright in the Cloud** 519

*Ronan Sheehan*

**Downloading The Book of Kells** 534

*Nicoleta Tuominen*

**An IP Perspective on Defensive Patenting Strategies of the EU Pharmaceutical Industry** 541

# European Intellectual Property Review

2012 Volume 34 Issue 9 ISSN: 0142-0461



## Table of Contents

### Opinion

*David Vaver*

**Intellectual Property: Still a "Bargain"?** 579

### Articles

*Petroula Vantsiouri*

**A Legislation in Bits and Pieces: The Overlapping Anti-Circumvention Provisions of the Information Society Directive, the Software Directive and the Conditional Access Directive, and their Implementation in the United Kingdom** 587

*Enrico Bonadio*

**Plain Packaging of Tobacco Products under EU Intellectual Property Law** 599

*Burjis Shabir*

**EC Regulation 1383/2003 and GATT: A Detailed Analysis of EC Regulation Compatibility with Respect to Article XX(d) GATT** 609

*Tatiana-Eleni Synodinou*

**The Principle of Technological Neutrality in European Copyright Law: Myth or Reality?** 618

*Amanda Scardamaglia*

**Are you Nuckin Futs? Registering "Scandalous" Trade Marks in Australia** 628

# European Journal of International Law

Vol. 22 (2011) No. 4

Contents



**Editorial: Nino - In His Own Words; In this Issue; The Last Page and**

**Roaming Charges** 931

## Articles

*Jaye Ellis*, **General Principles and Comparative Law** 949

*Thilo Rensmann*, **Munich Alumni and the Evolution of International Human**

**Rights Law** 973

*Anastasios Gotirgourinis*, **General/Particular International Law and Primary/Secondary Rules: Unitary Terminology of a Fragmented System** 993

*Daphné Richemond-Barak*, **Regulating War: A Taxonomy in Global**

**Administrative Law** 1027

## Critical Review of International Jurisprudence

*Sonia Morano-Foadi and Stelios Andreadakis*, **The Convergence of the**

**European Legal System in the Treatment of Third Country Nationals in Europe:**

**The ECJ and ECtHR Jurisprudence** 1071

## Critical Review of International Governance

*Abigail C. Deshman*, **Horizontal Review between International Organizations: Why, How, and Who Cares about Corporate Regulatory Capture** 1089

## Roaming Charges: Places of Worship: Piazza

**Duomo Milano** 1115

## EJIL: Debate!

*Roda Mushkat*, **The Dynamics of International Legal Regime Formation:**

**The Sino-British Joint Declaration on the Question of Hong Kong Revisited** 1119

*Kevin Y. L. Tan*, **The Dynamics of International Legal Regime Formation: The Sino-British Joint Declaration on the Question of Hong Kong Revisited: A Reply to Roda Mushkat** 1145

*Roda Mushkat*, **The Dynamics of International Legal Regime Formation: The Sino-British Joint Declaration on the Question of Hong Kong Revisited: A Rejoinder to Kevin Tan** 1149

## EJIL: Debate!

*Bas Schotel*, **Doing Justice to the Political. The International Criminal Court in Uganda and Sudan: A Reply to Sarah Nouwen and Wouter Werner** 1153

*Sarah M. H. Nouwen and Wouter G. Werner, **Doing Justice to the Political:  
The International Criminal Court in Uganda and Sudan: A Rejoinder to Bas  
Schotel*** 1161

**Impressions**

*Philip Allott, **On First Understanding Plato's Republic*** 1165



# Intellectual Property Quarterly

Issue 1 2012

Table of Contents



## Articles

### **The Emergent European Law of Unfair Competition and its Consumer Law Origins**

*Professor Christopher Wadlow* 1

### **Exploring the Roots of European Dilution**

*Dr Ilanah Simon Fhima* 25

### **Trade Marks that are Contrary to Public Policy or Morality: The Search for the Right-Thinking Man**

*Dr Samtani Anil, Boey Yong-Ai Grace, Chan Jun Zeng and Koh Ling Yi* 39

### **Rearranging the Roles of the Performer and the Composer in the Music Industry: The Potential Significance of Fisher v Brooker**

