

INDEX

- AB. *See* Appellate Body (AB) of WTO
- Abi-Saab, Georges, 105
- Adler, Emanuel, 172
- Ago, Roberto, 36, 38
- Alvarez, José, 116–118, 124
- Amado, Gilberto, 38
- Anti-Dumping Agreement, 84
- Appellate Body (AB) of WTO
 generally, 8–9, 10, 13, 50, 83–87
 domestic law in (*See also specific case*)
 generally, 85
 as circumstance of conclusion,
 90–92
 intention of state, use as indication
 of, 215
 “legitimate objective” and, 84–85
 reasonable reliance, 95–98
 security and predictability in
 international trade and,
 104–106
 special meaning and, 98–100
 Vienna Convention and, 90–91,
 98–100, 103–104, 106
- EC–Chicken Cuts*, 92–95
 domestic law in, 86–87, 217
 EC Regulation 535/94 and,
 93–95, 96
 reasonable reliance in, 95–98
 Vienna Convention and, 93, 94, 95
- international investment law
 and, 124
- interpretation in, 84–85
- Mexico–Telecoms*, 100–103
 domestic law in, 86–87
 “interconnection” interpreted,
 100–102
 “linking” interpreted, 100–101
 Vienna Convention and, 102–103
- proportionality in, 117–118
- Schedules of Commitments
 as multilateral acts of special
 character, 87–90
 Optional Clause Declarations
 compared, 90, 96, 216–217
sui generis nature of, 89–90
 treaties compared, 88, 89
 Vienna Convention and,
 87–88, 89
- Vienna Convention and
 generally, 83–87
 domestic law and, 90–91, 98–100,
 103–104, 106
EC–Chicken Cuts, 93, 94, 95
Mexico–Telecoms, 102–103
 schedules of commitments,
 87–88, 89
 security and predictability in
 international trade and, 105
- Arbitration, 110–111
- Armenia
 conscientious objection in, 157–158
 ECtHR case involving, 157–158
- Australia, subpoenas in, 200–201
- Azerbaijan, conscientious objection in,
 157–158
- Beckett, Eric, 27–29
- Belgium, consideration of domestic law
 in ICJ, 53
- Benvenisti, Eyal, 162, 163
- Berne Convention, 85–86
- Bosnia and Herzegovina
 civil war in, 178
 rape law in, 202–203
 Srebrenica massacre, 195–196
- Brazil, WTO Appellate Body case
 involving. *See* Appellate Body
 (AB) of WTO

- Brierly, James, 31–33
 Brunnée, Jutta, 167, 170–173, 174, 175–176
 Bulgaria
 consensus doctrine and, 145
 Greece, territorial dispute with, 61–62
 international investment law and, 125–126
 Burkina Faso, International Court of Justice (ICJ) case involving, 52
 Canada
 Bill C-39, 65–66, 70–71
 Coastal Fisheries Protection Act, 72, 80
 guilty pleas in, 198, 209
 ICJ case involving, 65–74 (*See also* International Court of Justice (ICJ))
 international investment law and, 121
 subpoenas in, 200–201
 Canada–Venezuela BIT, 121
 Cedeño, Víctor Rodríguez, 78
 Comparative reasoning. *See also* Domestic law
 generally, 8–11
 applicable law and, 10–11
 defined, 8–9
 historical and legal contexts, 10
 interpretation versus application, 11–12
 inter-state versus individual disputes, 10
 Conference on Security and Co-operation in Europe (CSCE), 181–182
 Conscientious objection, 157–158
 “piecemeal evolution” and, 159–162
 state consent and, 162
 Consensus doctrine. *See* European Court of Human Rights (ECtHR)
 Convention on Future Multilateral Co-operation in the North-west Atlantic Fisheries (1978), 65–66
 Corten, Olivier, 129–130
 Council Control Law No 10, 185
 Council of Europe, 140–143
 Croatia, independence of, 178
 CSCE (Conference on Security and Co-operation in Europe), 181–182
 della Cananea, Giacinto, 117–118
 “Disciplining rules,” 16
 Domestic law
 generally, 214–215
 appropriate methodology for use of, 220–221
 auxiliary means of interpretation, use as, 218–220
 comparative reasoning (*See* Comparative reasoning)
 conventional standards, use to substantiate, 217–218
 in ECtHR
 generally, 146–147, 167
 absolute rights, 151–154
 congruence and, 171–173, 174–176
 conventional standards, use to substantiate, 217–218
 explicit standards, 147–148
 interactional theory of international law and, 170–177
 proportionality in express limitations, 148–150
 proportionality in implied limitations, 150–151
 shared values and, 170–177
 structuring discretion, 167–170
 vertical interaction thesis and, 173–174
 in ICJ (*See also* International Court of Justice (ICJ) *for specific cases*)
 generally, 49–54
 appropriate methodology for use of, 220
 auxiliary means of interpretation, use as, 219
 intention of state, use as indication of, 215–216
 Optional Clause Declarations and, 215–216
 unilaterally drafted instruments, interpretation of, 79–82
 Vienna Convention and, 53

