

The Cambridge Companion to the International Court of Justice

As international law has become more present in global policy-making, the International Court of Justice (ICJ) has come to occupy an essential and increasingly visible role in international relations. This collection explores substantive developments within the ICJ and offers critical perspectives on its historical and contemporary role. It also examines the growing role of the ICJ in the settlement of international disputes and assesses the impact of the ICJ's jurisprudence on the major areas of international law, from territorial delimitation to human rights. With contributions from a diverse range of scholars and practitioners, the collection's contents combine a legal perspective with institutional and sociological insights on the functions of the ICJ. By considering the ICJ's character, jurisdiction, and effectiveness, this collection offers a varied and holistic account of the ICJ, an institution whose significance and influence only increase by the day.

Carlos Espósito is Professor of Public International Law at the Universidad Autónoma de Madrid. He has taught at numerous universities and institutions around the world, including at the Hague Academy of International Law and as a visiting professor of law at the Universities of California, Berkeley, and Paris-I Sorbonne. Carlos was He has appeared as an advocate before the International Court of Justice. Vice President of the European Society of International Law and was formerly counsel and deputy legal advisor at the International Law Department of the Spanish Ministry of Foreign Affairs and Cooperation.

Kate Parlett is a barrister at Twenty Essex in London, specializing in public international law and international arbitration. She regularly appears as an advocate before the International Court of Justice. Kate has taught public international law, international investment and commercial arbitration, and international human rights law at the University of Cambridge, Paris-II University (Panthéon-Assas), Queen Mary University of London, Queen's University of Canada, the University of Queensland, and the Graduate Institute in Geneva.



Cambridge Companions to Law

Cambridge Companions to Law offers thought-provoking introductions to different legal disciplines, invaluable to both the student and the scholar. Edited by world-leading academics, each offers a collection of essays which both map out the subject and allow the reader to delve deeper. Critical and enlightening, the Companions library represents legal scholarship at its best.

The Cambridge Companion to European Union Private Law Edited by Christian Twigg-Flesner

The Cambridge Companion to International Law Edited by James Crawford and Martti Koskenniemi

The Cambridge Companion to Comparative Law Edited by Mauro Bussani and Ugo Mattei

The Cambridge Companion to Human Rights Law Edited by Conor Gearty and Costas Douzinas

The Cambridge Companion to Public Law Edited by Mark Elliott and David Feldman

The Cambridge Companion to International Criminal Law Edited by William A. Schabas

The Cambridge Companion to Natural Law Jurisprudence Edited by George Duke and Robert P. George

The Cambridge Companion to Comparative Family Law Edited by Shazia Choudhry and Jonathan Herring

The Cambridge Companion to Comparative Constitutional Law Edited by Roger Masterman and Robert Schütze

The Cambridge Companion to the First Amendment and Religious Liberty Edited by Michael D. Breidenbach and Owen Anderson

The Cambridge Companion to the Philosophy of Law Edited by John Tasioulas



> The Cambridge Companion to Legal Positivism Edited by Torben Spaak and Patricia Mindus

> The Cambridge Companion to Hugo Grotius Edited by Randall Lesaffer and Janne E. Nijman

The Cambridge Companion to International Arbitration Edited by Chin Leng Lim

The Cambridge Companion to Business and Human Rights Law Edited by Ilias Bantekas and Michael Stein

The Cambridge Companion to International Organizations Law Edited by Jan Klabbers

The Cambridge Companion to Gender and the Law Edited by Stéphanie Hennette Vauchez and Ruth Rubio-Marín

The Cambridge Companion to the International Court of Justice Edited by Carlos Espósito and Kate Parlett



The Cambridge Companion to

The International Court of Justice

Edited by

Carlos Espósito
Universidad Autónoma de Madrid
Kate Parlett
Twenty Essex, London

Assistant Editor

Callista Harris
University of Sydney







Shaftesbury Road, Cambridge CB2 8EA, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi – 110025, India

103 Penang Road, #05-06/07, Visioncrest Commercial, Singapore 238467

Cambridge University Press is part of Cambridge University Press & Assessment, a department of the University of Cambridge.

We share the University's mission to contribute to society through the pursuit of education, learning and research at the highest international levels of excellence.

www.cambridge.org

Information on this title: www.cambridge.org/9781108487252

DOI: 10.1017/9781108766241

© Cambridge University Press & Assessment 2023

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press & Assessment.

First published 2023

A catalogue record for this publication is available from the British Library.