*Dr Luke McDonagh* 64

# Intellectual Property Quarterly

Issue 2 2012

## Table of Contents Articles



### **Reversionary Copyright: A Ghost of the Past or a Current Trap to Assignments of Copyright?**

*Paul Torremans and Carmen Otero Garcia Castrillon*

11

### **On the Recognition of the Public Domain in Intellectual Creations under Islamic Sharia**

*Mohammad Amin Naser and Suhail Haitham Haddadin*

94

### **Passing Off: Frameworks of Liability Debated**

*Hazel Carty*

106

### **A Critical Look at Trade Secrets Protection in Jordan**

*Bashar H. Malkawi*

123

# Intellectual Property Quarterly

Issue 3 2012

## Table of Contents Articles

**Professor John Adam (1939-2012): An Appreciation**

*Hector MacQueen* 135

**IP in Christian Law**

*Dr. Roman Cholij* 137

**Keywords and Resales and Other Fair and Referential Uses**

*Victoria McEvedy* 149

**Copyright Protection in Thailand: Should the Establishment of the Copyright Collecting Societies (CCS) and Licensing Scheme System be the Solution to the Problem of Copyright Infringement in the Thai Education Sector?**

*Dr. Noppanun Supasiripongchai* 173

# Intellectual Property Quarterly

Issue 4 2012



## Table of Contents

### Articles

#### **A correction and an apology**

*Margaret Llewelyn* 203

#### **Non-Trade Mark Use**

*N. M. Dawson* 204

#### **Information Protection: Filling Some Gaps Left by Patents**

*William Kingston* 227

#### **Current Events and Fair Dealing with Photographs: Time for a Revised Approach**

*Christopher Kelly* 242

#### **Extracting the Price of a Patent: Enablement and Written Description**

*Matthew Fisher* 262

#### **Trade Mark Law and the Threat to Free Speech**

*Joanne K. Box* 289

#### **Airfield, Intermediaries and the Rescue of EU Copyright Law**

*Stephen Vousden* 311

# International and Comparative Law Quarterly

Volume 61 January 2012 Part 1



## ARTICLES

### **Editorial: 60 Years of Legal Scholarship in the International and Comparative Law Quarterly**

*Catherine Redgwell, Malcolm Evans, James Fawcett, Paula Giliker, Jo Shaw and Robert McCorquodale* 1

### **EU Competition Law Enforcement: Is Brussels I Suited To Dealing With All The Challenges?**

*Mihail Danov* 27

### **International Criminal Law: Wielding the Sword of Universal Criminal Justice?**

*Christopher Stephen* 55

### **Jurisdiction in Employment Matters under Brussels I: A Reassessment**

*Uglješa Grušić* 91

### **African Countries in the World Trading System: International Trade, Domestic Institutions and the Role of International Law**

*Melaku Geboye Desta and Moshe Hirsch* 127

### **The Evolution of Shareholder and Creditor Protection in Australia: An International Comparison**

*Helen Anderson Michelle Welsh, Ian Ramsay and Peter Gahan* 171

## SHORTER ARTICLES, COMMENTS AND NOTES

### **The Function of Litigation in International Society**

*Vaughan Lowe* 209

### **Denial of Justice Disguised? Investment Arbitration and the Protection of Foreign Investors from Judicial Misconduct**

*Mavluda Sattorova* 223

## CURRENT DEVELOPMENTS: PUBLIC INTERNATIONAL LAW

### **I. British Policy and the National Transitional Council of Libya**

*Colin Warbrick* 247

**II. The Palmer Report and the Legality of Israel's Naval Blockade of Gaza**

*Russell Buchan* 264

**III. Australian Asylum Policy all at Sea: An Analysis of Plaintiff M70/2011 v Minister for Immigration and Citizenship and the Australia-Malaysia Arrangement**

*Tamara Wood and Jane McAdam* 274

**CURRENT DEVELOPMENTS: DECISIONS OF INTERNATIONAL COURTS AND TRIBUNALS**

**I. European Court of Human Rights *Al-Skeini and Others v United Kingdom* (Application No 55721/07) Judgment of 7 July 2011**