- in ICTY
 - generally, 183, 213
 - auxiliary means of interpretation, use as, 219
 - context of, 210–212
 - criticism of use of, 208–210
 - guilty pleas and, 195–199
 - rape and, 189–192, 202–203, 206, 210
 - subpoenas and, 199–201
- intention of state, use as indication of, 215–217
- interaction with international law (*See* Interaction between domestic and international law)
- in international investment law
 - generally, 119
 - auxiliary means of interpretation, use as, 219
 - as auxiliary reasoning, 124–127
 - fair and equitable treatment, 119–124
 - general principles method, 115–118
 - methodologically loose use of, 114–115
- reasons for focus on, 9
- use of term, 1
- Vienna Convention and, 8, 214, 215
- in WTO Appellate Body (*See also* Appellate Body (AB) of WTO *for specific cases*)
 - generally, 85
 - as circumstance of conclusion, 90–92
 - intention of state, use as indication of, 215
 - “legitimate objective” and, 84–85
 - reasonable reliance, 95–98
 - security and predictability in international trade and, 104–106
 - special meaning and, 98–100
 - Vienna Convention and, 90–91, 98–100, 103–104, 106
- Domestic violence, 152–153
- Duress, 195–196, 197
- Dzehtsiarou, Kanstantin, 163
- ECHR. *See* European Convention on Human Rights (ECHR)
- ECJ. *See* European Court of Justice (ECJ)
- ECtHR. *See* European Court of Human Rights (ECtHR)
- Ellis, Jaye, 207–208
- Energy Charter Treaty (ECT), 125–126
- Erdemović, Drazen, 195–196
- European Convention on Human Rights (ECHR)
 - generally, 140–142, 177
 - adoption of, 140–143
 - consensus doctrine (*See* European Court of Human Rights (ECtHR))
 - domestic law and (*See* European Court of Human Rights (ECtHR))
 - historical and legal contexts, 10
 - Protocol 15, 141–142
- European Convention on State Immunity, 52–53
- European Court of Human Rights (ECtHR)
 - generally, 8–9, 10, 13, 140–143
 - conscientious objection and, 157–158
 - “piecemeal evolution” and, 159–162
 - state consent and, 162
 - consensus doctrine
 - generally, 13, 143–146
 - academic commentary, 142
 - application of treaties and, 165–166
 - countervailing considerations, 145–146
 - defences of, 163–166
 - function of, 177
 - legitimacy of consensus, 163–165
 - methodological criticisms, 155–156
 - orthodox effect of, 145
 - principled criticisms, 157–163
 - public morals and, 145–146, 157–159

