

دور محكمة العدل الدولية

في الكشف عن القاعدة الدولية

مذكرة لنيل شهادة الماجستير في القانون

فرع القانون الدولي و العلاقات الدولية

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2009-2008 :

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Abbreviations

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|---------------------|---|-----|
| A.O | : Advisory opinion. | () |
| Dicta | : Dictum | () |
| I.C.J | : International Court of Justice | () |
| I.C.J Rep | : International Court of Justice Reports | () |
| I.L.C | : International Law Commission | () |
| P.C.I.J. Rep | : Permanent Court of International Justice Reports | () |
| P.U.F | : Presses Universitaires de France | () |
| R.A.D.I.C | : Revue Africaine du Droit International et Comparé | () |
| R.E.D.I | : Revue égyptienne du droit international | () |

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⁽¹⁾ - I.Brownlie : the rule of Law in International Affairs, Martinus Nijhoff Publishers, the Hague p .107.

...the legal regime of the peaceful settlement of disputes is a part of the :
mechanism of international public order – at p .107.

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"Estoppel"

sir.G.Fitzmaurice

temple case

(1) -I.Brownlie ; principles of public international law 6th ed, Oxford University Press, 2003 P P 158-159 .

" I.C.J "

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DAPO AKANDE : The :
role of the international court of justice in the maintenance of the peace. in R.A.D.C, vol 08, pt 03
(1996) pp. 595-606.

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D.J HARRIS : Cases and materials on : Û " " " " "
International Law, SWEET and MAXWELL, London. 1998 pp 588-598
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Sh.Rosenne : the world Court, :

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Martinus Nijhoff Publishers, london. Boston 1989

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33 ,32 ,30 ,22 ,20 ,19 - ⁽²⁾

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. Sh. Rosenne, op.cit pp81-113 :

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I. BROWNLIE : Principles of Public International Law, op. cit p p 680- :

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 Anglo-Iranian Oil Co, Case I.C.J.Rep./1952
 pp 111- 112
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Sh. Rosenne: The world court, op-cit, p.p 89-95 :

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⁽¹⁾ – Sh. Rosenne, *ibid*, p.p 60-64 .
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H.W.A Thirlway:Procedural law and The I.C.J in fifty :
years of The I.C.J. V.Lowe and M.Fitsmaurice (ed) Cambridge university Press 1996.pp. 389-
405 .

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D. RUZIE : Droit international, MOMENTOS, A. Pedone 2002, p.p 247-298 : - (1)
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Sh. Rosenne: ³ Û
The world court, op-cit p.p. 113-193

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⁽¹⁾ – Sh. Rosenne: The world court, op-cit, p.p 1032-103 .

H.THIRLWAY : The international court of justice.op-cit p 395 et seq :

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"Le Jugement Déclaratoire ou Déclaratif "

"Affaire de Pêcheries"

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. D.J.Harris, Fisheries Jurisdiction Cases .op-cit .pp 375.382 :

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(1) Sh. Rosenne:op-cit.pp 81-111 .

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I.Brownlie : principles of public international law,op-cit. 32- 33. :

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- I. Brownlie : *Ù* - (1)
I. Brownlie : *The rule of law in international affairs*, op.cit. p.p 211-228. -
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(1) -I. Brownlie : The rule of law, op.cit P 107 .

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⁽¹⁾ - I.C.J. rep , p 33 ,1970.

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- G.Schwarzenberger and E.D.Brown : A manual of International Law, 6Th.Ed. (professional Books Ltd. London). 1976 at P P 21- 32

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R.J.Dupuy : Coutume Sage et Coutume Sauvage, in-Dialectiques du Droit international. :
A.Pedone 1999, pp 97- 105 .

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⁽³⁾ -North sea continental shelf cases . I.C.J Rep 1969 P P 18- 74 .

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(3) – Nicaragua V.U.S, op.cit P 14 .

(4) - North sea continental shelf cases, op.cit P 03 .

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(2) Asylum Case I.C.J op.cit P P 276- 277 .

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⁽³⁾ -Right of Passage over indian territory Case(1960) I.C.J rep P 47 .

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(1) - -I.Brownlie ; principles of public international law. Op.cit P 599 .

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⁽¹⁾ -The reparation Case I.C.J (1949), op.cit 174 .

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(3) - Barcelona traction, lighth and power co Case: Belgium V Spain, (1970) I.C.J.Rep P 6 at 39 .

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(1) – D.RUZIE, Droit international public , op cit , P P 195- 239 (sommaire de contentieux internationaux) .

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. Corfu Channel Case, I.C.J rep (1949) P 18 :

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. Nicaragua V U.S Case (1968) op.cit P 14 :

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(1)- G. Guillaume . la cour internationale de justice à l'aube du XXI^{eme} siècle . op.cit . pp.287-292.

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Anglo – Norwegian Fisheries Case op.cit P 131 (1951)

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North-Sea Continental Shelf Cases(1969), op.cit P 3 et seq :

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⁽¹⁾ -The Gulf of Maine Case (1984) I.C.J rep.op cit. P P 246- 294 .

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D.J Harris :Cases and Materials on :
international law, op.cit Chap 7 .

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(2) -Nicaragua V U.S . I.C.J op.cit P 14 .

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⁽¹⁾ –Continental Shelf (Tunisia V Libya) Case I.C.J rep (1982) p 18 at p 74 .

⁽²⁾ - The Gulf of Maine Case (1984) I.C.J, op.cit P 246- 294 .

⁽²⁾ - Nicaragua V U.S . I.C.J op.cit P 14 at P 111.