*Conall Mallory* 301

# International and Comparative Law Quarterly

Volume 61 April 2012 Part 2



## ARTICLES

<b>Mental elements under article 30 of the Rome statute of the international criminal court: a comparative analysis</b>	
<i>Sarah Finnin</i>	325
<b>Explaining the Legal Effects of Recognition</b>	
<i>Jure Vidmar</i>	361
<b>'Seizing' Pharmaceuticals in Transit: Analysing the WTO Dispute that wasn't</b>	
<i>Bryan Mercurio</i>	389
<b>Of Apples and Oranges (and Hormones in Beef): Science and the Standard of Review in WTO Disputes under the SPS Agreement</b>	
<i>Jacqueline Peel</i>	427
<b>Effectiveness of Exclusive Jurisdiction Clauses in the Chinese Courts - A Pragmatic Study</b>	
<i>Zheng Sophia Tang</i>	459
<b>SHORTER ARTICLES</b>	
<b>The UK Bribery Act 2010 and Accompanying Guidance: Belated Implementation of the OECD Anti-Bribery Convention</b>	
<i>Cecily Rose</i>	485
<b>The Durban Platform for Enhanced Action and The Future of the Climate Regime</b>	
<i>Lavanya Rajamani</i>	501
<b>CURRENT DEVELOPMENTS: PRIVATE INTERNATIONAL LAW</b>	
<b>I. The 'Cautious Lex Fori' Approach to Foreign Judgments and Preclusion</b>	
<i>Jacob van de Velden</i>	519
<b>II. Habitual Residence and the NewBorn - A French Perspective</b>	
<i>Aude Fiorini</i>	530
<b>CURRENT DEVELOPMENTS: EUROPEAN UNION LAW</b>	
<b>Free Movement of Goods</b>	
<i>Stephen Weatherill</i>	541

# International and Comparative Law Quarterly

Volume 61 May 2012 Part 3



## ARTICLES

### **The Dialogue Between United Kingdom Courts and the European Court of Human Rights**

*Merris Amos* 557

### **State Liability for Judicial Decisions in European Union and International Law**

*Arwel Davies* 585

### **Why the French Don't Like the *Burqa*: *Laïcité*, National Identity and Religious Freedom**

*Myriam Hunter-Henin* 613

### **The Duty to Give Reasons for Administrative Decisions in International Law**

*Jarrod Hepburn* 641

### **The Continuing Myth of Euro-Scepticism? The German Federal Constitutional Court Two Years After *LISBON***

*Beke Zwingmann* 665

## SHORTER ARTICLE

### **Is There a Right to Detain Civilians by Foreign Armed Forces During a Non-International Armed Conflict?**

*Peter Rowe* 697

## CURRENT DEVELOPMENTS: PUBLIC INTERNATIONAL LAW

### **Killings at Srebrenica, Effective Control, and the Power to Prevent Unlawful Conduct**

*Tom Dannenbaum* 713

### **Watered-Down Rights on the High Seas: *Hirsi Jamaa and others vs Italy* (2012)**

*Mariagiulia Giuffré* 728

### **The Renaissance of Non-Refoulement? The Othman (Abu Qatada) Decision of the European Court of Human Rights**

*Christopher Michaelsen* 750

## CURRENT DEVELOPMENTS: INTERNATIONAL COURTS AND TRIBUNALS

### **African Court on Human and Peoples' Rights, *African Commission on Human and Peoples' Rights V Great Socialist People's Libyan Arab Jamahiriya*, Order for Provisional Measures 25 March 2011**

*Eleni Polymenopoulou* 767

### **International Court of Justice, *Application of The Interim Accord of 13 September 1995 (The Former Yugoslav Republic of Macedonia V Greece)* Judgment of 5 December 2011**

*Filippo Fontanelli and Eirik Bjorge* 775



# International and Comparative Law Quarterly

Volume 61

October 2012

Part 4



## ARTICLES

### **Norm Conflict Between WTO Covered Agreements - Real, Apparent or Avoided?**

*Claude Chase*

791

### **Disentangling the Sources and Nature of Indigenous Rights: A Critical Examination of Common Law Jurisprudence**

*Arif Bulkan*

823

### **From Administrative Law to Administrative Legitimation?**

#### **Transnational Administrative Law and the Process of European Integration**

*Ming-Sung Kuo*

855

### **Party Autonomy in the Legal Regulation of Adult Relationships: What Place for Party Choice in Private International Law?**