- ECtHR (cont.)
 “tyranny of majority” and,
 157–159
 Vienna Convention and, 165–166
 domestic law in
 generally, 146–147, 167
 absolute rights, 151–154
 congruence and, 171–173,
 174–176
 conventional standards, use to
 substantiate, 217–218
 explicit standards, 147–148
 interactional theory of
 international law and, 170–177
 proportionality in express
 limitations, 148–150
 proportionality in implied
 limitations, 150–151
 shared values and, 170–177
 structuring discretion, 167–170
 vertical interaction thesis and,
 173–174
 domestic violence and, 152–153
 extradition and, 153–154
 freedom of association and, 149–150
 historical and legal contexts, 10
 proportionality in
 generally, 117–118
 in express limitations, 148–150
 in implied limitations, 150–151
 rape and, 145, 162
 Research Division, 155, 221
 right to stand for election and,
 150–151
 standards, interpretation of, 131
 statistics, 141, 146
 transsexuals and, 159–160
 European Court of Justice (ECJ)
 international investment law
 and, 200
 subpoenas and, 200
 Extradition, 153–154
- Fair and equitable treatment (FET). *See*
 International investment law
- Fiss, Owen, 16
- Fitzmaurice, Gerald, 22, 30–33, 34–35,
 41–42, 46, 58–59
- France, law on rape, 186
- Freedom of association, 149–150
- Fuller, Lon, 170–171, 173, 174–176
- General Act for the Pacific Settlement
 of International Disputes of
 1928, 59–62
- General Agreement on Tariffs and
 Trade (GATT), 87, 92, 93
- General Agreement on Trade in
 Services (GATS), 87–88, 100
- General principles method
 domestic law and, 115–118
 fair and equitable treatment and,
 119–124
 fallacy of, 137–139
- Geneva Conventions (1949), 183,
 185–186, 187
- Genocide Convention (1948), 183
- Geny, François, 157–158
- Germany
 Council Control Law No 10, 185
 international investment law and,
 135–136
 Nuremberg Tribunal, 203–204, 211
 Germany–Poland BIT, 135–136, 216
- Greece
 Bulgaria, territorial dispute with, 61–62
 consideration of domestic law in
 ICJ, 53
 ICJ case involving, 59–65 (*See also*
 International Court of
 Justice (ICJ))
- Guilty pleas, 195–199, 209–210
- Hague Convention (1907), 183
- Hart, H. L. A., 129, 175
- Harvard Draft Convention on the Law
 of Treaties, 23
- Henry V (England), 185
- Holmes, Oliver Wendell, 221
- IACtHR (Inter-American Court of
 Human Rights), 8–9
- ICC. *See* International Criminal
 Court (ICC)
- ICJ. *See* International Court of
 Justice (ICJ)

- ICRC (International Committee of the Red Cross), 186
- ICTR. *See* International Criminal Tribunal for Rwanda (ICTR)
- ICTY. *See* International Criminal Tribunal for the former Yugoslavia (ICTY)
- ILC. *See* International Law Commission (ILC)
- Institut de Droit International, 18, 23–31
- Interaction between domestic and international law
 generally, 1–3
 comparative reasoning (*See* Comparative reasoning)
 contemporary accounts, 3–5
 ICJ Statute and, 4–5
 orthodox approach, 6–8
 symbiotic relationship, 4
 traditional accounts, 3–5
 Vienna Convention and, 6
- Inter-American Court of Human Rights (IACtHR), 8–9
- Interights (NGO), 145
- International Committee of the Red Cross (ICRC), 186
- International Court of Justice (ICJ)
 generally, 10, 12–13, 49–51
 Aegean Sea Continental Shelf, 59–65
 generally, 50–51
 Anglo-Iranian Oil compared, 63–65
 domestic law in, 80–81
 explanatory notes and, 62, 65
 Fisheries Jurisdiction (Spain v. Canada) compared, 67–68
 General Act for the Pacific Settlement of International Disputes of 1928 and, 59–62
 interpretation in, 63, 65
 Optional Clause Declarations and, 60–62, 63–65
 reservations and, 60, 61–62, 63–65
 Anglo-Iranian Oil, 54–59
 generally, 50–51
 Aegean Sea Continental Shelf compared, 63–65
 domestic law in, 55–57, 80–81, 215–216
 Fisheries Jurisdiction (Spain v. Canada) compared, 68
 interpretation in, 55, 65
 Optional Clause Declarations and, 54–56, 57–59, 63, 77
 domestic law in (*See also specific case*)
 generally, 49–54
 appropriate methodology for use of, 220
 auxiliary means of interpretation, use as, 219
 intention of state, use as indication of, 215–216
 Optional Clause Declarations and, 215–216
 unilaterally drafted instruments, interpretation of, 79–82
 Vienna Convention and, 53
 Fisheries Jurisdiction (Spain v. Canada), 65–74
 generally, 50–51
 Aegean Sea Continental Shelf compared, 67–68
 Anglo-Iranian Oil compared, 68
 “conservation and management measures” interpreted, 73–74
 domestic law in, 80–81, 216
 intent of parties and, 68–70
 Optional Clause Declarations and, 65–74, 77, 79
 reservations and, 65–66, 68
 “vessels” interpreted, 70–72
 Vienna Convention and, 66–67, 73–74
 Frontier Dispute (Burkina Faso/ Niger), 52
 interaction between domestic and international law and, 4–5
 international investment law and, 109, 115–116, 117, 124–125
 inter-state versus individual disputes, 49
 Jurisdictional Immunities, 52–53
 jurisprudence of, 51–54 (*See also specific case*)

