

The Impact of the European Convention on Human Rights on Private International Law

by

Louwrens R. Kiestra

The focus of the present book is the impact of the European Convention on Human Rights (ECHR) on the three main topics of private international law (PIL): jurisdiction, applicable law, and the recognition and enforcement of foreign judgments.

The author sets off with a discussion whether the ECHR is at all applicable to issues of PIL and the relationship between Article 1 of the Convention and PIL. He then examines the case law of the European Court of Human Rights and selected national courts and by doing so thoroughly maps the interaction between PIL and the rights guaranteed in the ECHR. On this wealth of information the author bases his final conclusions.

Next to a list of cases consulted and a comprehensive bibliography, the book offers brief introductions to PIL and the ECHR for readers who are less familiar with either of the topics. This makes the book not only a valuable tool for specialists and practitioners in the fields covered, but at the same time a well-documented basis for students and starting researchers specializing in either or both directions.

Louwrens Kiestra presently works for the District Court Limburg, The Netherlands.

www.asser.nl/AsserPress/?978-94-6265-031-2

ISBN 978-94-6265-031-2

VI+378 p., hardcover, € 129.95

For ordering information please click: www.springer.com/978-94-6265-031-2

Also available online: link.springer.com/978-94-6265-032-9

Distributed for T.M.C. Asser Press by Springer | springer.com

 **Springer**
the language of science

International Criminal Justice Series

Africa and the International Criminal Court

Edited by

Gerhard Werle, Lovell Fernandez and Moritz Vormbaum

In November 2013, the South African-German Centre for Transnational Criminal Justice hosted a conference on *Africa and the International Criminal Court*, in Cape Town, South Africa. The theme of the Conference was the strained relationship between African states, represented by the African Union (AU), and the International Criminal Court (ICC). This relationship started promisingly but has been in crisis in recent years.

This book sheds light on the present frictions between the AU, the ICC and the UN Security Council. Eminent experts in the field of international criminal justice, including judges and prosecutors of the ICC and other African judicial bodies, as well as international criminal law scholars, analyze and debate the achievements and shortcomings of interventions by the ICC in Africa. They propose ways in which international courts and domestic courts within and outside of Africa can cooperate and address fundamental issues of international criminal law, such as the implementation of the Rome Statute, deferrals of cases before the International Criminal Court and the prosecution of crimes by third states on the basis of universal jurisdiction.

Researchers and practitioners in the field of international criminal law and related disciplines will benefit from the high-level experiences and proposals brought together in this volume. For students with a focus on criminal law and its international implications it is a source of information and challenges.

Gerhard Werle is a Professor of Law at Humboldt-Universität zu Berlin, Director of the South African-German Centre for Transnational Criminal Justice and an Extraordinary Professor at the University of the Western Cape. **Lovell Fernandez** is a Professor of Law at the University of the Western Cape and Director of the South African-German Centre for Transnational Criminal Justice. **Moritz Vormbaum** is a Senior Researcher at Humboldt-Universität zu Berlin as well as Coordinator and Lecturer at the South African-German Centre for Transnational Criminal Justice.

www.asser.nl/AsserPress/?978-94-6265-028-2

ISBN 978-94-6265-028-2

XI+264 p., hardcover, € 99.95

For ordering information please click: www.springer.com/978-94-6265-028-2

Also available online: link.springer.com/978-94-6265-029-9

Distributed for T.M.C. Asser Press by Springer | springer.com

 **Springer**
the language of science

The European Public Prosecutor's Office
An Extended Arm or a Two-Headed Dragon?

Edited by

L.H. Erkelens, A.W.H. Meij and M. Pawlik

In July 2013 the European Commission launched its legislative proposal to create a European Public Prosecutor's Office (EPPO). The proposal provoked fierce debates, politically as well as on the academic level. Many national parliaments opposed and submitted formally their grievances to the Commission and negotiations on the proposal between Member States are ongoing. As early as September 2013, the T.M.C. Asser Instituut in The Hague, The Netherlands, held the first international conference on this unprecedented proposal.

This book reflects the main results of that conference. It provides a concise background of and reasoning for the introduction of this new EU body entrusted with far reaching judicial powers disclosing important legal and policy implications. Within its hitherto limited scope, the existing system of judicial cooperation between EU Member States will change fundamentally, directly affecting the functioning of national courts and public prosecution offices. This book helps answering fundamental questions involved. It provides a solid basis for both academics and practitioners to further structure an EPPO, respecting the interests of all parties involved.

At the time of writing and editing this volume, **Leendert Erkelens** and **Arjen Meij** were both Visiting Research Fellow at the T.M.C. Asser Instituut in The Hague, The Netherlands. **Marta Pawlik** was a Research Assistant in the same Institute.

www.asser.nl/AsserPress/?978-94-6265-034-3

ISBN 978-94-6265-034-3

IX, 247 p., hardcover, € 99.95

For ordering information please click: www.springer.com/978-94-6265-034-3

Also available online: link.springer.com/978-94-6265-035-0

Distributed for T.M.C. Asser Press by Springer | springer.com

CONTENTS

Articles

- K. ARTS, Twenty-Five Years of the United Nations Convention on the Rights of the Child: Achievements and Challenges 267
- R. GROZDANOVA, 'Terrorism' – Too Elusive a Term for an International Legal Definition? 305
- I. COUZIGOU, International Organisations and States within an Agency Relationship: The Distribution of Responsibility 335

Netherlands Judicial Developments

- District Court of The Hague, *Mothers of Srebrenica et al. v. State of the Netherlands*, Judgment of 16 July 2014 – Introductory note by C. RYNGAERT 365

Book Reviews

- M. Boersma, *Corruption: A Violation of Human Rights and a Crime under International Law?* (C. Rose) 455
- A. Chechi, *The Settlement of International Cultural Heritage Disputes / V. Vadi, Cultural Heritage in International Investment Law and Arbitration* (L. Lixinski) 460
- S. Hopgood, *The Endtimes of Human Rights* (M.W. Janis) 464
- F. Maupain, *The Future of the International Labour Organisation in the Global Economy* (P.F. van der Heijden) 466
- A.G. Oude Elferink, *The Delimitation of the Continental Shelf between Denmark, Germany and the Netherlands: Arguing Law, Practicing Politics?* (M. Wood) 470
- Y. Shany, *Assessing the Effectiveness of International Courts* (H. Thirlway) 476

- Hague Case Law – Latest Developments** (E.V. KOPPE) 481

- Books Received and Available for Review** 485

- Contents of Volume LXI** 487

Distributed by

CAMBRIDGE
UNIVERSITY PRESS

Cambridge Journals Online
journals.cambridge.org