*Janeen Carruthers*

881

### **Property and the Definition of Slavery**

*Jean Attain and Robin Hickey*

915

## SHORTER ARTICLES

### **The Role of an International Legal Adviser to Government**

*Stephen Bouwhuis*

939

### **An Evaluation of Morocco's Claims to Spain's Remaining Territories in Africa**

*Jamie Trinidad*

961

## CURRENT DEVELOPMENTS: EUROPEAN UNION LAW

### **Between Splendid Isolation and Tentative Imperialism: The EU's Extension of its Emission Trading Scheme to International Aviation and the ECJ's Judgment in the ATA Case**

*Andrea Gattini*

977

### **Competition Law**

*Robert Lane*

991

## CURRENT DEVELOPMENTS: PRIVATE INTERNATIONAL LAW

### **Jurisdiction for Cross-Border Breach of Personality and Defamation:**

#### **Edate Advertising and Martinez**

*Lorna Gillies*

1007

# The International Journal of Comparative Labour Law and Industrial Relations

Volume 27

December 2011

Issue 4



## Editorial

*William Bromwich and Olga Rymkevich*

335

## **Soft on the Inside, Hard on the Outside: An Analysis of the Legal Nature of New Forms of International Labour Law**

*M. Antonio García-Muñoz Alhambra, Beryl ter Haar and Attila Kun*

337

## **Towards a Functioning Framework for Individual Labour Law Rights: Challenges for China in a Changing World of Work**

*Alan C. Neal*

365

## **Labour Law and Employment Policy in the EU: Conflict or Consensus?**

*Lisa Rodgers*

387

## **Labour Obligations in the US-Chile Free Agreement: The Illusion of Soft Law**

*Sergio Gamonal*

407

## **Informality, Employment Contracts, and Social Insurance Coverage: Rights-Based Perspectives in a Developing World Context**

*Marius Olivier*

419

# The International Journal Of Comparative Labour Law and Industrial Relations

Volume 28

March 2012

Issue 1



## **Editorial**

*Mia Rönnmar* 1

## **Trade Unions, Lisbon, and Europe 2020: From Dream to Nightmare**

*Richard Hyman* 5

## **Employment Agencies: International Norms and Developments in South Africa**

*Stefan van Eck* 29

## **Discrimination against Mothers Is the Strongest Form of Workplace Gender Discrimination: Lessons from US Caregiver Discrimination Law**

*Stephanie Bornstein, Joan C. Williams & Genevieve R. Painter* 45

## **Global Care Chains: Transnational Migrant Care Workers**

*Judy Fudge* 63

## **Teaching Labour Law in a Common Law Jurisdiction**

*Joellen Riley* 71

## **The Evolution of Doctoral Research Programmes: The Italian Case of the Doctorate in Labour Relations**

*Luigi Golzio* 81

# The International Journal of Comparative Labour Law and Industrial Relations

Volume 28

June 2012

Issue 2



<b><i>Editorial</i></b>	<i>Mia Ronnmar</i>	109
<b>In Memoriam-Bill Wedderburn</b>	<i>Alan C.Neal</i>	113
<b>'Democratic' Pre-conditions for Strike Action: A Comparative Study of Australian and UK Labour Legislation</b>	<i>Shae McCrystal &amp; Tonia Nouitz</i>	115
<b>Forced Labour and Migrant Berry Pickers in Sweden</b>	<i>Charles Woolfson, Petra Herzfeld Olsson, &amp; Christer Thörnqvist</i>	147
<b>Transnational Temporary Agency Work: How Much Equality Does the Equal Treatment Principle Provide?</b>	<i>Monika Schlachter</i>	177
<b>Recasting Greek Industrial Relations: Internal Devaluation in Light of the Economic Crisis and European Integration</b>	<i>Christos A. Ioannou</i>	199
<b>Having the Right Attitude: Cooperation Skills and Labour Law</b>	<i>Jenny Julén Votinius</i>	223
<b>Industrial Relations Systems, Innovation, and Economic Performance: Uncovering Myth and Reality from a Dutch Point of View</b>	<i>Jan Kees Looise, Nicole Torka, &amp; Stefan Zagelmeyer</i>	249