- International Court of Justice (cont.)
 Optional Clause Declarations (*See also specific case*)
 character of, 75–77
 domestic law and, 215–216
 interpretation of, 78–79
 unilaterally drafted instruments compared, 75–77, 78–79
 rules of interpretation and, 29, 50–51
 unilaterally drafted instruments, interpretation of, 74–82
 domestic law and, 79–82
 intention of parties, 79–80
 Optional Clause Declarations compared, 75–77, 78–79
 Vienna Convention and, 76–77
- International Criminal Court (ICC)
 Elements of Crimes, 190–191
 guilty pleas and, 199
 ICTY, influence of, 180, 190–191
 ICTY compared, 13–14, 212
 rape and, 192–195
 Rome Statute, 203–204, 212
- International Criminal Tribunal for Rwanda (ICTR)
 guilty pleas and, 198–199
 ICTY compared, 212
 rape and, 186–188, 192–193, 195
- International Criminal Tribunal for the former Yugoslavia (ICTY)
 generally, 8–9, 10, 13–14, 178–181
 comparative reasoning in
 context of, 210–212
 criticism of depth of, 207–208
 creation of, 178–179
 domestic law in
 generally, 183, 213
 auxiliary means of interpretation, use as, 219
 context of, 210–212
 criticism of use of, 208–210
 guilty pleas and, 195–199
 rape and, 189–192, 202–203, 206, 210
 subpoenas and, 199–201
 duress in, 195–196, 197
 guilty pleas in, 195–199, 209–210
 historical and legal contexts, 10
 historical background, 181–185
 ICC, influence on, 180, 190–191
 ICC compared, 13–14, 212
 ICTR compared, 212
 methodological flaws in
 comparative reasoning, criticism of depth of, 207–208
 domestic law, criticism of use of, 208–210
nullum crimen sine lege and, 182–183, 201–206
 principle of legality and, 182–183, 201–206
 rape and
actus reus, 190–191
 defined, 189–192
 domestic law and, 189–192, 210
 historical evolution of, 185–187
 interpretation of, 187–192
 legacy of, 192–195
 legality principle and, 202–203, 206
 as torture, 188
- Rules of Procedure and Evidence (RPE), 179, 195, 196, 199, 200–201, 208
 standards, interpretation of, 131
 Statute, 179, 183, 184, 185, 195, 196, 199, 201, 203–204, 208
 subject matter jurisdiction of, 184
 subpoenas in, 199–201
 Vienna Convention and, 197, 207–208
- International investment law
 generally, 10, 13, 107–110
 arbitration in, 110–111
 domestic law in
 generally, 119
 auxiliary means of interpretation, use as, 219
 as auxiliary reasoning, 124–127
 fair and equitable treatment, 119–124
 general principles method, 115–118
 methodologically loose use of, 114–115
 fair and equitable treatment (FET)

- generally, 114–115
 auxiliary reasoning and, 125–126
 as derived from general principle of law, 119–124
 domestic law and, 119–124
 legitimate expectations and, 119–120, 122
 as standard, 130–131
 Vienna Convention and, 123
 functionalist approach, 112–113
 general principles method
 domestic law and, 115–118
 fair and equitable treatment and, 119–124
 fallacy of, 137–139
 ICJ and, 109, 115–116, 117, 124–125
 international investment agreements (IIAs), 110
 investor-state dispute settlement (ISDS) in, 110–111
 jurisdiction, selection of, 133–137
 methodological diversity in, 133–137
 proportionality in, 117–118
 public action theory, 111
 public interest theory, 111–112
 standards, interpretation of, 128–133
 deductive reasoning, 131–132
 fair and equitable treatment as standard, 130–131
 horizontally extensive reasoning, 132
 rules versus standards, 128–130
 “tyranny of choice” and, 132–133, 218
 Vienna Convention and, 109, 114–116, 123, 137–138
 WTO and, 124
 International Labour Organization Convention No. 87, 149–150
 International law
 expansion of, 2–3
 interaction with domestic law (*See* Interaction between domestic and international law)
 International Law Commission (ILC)
 generally, 105
 on consensus doctrine, 165
 Guide to Practice on Reservations to Treaties, 79
 Guiding Principles applicable to unilateral declarations of States in relation to interpretation, 78, 79
 1964 debates on the law of treaties, 31–37
 1966 debates on the law of treaties, 37–38
 on reservations to treaties, 78–79
 rules of interpretation and, 18, 31–38
The Interpretation of Agreements and World Public Order (McDougal, Lasswell and Miller), 41, 45
 Iran
 ICJ case involving, 54–59 (*See also* International Court of Justice (ICJ))
 United States, dispute over territorial waters with, 15–16
 Iran-U.S. Claims Tribunal, 200
 Ireland, consideration of domestic law in ICJ, 53
 Italy
 international investment law and, 120–121
 on rape law, 186
 Italy–Lebanon BIT, 120–121
 Japan, Tokyo War Crimes Tribunal, 185, 211
 Karadžić, Radovan, 195–196
 Kelsen, Hans, 3
 Krisch, Nico, 172
 Lasswell, Harold, 41
 Lauterpacht, Hersch, 2, 3, 22, 23–33, 35
 Lebanon, international investment law and, 120–121
 Legality principle, ICTY and, 182–183, 201–206
 Letsas, George, 157–162, 163
 Lieber Code, 185
 McCormick, Neil, 129, 139, 219
 Mahoney, Paul, 164