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I.Brownlie ; principles of public international law, op.cit P P 15- 18.

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. The Gulf of Maine Case (1984, the chamber) I.C.J, op.cit P 246 at 305

(2) – North-Sea Continental Shelf Cases, (1986) I.C.J op.cit P 3 et seq .

(3) – I.C.J rep, 1986 op.cit P 14 – 111 .

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(2) – Reservation to convention on genocide Case I.C.J rep (1951) P 15 .

(3) – I.C.J rep, 1984 op.cit P P 246- 294 .

(1) - I.C.J rep (1982) P 18 at P 74 .

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(2) – Continental shelf case (Libya V Malta).I.C.J. rep.1982.p.18 at 74.

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(1)-Anglo- Iranian Oil Co, Case (1952)I.C.J.rep. pp.11-112

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(2) – I.C.J.rep.1984 op. cit. p 246-294
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(1) – Nottebohm case,(1955), I.C.J, rep. P.23 et seq.

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(2) – I.C.J . rep . 1970. p. 33.

(3) – Ibid . p 49 .

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⁽³⁾ – I.C.J,rep (1963) P 23 .

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(2) – D.J HARRIS, Cases and Materials on international law, op.cit P P 774- 778 .

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(1) - I.C.J, (1949).rep . P P 32-35 .
(2) - I.C.J, (1949).rep, p 108-109 .

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⁽³⁾ - Ibid , p 19-20 .

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(2) - P.C.I.J , rep , N 1 P 29-30 .

(3) - I.C.J,rep. (1970). P 13 .

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⁽³⁾ – Estern-Green-Land Case (1933), P.C.I.J , rep P 49 .

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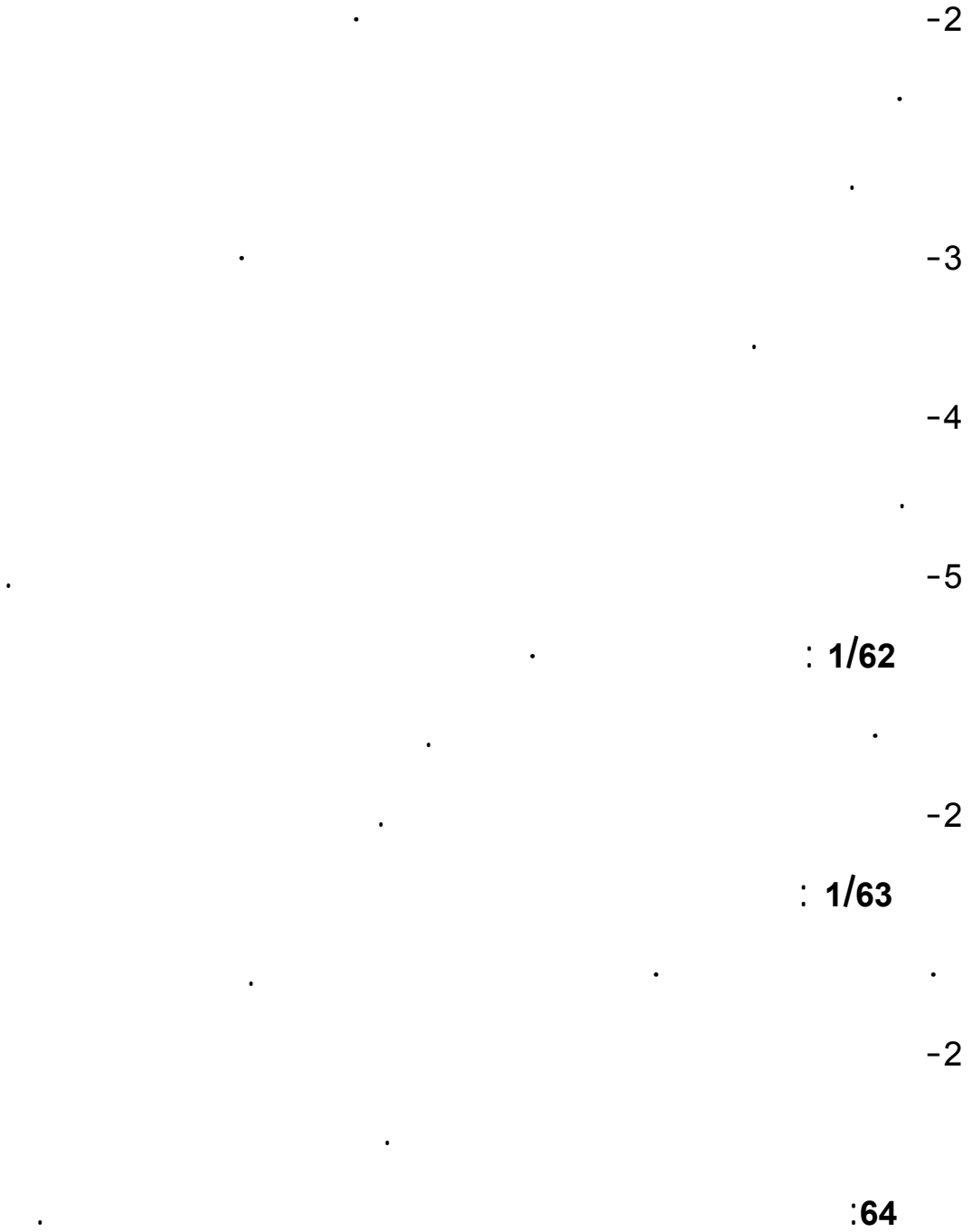
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