Library of Congress Cataloging-in-Publication Data

Names: Espósito, Carlos D., editor. | Parlett, Kate, editor.

Title: The Cambridge companion to the International Court of Justice / edited by Carlos Espósito, Universidad Autónoma de Madrid; Kate Parlett, 20 Essex Street Chambers, London; contributors, Freya Baetens [and others].

Description: Cambridge, United Kingdom; New York, NY: Cambridge University Press, 2023. | Series: CCLW Cambridge companions to law | Includes bibliographical references and index.

Identifiers: LCCN 2022049147 (print) | LCCN 2022049148 (ebook) | ISBN 9781108487252 (hardback) | ISBN 9781108732840 (paperback) | ISBN 9781108766241 (epub)

Subjects: LCSH: International Court of Justice.

Classification: LCC KZ6275 .C36 2023 (print) | LCC KZ6275 (ebook) |

DDC 341.5/52-dc23/eng/20230105

LC record available at https://lccn.loc.gov/2022049147 LC ebook record available at https://lccn.loc.gov/2022049148

ISBN 978-1-108-48725-2 Hardback ISBN 978-1-108-73284-0 Paperback

Cambridge University Press & Assessment has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.



Contents

	List of Contributors page	ge ix
	Preface	xix
	Introduction	1
	Carlos Espósito and Kate Parlett	
	Part I The Role of the ICJ	11
1	Functions of the International Court of Justice Judge James Crawford, Freya Baetens, and Rose Cameron	13
2	The Role of an ICJ Judge Sir Kenneth Keith	46
3	The Role of the International Court of Justice in the Development of International Law Dire Tladi	68
4	The Institutional Context of the International Court of Justice Tom Ginsburg	86
5	Assessing the Effectiveness of the International Court of Justice Rotem Giladi and Yuval Shany	101
	Part II The ICJ and International Dispute Settlement	121
6	The Jurisdiction of the Court Jean-Marc Thouvenin	123
7	Provisional Measures Robert Kolb	147
8	The International Court of Justice as the Master of the Sources Jean d'Aspremont	165



viii Contents

9	Fact-Finding and Expert Evidence James Devaney	187
10	The ICJ and Other Courts and Tribunals: Integration and Fragmentation Philippa Webb	208
11	The Working Practices of the Court Callista Harris	223
12	Procedure in Contentious Cases: Evolution and Flexibility Kate Parlett and Amy Sander	247
13	Effective Advocacy at the ICJ Samuel Wordsworth KC and Kate Parlett	277
	Part III The Impact of the ICJ's Jurisprudence	301
14	The Law of Treaties Antonio Remiro Brotóns	303
15	Territorial Disputes Marcelo Kohen and Mamadou Hébié	332
16	The Law of the Sea Nilüfer Oral	363
17	International Environmental Law Daniel Bodansky	389
18	The Law of State Responsibility Federica Paddeu	411
19	Jurisdictional Immunities Roger O'Keefe	431
20	The Use of Force Alejandro Chehtman	448
21	International Organisations Law Jan Klabbers	470
22	Human Rights Carlos Espósito	486
	Index	514



Contributors

Freya Baetens (Cand. Jur./Lic. Jur., Ghent; LLM, Columbia; PhD, Cambridge) is Professor of Public International Law (Faculty of Law, University of Oxford), Head of Programmes at the Bonavero Institute of Human Rights, and Fellow at Mansfield College. She is also affiliated with the PluriCourts Centre (Faculty of Law, Oslo University) and the Europa Institute (Faculty of Law, Leiden University). As a member of the Brussels Bar, she regularly acts as counsel or expert in international and European disputes. She is listed on the Panel of Arbitrators and Conciliators of the International Centre for the Settlement of Investment Disputes, the South China International Economic and Trade Arbitration Commission (Shenzhen Court of International Arbitration), and the Hong Kong International Arbitration Centre. She is a general public international lawyer, with a particular interest in the law of treaties, responsibility of States and international organisations, privileges and immunities, law of the sea, human rights, WTO and investment law, energy law, and sustainable development.