- Malaysia
 guilty pleas in, 198, 209
 subpoenas in, 200
- Marrakesh Protocol, 89
- Mavronicola, Natasa, 152
- McDougal, Myres, 37, 39–43, 46
- McLachlan, Campbell, 123–124
- Mexico, WTO Appellate Body case involving. *See* Appellate Body (AB) of WTO
- Migrant Workers Convention, 172
- Miller, James, 41
- Mladić, Ratko, 195–196
- Moldova, ECtHR case involving, 150–151
- Montt, Santiago, 113, 114
The Morality of Law (Fuller), 170
- NAFO Regulatory Area, 65–66, 68
- Netherlands, law on rape, 186
- New Haven School, 41–42, 45–46
- Niger, ICJ case involving, 52
- Nolte, Georg, 165–166
- Nullum crimen sine lege*, ICTY and, 182–183, 201–206
- Nuremberg Tribunal, 203–204, 211
- Optional Clause Declarations ICJ
 (*See also* International Court of Justice (ICJ) *for specific cases*)
 character of, 75–77
 domestic law and, 215–216
 interpretation of, 78–79
 unilaterally drafted instruments compared, 75–77, 78–79
 WTO Appellate Body, schedules of commitments compared, 90, 96, 216–217
- Organization of the Islamic Conference, 186
- Pakistan, subpoenas in, 200–201
- Pellet, Alain, 79
- Permanent Court of International Justice (PCIJ), 51, 59, 75
- Pillay, Navi, 188
- Poland
 consideration of domestic law in ICJ, 53
 international investment law and, 135–136
- Postema, Gerald, 16, 173–174
Private Law Analogies in International Law (Lauterpacht), 2, 3
- Proportionality
 in ECtHR
 generally, 117–118
 in express limitations, 148–150
 in implied limitations, 150–151
 in international investment law, 117–118
 in WTO Appellate Body, 117–118
- Raimondo, Fabián, 207–208
- Rape
 ECtHR and, 145, 162
 ICC and, 190–191
 ICTR and, 186–188, 192–193, 195
 ICTY and
 actus reus, 190–191
 defined, 189–192
 domestic law and, 189–192, 202–203, 206, 210
 historical evolution of, 185–187
 interpretation of, 187–192
 legacy of, 192–195
 legality principle and, 202–203, 206
 as torture, 188
 Special Court for Sierra Leone and, 192–193
- Renvoi, 11–12
- Richard II (England), 185
- Roberts, Anthea, 111
- Romania, international investment law and, 124
- Rosenne, Shabtai, 36
- Rules of interpretation
 evolution of, 22–23
 ICJ and, 29, 50–51
 Institut de Droit International and, 18, 23–31
 intention of parties and, 35

