

## The Interpretation of International Law by Domestic Courts: Uniformity, Diversity, Convergence (International Law and Domestic Legal Orders)

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The Interpretation of International Law by Domestic Courts assesses the growing role of domestic courts in the interpretation of international law. It asks whether and if so to what extent domestic courts make use of the international rules of interpretation set forth in the Vienna Convention on the Law of Treaties. Given the expectation that rules of international law are to have a uniform interpretation and application throughout the world, the practice of domestic courts is considerably more diverse. The contributions to this book analyse three key questions: first, whether international law requires a coherent interpretive approach by domestic courts. Second, whether a common or convergent methodological outlook can be found in domestic court practice. Third, whether a common interpretive approach is desirable from a normative perspective.

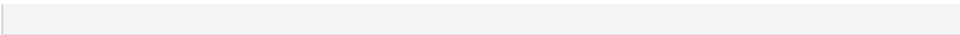
The book identifies a considerable tension between international law's ambition for universal and uniform application and a plurality of different approaches. This tension between unity and diversity is analysed by a group of leading international lawyers from a wide range of geographical, disciplinary and methodological approaches. Drawing on domestic practice of number of jurisdictions including, among others, Colombia, France, Japan, India, Israel, Mexico, South Africa, the United Kingdom and the United States, the book puts the interpretative practice of domestic courts in a wider context. Its chapters offer doctrinal, practical as well as theoretical perspectives on a central question for international law.



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### **Editorial Review**

About the Author

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Helmut Philipp Aust, Dr. iur., is a Senior Research Fellow at Humboldt University Berlin. He was previously a Research Fellow at the University of Munich as well as a Visiting Fellow at the Lauterpacht Centre of International Law at the University of Cambridge and a Visiting Scholar at Melbourne Law School. He is the author of "Complicity and the Law of State Responsibility" (CUP, 2011) and co-editor (with Bardo Fassbender) of "Basistexte: Volkerrechtsdenken" (Nomos/UTB, 2012). Apart from his expertise in the fields of state responsibility and treaty interpretation, his work is currently focusing on the growing role of cities as international actors.

Georg Nolte, Dr. iur., is Professor of International Law at Humboldt University Berlin, and a member of the United Nations International Law Commission. He was previously Professor of Law at the Universities of Göttingen and Munich as held visiting positions at All Souls College, Oxford, Université Paris II, Wissenschaftskolleg zu Berlin, as well as at Princeton University. His most recent publications include "The Charter of the United Nations - A Commentary" (co-editor, 3rd ed., OUP, 2012) and "Treaties and Subsequent Practice" (editor, OUP, 2013). He is Speaker of the interdisciplinary research project "The International Rule of Law - Rise or Decline?" at Humboldt University.

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