Daniel Bodansky is Regents Professor at the Sandra Day O'Connor College of Law, Arizona State University (ASU). He is the author of *The Art and Craft of International Environmental Law*, which received the 2011 Sprout Award from the International Studies Association, and has coauthored *International Climate Change Law*, which received the 2018 Certificate of Merit from the American Society of International Law. Prior to joining the ASU faculty in 2010, he taught at the University of Washington from 1989 to 1999, served as Climate Change Coordinator at the US State Department from 1999 to 2001, and held the Woodruff Chair of International Law at the University of Georgia from 2002 to 2010. He is a member of the Council on Foreign Relations, served on the board of editors of the *American Journal of International Law* from 2001 to 2011, and is a graduate of Harvard (AB), Cambridge (MPhil), and Yale (JD).



x List of Contributors

Rose Cameron (LLB, Monash; LLM, Cantab) is an Australian lawyer with extensive experience in international and criminal law. She has worked as an associate legal officer to HE Judge James Crawford at the International Court of Justice and as a legal officer in the Appeals Chamber of the Special Tribunal for Lebanon. She previously worked as a barrister at the Victorian Bar and is currently a senior legal advisor to the Victorian Government in Melbourne, Australia.

Alejandro Chehtman is Professor of Law at Universidad Torcuato Di Tella (Argentina) and a fellow at the Argentine National Research Council (CONICET). He has held research and visiting positions at the LSE, University College London, Harvard Kennedy School, University of Girona, LUISS, and the University of Arizona. His main research areas are public international law, including international criminal law and international humanitarian law, and constitutional law, with special emphasis on philosophical and empirical approaches. He has published articles in leading peer-reviewed journals such as the European Journal of International Criminal Justice, Law and Philosophy, the Journal of International Criminal Justice, Law and Philosophy, the Leiden Journal of International Law, Utilitas, and the Journal of Law and Courts. His book, The Philosophical Foundations of Extraterritorial Punishment, was published by Oxford University Press. He is currently working on a book project titled A Theory of Asymmetrical War, to be published by Oxford University Press.

Judge James Crawford (AC, SC, FBA) took up his position as a judge of the International Court of Justice (ICJ) in February 2015 and served on the bench until his untimely death in May 2021. Previously he was Whewell Professor of International Law at the University of Cambridge and a professorial fellow of Jesus College; he also held chairs at Adelaide, Sydney, and LaTrobe Universities in Australia and was Chang Jiang Distinguished Professor at Xi'an Jiaotong University, PRC. He was responsible for the International Law Commission's (ILC) work on the International Criminal Court (1994) and for the second reading of the ILC Articles on State Responsibility (2001). During his practicing career, he was involved as counsel, expert, or arbitrator in over 100 cases before the ICJ and other international tribunals. His main publications include *The Creation of States in International Law* (2nd ed., 2006), *Brownlie's Principles of Public International Law* (8th and 9th ed., 2012 and



List of Contributors

χi

2019), State Responsibility: The General Part (2013), and Chance, Order, Change: The Course of International Law (2014).

Jean d'Aspremont is Professor of International Law at Sciences Po Law School. He also holds the Chair of Public International Law at the University of Manchester. He is General Editor of the *Cambridge Studies in International and Comparative Law* and Director of Oxford International Organizations (OXIO). He is a member of the scientific advisory board of the *European Journal of International Law* and series editor of the *Melland Schill Studies in International Law*. He writes on questions of international law and international legal theory. His work has been translated in several languages, including Spanish, Portuguese, Hindi, Japanese, and Persian.

James Devaney is Senior Lecturer in Law and Program Convenor of the LLM in International Law at the University of Glasgow, Scotland. He also teaches in a visiting capacity at the Universities of Sydney, Australia, and Kobe, Japan. His research interests relate primarily to international courts and tribunals and legal reasoning, although he has published on a range of areas of international law. His monograph *Fact-Finding before* the International Court of Justice, which focuses on the use of evidence before international courts and tribunals, including the adjudicative bodies of the WTO and inter-State arbitration, was published by Cambridge University Press and nominated for the Peter Birks Book Prize for Outstanding Legal Scholarship. He is also a member of the Bar of the State of New York.

Carlos Espósito is Chair Professor of Public International Law at the Universidad Autónoma de Madrid. Carlos has taught at numerous universities and institutions around the world, including the Hague Academy of International Law and as a visiting professor of law at the Law School of the University of California, Berkeley, and Paris-I Sorbonne. Carlos, who is admitted to the Madrid Bar, has had a considerable professional practice as a counsel and deputy legal advisor at the International Law Department of the Spanish Ministry of Foreign Affairs and Cooperation (2001–2004). He has also been a counsel to States and international organizations, and has appeared as an advocate before the International Court of Justice. Carlos studied law at the University of Buenos Aires (Argentina) and earned his PhD from the Universidad Autónoma de Madrid (Spain) in 1995 with a thesis on the advisory



xii List of Contributors

jurisdiction of the International Court of Justice (*La jurisdicción consultiva de la Corte Internacional de Justicia*). He is a life member of Clare Hall College, University of Cambridge, and holds an honorary doctorate degree from the Universidad de Mendoza (Argentina).

