



CONTENTS

Foreword by H.E. Mohammed Bedjaoui, <i>President International Court of Justice</i>	XI
Foreword by Marcel A. Boisard, <i>Acting Executive Director of UNITAR</i>	XIII
Preface to the 5th, revised edition	XV
Note on bibliography	XVII
<i>What the Court is</i>	
Chapter 1: <i>The Forerunners</i>	3
Early Beginnings, 3; The Nineteenth Century, 4; The Hague Conferences of 1899 and 1907, 6; The Permanent Court of Arbitration, 8; The League of Nations, 12; The Permanent Court of International Justice, 15.	
Chapter 2: <i>The United Nations and the Court</i>	21
The War and the San Francisco Conference (1945), 21; Principal Organ of the United Nations, 26; The Court as the Principal Judicial Organ, 31; What the Court is not, 36; The Court and the Specialized Agencies, 40; Compliance with the Court's Decisions, 42; The Court's Finances, 49; The Secretary-General's Trust Fund, 50; The Seat of the Court, 50; Revision of the Statute, 51.	
Chapter 3: <i>The Judges</i>	53
The Judges' Qualifications, 53; Regional Distribution of Seats, 54; Nominating Candidates, 62; The Elections, 63; Case Studies – The Elections of 1981–1982 and of 1993, 67; The Independence of the Judges, 70; The President, 71; Judges <i>ad hoc</i> , 73; Chambers of the Court, 75; The Registrar and the Registry, 77; Diplomatic Privileges, 77	
<i>How the Court Works</i>	
Chapter 4: <i>Jurisdiction</i>	81
A Court for States, 83; How Jurisdiction is Conferred, 85; Jurisdiction by Unilateral Declaration (The Compulsory Jurisdiction), 90; Continuity of Jurisdiction between the Permanent Court and the Present Court, 94;	

Must a State Appear? The "Unwilling Respondent", 95; Provisional Measures of Protection, 96; Jurisdiction or Admissibility Disputed (Preliminary Objections), 99; Appeals and References to the Court, 105; Advisory Competence, 106.

Chapter 5: *How a Case is Tried*

111

Military Activities in and Against Nicaragua: Background, 113; The Institution of the Proceedings, 115; The Bench, 117; Official Languages, 118; Representation of the Parties, 119; Steps Following the Institution of the Proceedings, 120; The Provisional Measures Phase, 122; The Written Proceedings, 123; The Phase of Jurisdiction and Admissibility, 125; The Case Ready for Hearing, 126; Third Party Intervention in Contentious Proceedings, 127; The Hearing, 128; Closure of Oral Proceedings, 132; The Court's Deliberation, 132; The Judgment of 26 November 1984, 135; The Aftermath of the Judgment, 136; The Separate and Dissenting Opinions, 137; The Proceedings on the Merits, 140; The Judgment of 27 June 1986, 141; The Final Phase, 143; Final Submissions, 144; The Law Applied by the Court, 146; Assessors and Experts, 149; Settlement out of Court, 151; Costs, 150; Interpretation and Revision of a Judgment, 151; The Extra-Judicial Function, 152; Postscript, 152.

Chapter 6: *The Work of the Court*

155

The Corfu Channel, 155; Membership in the United Nations, 158; The Legal Personality of the United Nations, 160; Fishing Zones in the North Sea, 161; French Nationals in Egypt, 164; A Case of Diplomatic Asylum, 164; Questions of Human Rights in Certain Peace Treaties of 1947, 166; South West Africa and Namibia, 168; Rights of U.S. Nationals in (French) Morocco, 175; Reservations to Multilateral Treaties, 176; A Greek Citizen's Claim for Damages for Breach of Contract, 177; The Anglo-Iranian Oil Co., 178; Whose are the Channel Islets: Minquiers and Ecrehos? 179; A German National Claims Restoration of his Sequestered Property, 180; Monetary Gold Looted from Rome in 1943, 181; France's Difficulties in the Lebanon, 182; The Administrative Tribunals, 183; The Iron Curtain Overflown (I) – Military Aircraft, 185; The Falklands (Malvinas) and Antarctica Claims, 186; Some Norwegian Loans, 186; Portuguese Enclaves in India, 187; Who shall Appoint a Guardian over an Infant? 189; The Interhandel Company's Assets, 190; The Iron Curtain Overflown (II) – Civil Aircraft, 192; Baerle-Duc and Baerle-Nassau – Belgian or Dutch? 193; The Frontier between Honduras and Nicaragua, 194; The Affairs of the Barcelona Traction, Light and Power Company, 195; The Maritime Safety Committee, 197; The Temple of Preah Vihear, 198; The Northern Cameroons, 199; The United Nations Budget – Peace-Keeping Operations, 200; The North Sea Continental Shelf Delimitation, 202; India, Pakistan and Bangladesh: Aircraft Hijacking and Prisoners of War, 204; Iceland's Fisheries Jurisdiction, 206; French Nuclear Tests in

the Pacific Ocean, 209; Aegean Sea Continental Shelf Delimitation, 211; Decolonization in the Western Sahara, 213; Diplomatic Hostages in Tehran, 215; The W.H.O. Middle Eastern Regional Headquarters, 217; Delimitation of Libya's Continental Shelf, 218; Maritime Delimitation between Canada and the United States in the Gulf of Maine Area, 221; Delimitation of a Frontier in Western Africa, 223; The Situation in Central America (I) – Nicaragua v. the United States, 225; The Situation in Central America (II) – Nicaragua v. Costa Rica; Nicaragua v. Honduras, 225; The Land and Maritime Frontier between El Salvador and Honduras, 227; A Case between the United States and Italy, 229; Interpretation of the U.S./U.N. Headquarters Agreement of 1947, 229; Maritime Delimitation between Jan Mayen and Greenland, 231; Incidents in the Arabian/Persian Gulf, 231; Phosphates in Nauru, 232; The Legal Status of a United Nations Rapporteur, 233; The "Ouzou Strip" Dispute between Chad and Libya, 234; The East Timor Case, 234; The Maritime Delimitation of Guinea-Bissau, 235; Passage through the Great Belt (Store Bælt), 237; A Delimitation Dispute between Qatar and Bahrain, 237; The 'Aerial Incident' at Lockerbie (Scotland), 238; The Situation in Bosnia-Herzegovina, 239; Problems of the River Danube, 242; Nuclear Arms, 242.

Chapter 7: <i>An Assessment</i>	245
Notes	261
Chapter 1	261
Chapter 2	264
Chapter 3	267
Chapter 4	269
Chapter 5	271
Chapter 6	272
Chapter 7	277
Appendix I. Charter of the United Nations (Extracts)	279
Statute of the International Court of Justice	281
Appendix II. Rules of Court (1978)	295
Appendix III. Composition of the Court	331
Appendix IV. Parties to the Statute	335
Appendix V. Judicial Statistics	341
Index of Cases	345
Index	349