

---

# Contents

---

<i>List of contributors</i>	viii
<i>Acknowledgements</i>	x
Introduction to the <i>Research Handbook on the International Court of Justice</i> <i>Achilles Skordas and Lisa Mardikian</i>	1
PART I GOVERNANCE FUNCTIONS	
1 The dispute settlement function of the International Court of Justice: world order or transactional justice? <i>Eirik Bjorge and Andreas Motzfeldt Kravik</i>	12
2 Advisory opinions in the UN decision-making process <i>Eran Sthoeger and Michael Wood</i>	30
3 The International Court of Justice as a law-creative actor <i>Gleider Hernández</i>	51
4 The International Court of Justice and the individual <i>Astrid Kjeldgaard-Pedersen</i>	71
5 Majority and individual opinions: constructive dialogue or the worst of two worlds? <i>Geir Ulfstein</i>	90
PART II JUDICIAL POLICIES	
6 The International Court of Justice and ‘progressive causes’ <i>Antonios Tzanakopoulos</i>	104
7 The International Court of Justice and the idea of liberal international law <i>Russell Buchan</i>	141
8 <i>Ex aequo et bono</i> : the uses of the road never taken <i>Shai Dothan</i>	165
9 The International Court of Justice and migration <i>Gregor Noll</i>	179
10 Dealing with informational complexity: burden and standard of proof in the jurisprudence of the International Court of Justice <i>Robert Kolb</i>	192

PART III THE INTERNATIONAL COURT OF JUSTICE IN  
INTERNATIONAL AND SUPRANATIONAL JUDICIAL SYSTEMS

- 11 The International Court of Justice and the Law of the Sea dispute  
settlement system 211  
*Sir Malcolm D. Evans and Nicholas A. Ioannides*
- 12 The International Court of Justice and international criminal courts and  
tribunals 245  
*Karin Oellers-Frahm*
- 13 Benign neglect, anti-model or reverse learning? Tracing the  
International Court of Justice's influence on WTO dispute settlement 267  
*Jeffrey L. Dunoff*
- 14 The International Court of Justice and the Court of Justice of the  
European Union 294  
*Jed Odermatt*
- 15 The International Court of Justice and the European Court of Human Rights 319  
*Rainer Grote*
- 16 The International Court of Justice and the Inter-American Court of  
Human Rights 338  
*Paula Wojcikiewicz Almeida*

PART IV THE INTERNATIONAL COURT OF JUSTICE AND  
NATIONAL LEGAL ORDERS

- 17 The role and function of the International Court of Justice jurisprudence  
in the Supreme Court of the United States 363  
*Oren Gross*
- 18 The International Court of Justice and the courts of the United Kingdom 385  
*Nigel D. White*
- 19 The International Court of Justice and Germany: a survey from the  
perspective of international law and constitutional law 401  
*Andreas L. Paulus and Matthias Lippold*
- 20 Russia, international law and the International Court of Justice 443  
*Iryna Marchuk*
- 21 Islamic Law States and the International Court of Justice 472  
*Steve McDowell*
- 22 Japan and the International Court of Justice 497  
*Dai Tamada*

23	China and the International Court of Justice <i>Congyan Cai</i>	521
24	The International Court of Justice and South Africa <i>Dire Tladi</i>	546
PART V LEGAL-SOCIOLOGICAL PERSPECTIVES		
25	The International Court of Justice as a discursive actor: mapping self-legitimation in ICJ jurisprudence <i>Zuzanna Godzimirska</i>	565
26	The International Court of Justice, mass media and international public opinion <i>Daniel Joyce</i>	583
	Epilogue: the Delphic Oracle and a note on the beginnings <i>Achilles Skordas</i>	599
	<i>Index</i>	603