Rotem Giladi is a senior lecturer at the Law School, Faculty of Business and Law, University of Roehampton, and an adjunct professor at the Law Faculty of the Hebrew University of Jerusalem. He also taught international law at the Universities of Helsinki, Leipzig, and Edinburgh. Between 2001 and 2007, he was the senior legal and policy advisor for the International Committee of the Red Cross delegation to Israel/the Occupied Palestinian Territories. His current research focuses on the history of the laws of war as well as the meeting points between Jewish history and the history of international law.

Tom Ginsburg is Leo Spitz Professor of International Law at the University of Chicago, where he also holds an appointment in the Political Science Department. He is also a research professor at the American Bar Foundation. He holds BA, JD, and PhD degrees from the University of California, Berkeley, and codirects the Comparative Constitutions Project, a dataset cataloguing the world's constitutions since 1789, that runs the award-winning Constitute website. His latest book is *Democracies and International Law* (2021). Before entering law teaching, he served as a legal advisor at the Iran–US Claims Tribunal, and he currently serves as a senior advisor on constitution building to International IDEA.

Callista Harris is a consultant in public international law and international arbitration. She acts as counsel in disputes before domestic and international courts and tribunals, including the International Court of Justice, the International Tribunal for the Law of the Sea and UNCLOS Annex VII tribunals. Callista recently completed a PhD at the University of Sydney, where her research focuses on international dispute settlement. She also holds an LLM from the University of Cambridge.

Mamadou Hébié is Associate Professor of International Law at the Grotius Centre for International Legal Studies (Leiden University). Before rejoining Leiden University as Associate Professor in 2021, Dr. Hébié was Legal Officer and Special Assistant to the President of the International Court of Justice HE Judge Abdulqawi A. Yusuf. His PhD thesis, 'Souveraineté territoriale par traité: une étude des accords entre puissances coloniales et



List of Contributors

xiii

entités politiques locales' (Paris: PUF, 2015), was awarded the Paul Guggenheim Prize in International Law in 2016. Mamadou Hébié acted as advisor to the Argentine Republic in the *ARA Libertad* case before the International Tribunal for the Law of the Sea. He is admitted to practice law in New York.

Sir Kenneth Keith studied law at the University of Auckland, Victoria University of Wellington (VUW), and Harvard Law School. He worked as a lawyer in the New Zealand Department of External Affairs and the Office of Legal Affairs in the UN Secretariat. He was a member of the Law Faculty at VUW for over twenty years in which he is now Professor Emeritus. In New Zealand he was a member in a number of law and constitutional reform bodies and led the New Zealand delegation to the sessions of the diplomatic conference that prepared the Additional Protocols of 1977 to the Geneva Conventions of 1949. He was a member of the legal team that brought proceedings in the ICJ against France about its nuclear testing in the Pacific in 1973, 1974, and 1995. He was a judge of the New Zealand Court of Appeal and the Supreme Court from 1996 to 2006 and a judge of the ICJ from 2006 to 2015.

Jan Klabbers is Professor of International Law at the University of Helsinki, having earlier taught at the University of Amsterdam. He has held invited visiting positions at New York University, Sorbonne, and the Graduate Institute, among others, and is the author of a large number of books and articles on the law of international organisations. These include An Introduction to International Organizations Law (4th ed., 2022), Treaty Conflict and the European Union (2008), and the Cambridge Companion to International Organizations Law (editor, 2022). Having recently completed a project on global ethics (Virtue in Global Governance: Discretion and Judgment, 2022), he is currently working on a research project on international organisations and the private sector.

Marcelo Kohen has been Professor of International Law at the Graduate Institute of International and Development Studies in Geneva since 1995. He has also been a member of the Institut de Droit International and its Secretary-General since 2015 and counsel and advocate for a number of States of four continents before the ICJ, the ITLOS, and other tribunals. He also acts as an international arbitrator. He has been Rapporteur for the International Law Association, the Council of Europe, and the Institut de



xiv List of Contributors

Droit International. He is the author of more than a hundred publications in the field of international law in English, French, and Spanish. He was awarded the Paul Guggenheim Prize in 1997 for his book *Possession* contestée et souveraineté territoriale.