# The Journal of World Intellectual Property

Volume 15 January 2012 Issue 1

## Articles

**The Right of Access in Digital Copyright: Right of the Owner or Right of the User?**

*Marcella Favale*

1

**International Norms for Compulsory Licensing and the Indian Copyright Law**

*T. G. Agitha*

26

**TRIPS Compatibility of Sri Lankan Trademark Law**

*Althaf Marsoof*

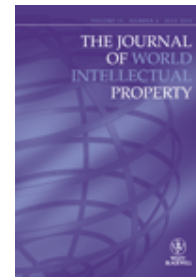
51

## Note

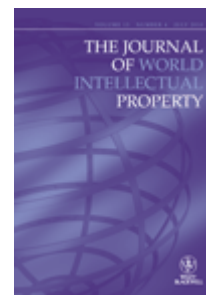
**TRIPS-plus Border Measures and Access to Medicines**

*Anna Giulia Micara*

73



# The Journal of World Intellectual Property



Volume 15

March 2012

## Articles

### **Pharmaceutical Patents and Prices of Generics in Morocco and Neighboring Economies**

*Ahmed Driouchi and Nada Zouag* 103

### **Biodiversity Fetishism and Biotechnology Promises in Brazil: From Policy Contradictions to Legal Adjustments**

*Geoffroy Filoche* 133

## Note

### **Role of Collective Management Organizations for Protection of Performers' Right in Music Industry: In the Era of Digitalization**

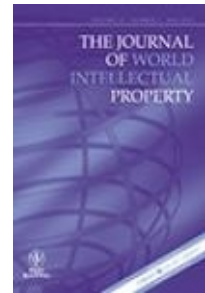
*Aurobinda Panda and Atul Patel* 155

# The Journal of World Intellectual Property

Volume 15

May 2012

Issue 3



## Articles

**Ethiopia's World Trade Organization Accession and Maintaining Policy Space in Intellectual Property Policy in the Agreement on Trade-Related Aspects of Intellectual Property Rights Era: A Preliminary Look at the Ethiopian Patent Regime in the Light of the Agreement on Trade-Related Aspects of Intellectual Property Rights**

**Obligations and Flexibilities**

*Fikremarkos Merso Birhanu*

171

**Improving Patent Information Quality: Development and the Disclosure Requirements**

*Nefissa Chakroun*

199

## Note

**Collective Management Organizations in China: Practice, Problems and Possible Solutions**

*Fuxiao Jiang and Daniel Gervais*

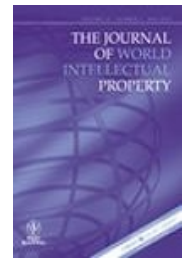
221

# The Journal of World Intellectual Property

Volume 15

July 2012

Issue 4



## Articles

### **Pharmaceutical Patents in Jordan**

*Deema S. Jaafari*

239

### **Toward a Unified Theory of Intellectual Property: The Differentiating Capacity (and Function) as the Thread That Unites All its Components**

*Nuno Pires de Carvalho*

251

### **Advance Market Commitments for R&D in Diseases That Disproportionately Affect Low-Income Countries**

*Ebenezer Kwabena Tetteh*

280



# Leiden Journal of International Law

Volume 25 number 1



## Contents

### 1-8 **Introduction: LJIL in the Age of Cyberspace**

*Larissa van den Herik*

## **INTERNATIONAL LEGAL THEORY**

### 9-54 **'The Sacred Conspiracy': Religion, Nationalism, and the Crisis of Internationalism**

*Nathaniel Berman*

### 55-66 **Shedding Light on the Conspiracy: A Reply to Berman**

*Lorenzo Zucca*

### 67-72 **What's New in Our Current 'International Secularism'?**

*Jean-Claude Monod*

### 73-76 **'Religion', Genealogy, History: A Reply to Zucca and Monod**

*Nathaniel Berman*

## **INTERNATIONAL LAW AND PRACTICE**

### 77-107 **Arbitrariness, the Fair and Equitable Treatment Standard, and the International Law of Investment**

*Jacob Stone*

### 109-130 **The Terms of Reference of the Commission on the Limits of the Continental Shelf: A Creeping Legal Mandate**