- International Law Commission and,
 18, 31–38
 plain meaning of text and, 25, 28,
 30, 39
 preparatory work on treaties and,
 26–29, 30–31, 35, 36–37, 39
 primacy of text and, 34–35
 purpose of codification, 44–46
 scope of, 34
 scepticism regarding codification,
 24–25, 32–33, 37
 Vienna Conference and, 18, 39–44
 in Vienna Convention, 16–19, 43
 (*See also* Vienna Convention on
 the Law of Treaties (VCLT))
- Schedules of commitments. *See*
 Appellate Body (AB) of WTO
- Schill, Stephen, 114, 116
- Sinclair, Ian, 42–43
- Slovenia
 consideration of domestic law in
 ICJ, 53
 independence of, 178
- Spain, ICJ case involving, 65–74. *See*
also International Court of
 Justice (ICJ)
- Special Court for Sierra
 Leone, 192–193
- Srebernica massacre, 195–196
- Stone Sweet, Alec, 117–118
- Subpoenas, 199–201
- Thailand, WTO Appellate Body case
 involving. *See* Appellate Body
 (AB) of WTO
- Tokyo War Crimes Tribunal,
 185, 211
- Toope, Stephen, 167, 170–173, 174,
 175–176
- Transsexuals, 159–160
- Treaty of Neuilly (1919), 61–62
- TRIPS Agreement, 85–86
- Turkey
 conscientious objection in,
 157–158
 ECtHR cases involving, 149–150,
 152–153
 ICJ case involving, 59–65 (*See also*
 International Court of
 Justice (ICJ))
- Ukraine, international investment law
 and, 126
- “Umbrella clauses,” 1
- United Kingdom
 ECtHR cases involving, 153–154,
 167–170
 Gender Recognition Act 2004,
 159
 guilty pleas in, 198, 209
 ICJ case involving, 54–59 (*See also*
 International Court of
 Justice (ICJ))
 on rules of interpretation, 42–43
 Sexual Offences Act 2003, 187–188
 subpoenas in, 200–201
 transsexuals in, 159–160
- United Nations
 Commission of Experts established
 pursuant to Security Council
 Resolution 780 (1992), 181
 ECHR and, 140–143
 Human Rights Commission,
 181–182
 Security Council Resolution 808,
 182, 211
 Security Council Resolution 827, 182
- United States
 comparative law in, 7
 Copyright Act, 85–86
 guilty pleas in, 198, 209
 international investment law and,
 124, 126
 Iran, dispute over territorial waters
 with, 15–16
 Lieber Code, 185
 on rape law, 186
 on rules of interpretation, 37, 39–44
 subpoenas in, 200–201
 Universal Declaration of Human
 Rights, 140–143
- Uruguay Round, 87, 88–89,
 93–94
- US–Romania BIT, 124
 US–Ukraine BIT, 126

- Van Damme, Isabelle, 89
 Van Harten, Gus, 114
 VCLT. *See* Vienna Convention on the Law of Treaties (VCLT)
 Venezuela, international investment law and, 121
 Vienna Conference on the Law of Treaties
 purpose of codification, 44–46
 rules of interpretation and, 18, 39–44
 Vienna Convention on the Law of Treaties (VCLT)
 generally, 12
 consensus doctrine and, 165–166
 context for interpretation, 20
 domestic law and, 8, 214, 215
 evolution of rules of interpretation, 22–23
 ICJ and, 76–77
 ICTY and, 197, 207–208
 idiosyncratic approach to interpretation, 19–20
 Institut de Droit International and, 18, 23–31
 interaction between domestic and international law and, 6
 international investment law and, 109, 114–116, 123, 137–138
 International Law Commission and, 18, 31–38
 purpose of codification, 44–46
 reservations under, 63–64
 role in interpretation, 20–21
 rules of interpretation in, 16–19, 43 (*See also* Rules of interpretation)
 subsequent practice under, 53
 thin evaluative dimension of, 46–48
 Vienna Conference and, 18, 39–44
 WTO Appellate Body and (*See* Appellate Body (AB) of WTO)
 Waldock, Humphrey, 22, 31–38, 39, 43, 105
 Wildhaber, Luzius, 164–165
 Wisdom, John, 131, 132, 219
 World Trade Organization (WTO)
 generally, 10
 Agreement on Government Procurement, 87
 Agreement on Trade-Related Aspects of Intellectual Property (TRIPS Agreement), 85–86
 Anti-Dumping Agreement, 84
 Appellate Body (AB) (*See* Appellate Body (AB) of WTO)
 Dispute Settlement Mechanism (DSM), 83, 86–87, 105
 Dispute Settlement Understanding (DSU), 84
 General Agreement on Tariffs and Trade (GATT), 87, 92, 93
 General Agreement on Trade in Services (GATS), 87–88, 100
 Marrakesh Protocol, 89
 Uruguay Round, 87, 88–89, 93–94
 WTO. *See* World Trade Organization (WTO)
 Yasseen, Mustafa Kamil, 36
 Yugoslavia
 civil war in, 178
 ICTY (*See* International Criminal Tribunal for the former Yugoslavia (ICTY))
 subpenas in, 200–201