Robert Kolb has been Professor of Public International Law at the Law Faculty, University of Geneva, since 2007. He is a leading expert in international law and international humanitarian law and has published several books and articles on these topics in English, French, German, and Italian. In 2011, he acted as a counsel for the German government in the *Jurisdictional Immunities* (*Germany* v. *Italy*) case at the ICJ. Prior to 2007, Professor Kolb worked as a legal advisor to the International Committee of the Red Cross and Swiss Federal Department of Foreign Affairs. He was also Secretary of the Institute of International Law and a member of the board of directors of the University Centre for International Humanitarian Law, which became the Geneva Academy in 2007. He was Lecturer in Public International Law at the Graduate Institute of International and Development Studies, Associate Professor at the University of Bern, and Adjunct Professor at the University of Neuchatel. He also taught at the Catholic University of the Sacred Heart, Milan.

Roger O'Keefe is Professor of International Law at Bocconi University, Milan, and Honorary Professor of Law at University College London. He is joint general editor of the *Oxford Monographs in International Law* series. He has written and spoken widely on canonical topics of public international law, such as the sources of international law, the law of treaties, the relationship between international and domestic law, statehood and admission to the United Nations, title to territory, jurisdiction and immunities, and State responsibility, as well as on topics in the subfields of international criminal law, international humanitarian law, international human rights law, and international cultural heritage law. His many publications on jurisdictional immunities under international law include *The United Nations Convention on Jurisdictional Immunities of States and Their Property: A Commentary* (Oxford University Press, 2013), co-edited with Christian J. Tams.

Nilüfer Oral is Director of the Centre of International Law at the National University of Singapore, member of the UN International Law Commission and co-chair of the Study Group on sea-level rise in relation to



List of Contributors

χV

international law. She was a legal advisor and climate change negotiator for the Turkish Foreign Ministry. She was a member of the law faculty at Istanbul Bilgi University. She has appeared before the International Tribunal for the Law of the Sea. She is a Distinguished Fellow of the Law of the Sea Institute at Berkeley Law, University of California and a Senior Fellow of the National University of Singapore Law School. She is also a member of the Committee of Legal Experts of the Commission of Small Island States on Climate Change and International Law, and a member of the Steering Committee of the IUCN World Commission on Environmental Law.

Federica Paddeu is Derek Bowett Fellow in Law at Queens' College Cambridge, where she also directs studies. She is a fellow of the Lauterpacht Centre for International Law, a member of the International Law Advisory Panel of the British Institute of International and Comparative Law, the Director of Studies of the British Branch of the International Law Association, and a member of the academic research panel of Blackstone Chambers. Federica is a general international lawyer, with particular interest in the law of State responsibility, the law on the use of force, and the theory and role of exceptions in the various fields of international law, most prominently international investment law. Her research has been published in leading journals, including the British Yearbook of International Law, the American Journal of International Law, and the European Journal of International Law. Federica's monograph, Justification and Excuse in International Law: Concept and Theory of General Defences, which was based on her PhD dissertation, was published by Cambridge University Press in 2018. Federica holds a law degree (cum laude) from Universidad Católica Andrés Bello, Caracas, and an LLM and PhD in international law from the University of Cambridge and is admitted to practice in Venezuela as a member of the Caracas (Distrito Federal) bar.

Kate Parlett is a barrister at Twenty Essex in London. She acts for States and private entities on disputes in relation to land and maritime boundaries, investment treaties and contracts, international trade law, human rights, law of the sea, State responsibility, treaty obligations, immunities, transboundary environmental harm, and sanctions. Kate regularly appears as an advocate before the International Court of Justice and other international tribunals and also sits as arbitrator. Kate has taught public international law, international investment and commercial



xvi List of Contributors

arbitration, and international human rights law at the University of Cambridge, Paris-II University (Panthéon-Assas), Queen Mary University of London, Queen's University of Canada, the University of Queensland, and the Graduate Institute in Geneva.

Antonio Remiro Brotóns is Emeritus Professor of International Law of the Faculty of Law at the Universidad Autónoma de Madrid and a member of the Institute of International Law. He is a member of the Permanent Court of Arbitration and a counsel and advocate of States before the International Court of Justice and international arbitrations. His extensive list of publications includes a classic study on the law of treaties in Spanish: *Derecho de los Tratados* (1987).