*Bjørn Kunoy*

## **HAGUE INTERNATIONAL TRIBUNALS**

### **International Court of Justice**

### 131-133 **Nicaragua: 25 Years Later**

*Cristina Hoss, Santiago Villalpando, and Sandesh Sivakumaran*

### 135-147 **The Impact of the Nicaragua Case on the Court and Its Role: Harmful, Helpful, or In Between?**

*Lori Fisler Damrosch*

### 149-156 **The Impact of the Nicaragua Case on Matters of Evidence and Fact-Finding**

*Paul S. Reichler*

### 157-164 **The Principle of Non-intervention 25 Years after the Nicaragua Judgment**

*Marcelo Kohen*

### **International Criminal Court and Tribunals**

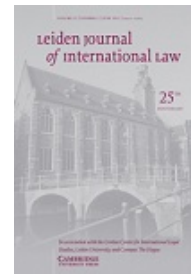
### 165-219 **The End of 'Modes of Liability' for International Crimes**

*James G. Stewart*

# Leiden Journal of International Law

Volume 25 number 2

## Contents



**251-282 Editorial: Between 'Faith' and 'Facts': By What Standards Should We Assess International Criminal Justice?**

*Carsten Stahn*

### **INTERNATIONAL LEGAL THEORY**

**283-307 Standardization: A Dynamic and Procedural Conceptualization of International Law-Making**

*Yannick Radi*

### **SYMPOSIUM ON SOFT LAW**

**309-312 Which Future for the Scholarly Concept of Soft International Law? Editors' Introductory Remarks**

*Jean d'Aspremont and Tanja Aalberts*

**313-334 Shades of Grey: Soft Law and the Validity of Public International Law**

*Jaye Ellis*

**335-368 We Need to Cut Off the Head of the King: Past, Present, and Future Approaches to International Soft Law**

*Matthias Goldmann*

**369-372 The King Is Dead, Long Live the King? A Reply to Matthias Goldmann**

*Jaye Ellis*

**373-378 Soft Law and Other Forms of International Public Authority - The View from Discourse Theory: A Reply to Jaye Ellis**

*Matthias Goldmann*

### **INTERNATIONAL LAW AND PRACTICE**

#### **Symposium: Fairness in International Environmental Law**

**379-396 Against Fairness? International Environmental Law, Disciplinary Bias, and Pareto Justice**

*Mario Frost and Alejandra Torres Camprubí*

**397-414 Extraterritorial Exercise of Jurisdiction for Environmental Protection: Addressing Fairness Concerns**

*Jaye Ellis*

**415-441 Fairness and International Environmental Law from Below: Social Movements and Legal Transformation in India**

*Kishan Khoday and Usha Natarajan*

**443-460 Transnational Conservation Contracts**

*Natasha Affolder*

## HAGUE INTERNATIONAL TRIBUNALS

### International Court of Justice

#### Symposium: The *Nicaragua* Case 25 Years Later

461-470 **The Notion of 'Armed Attack' in the *Nicaragua* Judgment and Its Influence on Subsequent Case Law**

*Judge Abdulqawi A. Yusuf*

471-479 **Jurisdiction and Applicable Law**

*James R. Crawford*

481-489 **The *Nicaragua* Case: 'Mafiosi's' and 'Veteran's' Approaches Combined**

*Alain Pellet*

## INTERNATIONAL CRIMINAL COURT AND TRIBUNALS

491-501 **The Legitimacy of International Criminal Tribunals and the Current Prospects of International Criminal Justice**

*Antonio Cassese*

503-510 **Personal Remarks on Antonio Cassese and His Vision of International Law and International Criminal Justice along the Road He Walked**

*Salvatore Zappala*

511-520 **The Appeals Decision in the ICC's *Jean-Pierre Bemba Gombo* Case on the Trial Chamber's 'Decision on the Admission into Evidence of Materials Contained in the Prosecution's List of Evidence'**

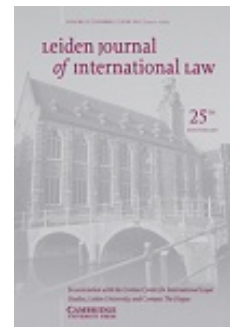
*Christine Schuon*

521-535 **Responsibility of the Netherlands for the Acts of Dutchbat in *Nuhanović and Mustafić*: The Continuous Quest for a Tangible Meaning for 'Effective Control' in the Context of Peacekeeping**

