

CONTENTS

PREFACE

Pavel Šturma

IX

ABBREVIATIONS

XI

I. STUDIES IN INTERNATIONAL LAW AND ORGANIZATIONS

Principles of the Charter of the United Nations – Jus Cogens?

Ernest Petrič

3

Problem with the Inclusion of Aggression into the Rome Statute of the ICC

Čestmír Čepelka

18

Islamic State, an Actor Threatening Peace in the Middle East

Jan Ondřej – Magda Uxová

27

Some Critical Reflections on the Extended Use of Military Force
in the Contemporary World

Josef Mrázek

47

Are Unilateral (Economic) Sanctions Really Impermissible under International Law?

Zuzana Trávníčková

77

International Administrative Law and Administrative Acts:

Transterritorial Decision Making Revisited

Jakub Handrlica

86

II. INTERNATIONAL LAW AND EUROPEAN LAW

The Conceptual Role of Habitual Residence

Dalibor Jílek – Jana Michaličková

101

The Scope and the Future of Equality of Treatment for Economically Inactive
Union Citizens on the Move

Solange Maslowski

137

Saving EU and its Welfare States Through Disincentives to Migration?

On a Recent CJEU Case-Law Limiting the Access of EU Migrants to Social Assistance

Václav Šmejkal

154

III. HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW

Towards a New Convention for the Protection of the Human Rights of Older Persons?

Veronika Bílková

173

Consensus on Human Nature? The Concept of European Consensus
in the Case-Law of the Court in Strasbourg

Pavel Bureš

197

The Status of New Minorities in the Light of the Framework Convention for the Protection of National Minorities	
<i>Harald Christian Scheu</i>	208
The Use of Human Shields and the Principle of Proportionality under Law of Armed Conflict	
<i>Tuomas Heikkinen – Martin Faix</i>	224
International Law and the Use of Armed Drones: Where is the Controversy?	
<i>Petra Ditrichová-Ochmannová</i>	238
The Digital Aspects of the Right to Privacy – Surveillance Issues	
<i>Milan Lipovský</i>	253
Right to a Fair Trial in Asylum Procedures	
<i>Monika Forejtová</i>	266
 IV. INTERNATIONAL CRIMINAL LAW	
The Czech Contribution to the Work of the United Nations War Crimes Commission: the Auschwitz and Birkenau Case	
<i>Petr Válek</i>	287
Immunity of State Officials from Foreign Criminal Jurisdiction – Exceptions to Immunity <i>ratione materiae</i>	
<i>Pavel Caban</i>	306
The ICC Arrest Warrant for the Sudanese President Omar al-Bashir in Connection with his Visit to the Republic of South Africa	
<i>Jan Lhotský</i>	330
Applicable Law, Interpretation, Inherent and Implied Powers – Brief Rendezvous with the ICC	
<i>Ondřej Svaček</i>	342
 V. ENVIRONMENTAL PROTECTION AND LAW OF THE SEA	
Do the Europeans have the Right to get Information about Ostrovets Nuclear Power Plant in Belarus?	
<i>Birutė Pranevičienė, Violeta Vasiliauskienė</i>	357
The Bay of Bengal Maritime Arbitration: a New Ray of Hope	
<i>Soma Hegdekatte</i>	378
 VI. VIEWS ON INVESTMENT AND TRADE LAW	
Non – Precluded Measures in International Investment Arbitration	
<i>Katarína Chovancová</i>	391
Third Party to Pick up the Bill? Costs Issues Relating to Third Party Funding in Investment Arbitration	
<i>Ondřej Svoboda – Jan Kunstýř</i>	411

About Recent Development in a Further Aim to Reform the Investor-State Arbitration by the Introduction of a Permanent Investment Tribunal and an Appeal Mechanism – focused on the work done by CIDS under auspices of the UNCITRAL <i>Vojtěch Trapl</i>	420
---	-----

VII. CZECH PRACTICE OF INTERNATIONAL LAW

The International Law Commission at the End of Quinquennium: an Exceptional Session and Positive Results <i>Pavel Šturma</i>	437
The Czech Republic before the European Court of Human Rights in 2015 <i>Vít Alexander Schorm</i>	451
International Treaties ratified by the Czech Republic <i>Milan Beránek</i>	457

VIII. SHORTER ARTICLES AND NOTES

Case Notes: Court of Justice of the European Union to Rule on the Compatibility of intra-EU BITs with EU Law in the Case <i>Achmea B.V. vs. the Slovak Republic</i> <i>Miloš Olík</i>	467
Moot Courts on Issues of International Law in 2015/2016 <i>Milan Lipovský</i>	473
XXXIX. Antarctic Treaty Consultative Meeting in Santiago The Protocol on Environmental Protection to the Antarctic Treaty <i>Martina Fillipiová</i>	475

IX. BOOK REVIEWS

Non-governmental Organizations under the European Convention on Human Rights. Exceptional Legal Standing (A. Tymofeyeva) <i>Irena Marková</i>	489
Legal regulations for and practices of the use of minority languages. <i>Acta Universitatis Carolinae, Iuridica</i> 4/2015, Vol. LXI (H. Ch. Scheu, R. Petráš eds.) <i>Andrea Baršová</i>	492
International Human Rights Obligations of Post-Communist Countries: the Cases of the Czech Republic and Slovakia (I. Pospíšil, V. Týč et al.) <i>Martin Kopa</i>	506

X. SURVEY OF CZECH INTERNATIONAL LAW BIBLIOGRAPHY

<i>Zuzana Trávníčková</i>	507
---------------------------	-----