Amy Sander is a barrister at Essex Court Chambers (London). She has developed a significant practice in public international law (which she previously taught at Cambridge University), with extensive advocacy experience, before the English courts and in international forums, including the ICJ. Amy is on the A Panel of Junior Counsel to the Crown (the Attorney General's Public International Law Panel), and she is recommended in the legal directories (the Chambers and Partners Global Guide, and the Legal 500) as a leading junior (band 1) for public international law. Amy is a board member of the YPILG and a member of the BIICL PIL Advisory Panel. She is coauthor (with Professor Vaughan Lowe QC and Professor Robin Churchill) of the fourth edition of *The Law of the Sea*. Amy also supports 'Be Her Lead', an organization dedicated to supporting young girls in schools.

Yuval Shany is Hersch Lauterpacht Chair in International Law and formerly Dean of the Law Faculty at the Hebrew University of Jerusalem. He was a member of the UN Human Rights Committee from 2013 to 2020 and served as its chair for one year during that time. He is also a senior research fellow at the Israel Democracy Institute, the chair of the academic committee of Hebrew University's Minerva Center for Human Rights, the codirector of the Faculty's International Law Forum and transitional justice program, and Head of the CyberLaw program of the Hebrew University Federmann CyberSecurity Research Center. Among his research areas are international courts and tribunals, international human rights law, international humanitarian law, and international law in cyberspace.



List of Contributors

xvii

Jean-Marc Thouvenin is Professor of International Law at the University Paris Nanterre, Secretary General of The Hague Academy of International Law, Associate Member of the Institut de Droit International, and a member of the board of the French Society of International Law. He has published extensively on international law, including the law of the sea and international sanctions. As a practitioner, he appears regularly before international courts and tribunals and has represented or is representing States before the ICJ, the PCA, the ITLOS, the ECJ, and the IACHR.

Dire Tladi (BLC; LLB, Pretoria; LLM, Connecticut; PhD, Erasmus) is Professor of International Law and a holder of the NRF SARChI Chair in International Constitutional Law at the University of Pretoria. He is a member of the UN International Law Commission and its Special Rapporteur on Peremptory Norms of General International Law (*Jus Cogens*). He is also a member of the Institut de Droit International. He was formerly Special Advisor to the South African Foreign Minister. He had also been a legal advisor to the South African Foreign Ministry and a legal counsel of the South African Mission to the United Nations in New York. Tladi has appeared as counsel before the International Criminal Court.

Philippa Webb is Professor of Public International Law at King's College London and a barrister at Twenty Essex. She writes on a wide range of international law issues and represents States, companies, and individuals in international and domestic courts, including the International Court of Justice, the European Court of Human Rights, and the UK Supreme Court. Previously, Philippa served as a special assistant and legal officer to Judge Higgins GBE QC during her presidency of the International Court of Justice and held positions in the International Criminal Court and UN headquarters. Her publications include *The Right to a Fair Trial in International Law* (2020, with Amal Clooney) with the accompanying travaux préparatoires to Article 14 of the ICCPR (2021), Oppenheim's International Law: United Nations (2017, with Rosalyn Higgins, Dapo Akande, Sandy Sivakumaran, and James Sloan), International Judicial Integration and Fragmentation (2015), and The Law of State Immunity (2015, with Lady Hazel Fox QC).

Samuel Wordsworth KC is a barrister at Essex Court Chambers in London and specializes in public international law and international arbitration.



xviii List of Contributors

He has been regularly instructed by governments in international law cases and has appeared before numerous international tribunals, including the International Court of Justice and tribunals constituted with respect to the law of the sea. He is a visiting professor teaching investment arbitration at Kings College, London. He has also been instructed as counsel in multiple investment treaty disputes and occasionally sits as arbitrator.



Preface

The first words of appreciation go to the outstanding group of contributors to the *Cambridge Companion to the International Court of Justice*. The authors have shown patience and understanding as this project adapted to the vicissitudes of the pandemic.

We are grateful to Cambridge University Press, and particularly to Marianne Nield for her invaluable support. Thanks are also due to Finola O'Sullivan, former executive publisher at Cambridge University Press, who played an instrumental role in the birth of the project. Finally, we are indebted to Callista Harris for her helpful contribution as assistant editor of the book.

The manuscript was finished before the Russian invasion of Ukraine on February 24, 2022. The Court adopted provisional measures in the case concerning the *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)* on 16 March 2022, including that 'the Russian Federation shall immediately suspend the military operations that it commenced on 24 February 2022 in the territory of Ukraine'.

It is our hope that this book will help the readers to understand and assess the proper role of the Court in the settlement of disputes and the development of international law and its place in the maintenance of international peace.

The book is dedicated to the memory of the late Judge James Crawford, our beloved friend and precious mentor.