*Bérénice Boutin*

# Leiden Journal of International Law

Volume 25 number 3



575-602 **Editorial: Wording in International Law**

*Jean D'Aspremont*

## **INTERNATIONAL LEGAL THEORY**

### **Symposium on Foucault**

603-608 **On the Uses of Foucault for International Law**

*Tanja Aalberts and Ben Golder*

609-6 25 **In Praise of Description**

*Anne Orford*

627-645 **On Foucault and Wolff or from Law to Political Economy**

*Matt Craven*

647-664 **'The Life of Individuals as well as of Nations': International Law and the League of Nations' Anti-Trafficking Governmentalities**

*Stephen Legg*

665-682 **Targeted Killing and Its Law: On a Mutually Constitutive Relationship** *Susanne Krasmann*

## **INTERNATIONAL LAW AND PRACTICE**

683-705 **Two Governments and One Legitimacy: International Responses to the Post-Election Crisis in Côte d'Ivoire**

*Yejoon Rim*

707-737 **International Law and Sources of Law in MERCOSUR: An Analysis of a 20-Year Relationship**

*Belén Olmos Giupponi*

## **HAGUE INTERNATIONAL TRIBUNALS**

### **International Court of Justice**

739-757 **Interests of a Legal Nature Justifying Intervention before the ICJ**

*Beatrice I. Bonafé*

759-770 **Reactions to Non-Performance of Treaties in International Law**

*Serena Forlati*

## **INTERNATIONAL CRIMINAL COURT AND TRIBUNALS**

771-797 **Second-Order Linking Principles: Combining Vertical and Horizontal Modes of Liability**

*Jens David Ohlin*

799-813 **The Good Deeds of International Criminal Defendants**

*Jean Galbraith*

815-827 **A Conversation with Antonio Cassese**

*Guido Acquaviva*

# Leiden Journal of International Law

Vol. 25 number 4

Contents



847-855 **Pluralism in International Criminal Law**

*Elies van Sliedregt*

## INTERNATIONAL LEGAL THEORY

857-884 **The Extraterritoriality of the European Convention on Human Rights: Why Human Rights Depend on Jurisdiction and What Jurisdiction Amounts to** *Samantha Besson*

885-907 **'Ethnicity' in the International Law of Minority Protection: The Post-Cold War Context in Perspective**

*Mohammad Shahabuddin*

## INTERNATIONAL LAW AND PRACTICE

909-934 **Stability and Change in Times of Fragmentation: The Limits of *Pacta Sunt Servanda* Revisited**

*Christina Binder*

935-954 **Genocide and Discrimination: Lessons to Be Learnt from Discrimination Law**

*Monika Ambrus*

955-977 **The *Ne Bis in Idem* Principle in the Interpretation of European Courts: Towards Uniform Interpretation**

*Norel Neagu*

## HAGUE INTERNATIONAL TRIBUNALS

### INTERNATIONAL COURT OF JUSTICE

979-1002 ***Jus Cogens* after *Germany v. Italy*: Substantive and Procedural Rules Distinguished**

*Stefan Talmon*

1003-1012 **Identifying Conflicts of Norms: The ICJ Approach in the Case of the Jurisdictional Immunities of the State (*Germany v. Italy: Greece Intervening*)**

*François Boudreault*

# Nordic Journal of International Law

*Acta Scandinavica juris gentium*



## CONTENTS Volume 81, No. 1 2012

### Articles

*Jessica Liang*

**Modifying the UN Charter through Subsequent Practice: Prospects for the Charter's Revitalisation** 1-20

*Alexander Langshaw*

**Giving Substance to Form: Moving towards an Integrated Governance Model of Transboundary Environmental Impact Assessment** 21-38

*Nicolas de Sadeleer*

**Enforcing EUCHR Principles and Fundamental Rights in Environmental Cases** 39-74

# Nordic Journal of International Law

*Acta Scandinavica juris gentium*

Volume 81, No. 2 2012



## Articles

*Thomas Kleinlein*

**Between Myths and Norms: Constructivist Constitutionalism and the Potential of Constitutional Principles in International Law** 79-132

*William E. Conklin*

**The Exclusionary Boundary of the Early Modern International Community** 133-173

*Simon Marsden*

**Direct Public Access to EU Courts: Upholding Public International Law via the Aarhus Convention Compliance Committee** 175-204

*Ida Elisabeth Koch*

**Twelve Years of Poverty in Denmark - A Human Rights Perspective** 205-225

*Marina Mancini*

**A Brand New Definition for the Crime of Aggression: The Kampala Outcome** 227-248