The implementation of international law in the national legal order : a legislative perspective

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Sources and literature

SOURCES

International and regional treaties

African Charter on Values and Principles of Public Service and Administration (adopted 31 January 2011, entered into force 23 July 2016) < https://au.int/en/treaties>

African Convention on the Conservation of Nature and Natural Resources (adopted 11 July 2003, not yet in force) < https://au.int/en/treaties>

American Convention on Human Rights (adopted 22 November 1969, entered into force 18 July 1978) 1144 UNTS 123 (Pact of San José, Costa Rica)

Anti-Doping Convention (adopted 16 November 1989, entered into force 1 March 1990) ETS no 135

ASEAN Agreement on transboundary haze pollution (adopted 10 June 2002, entered into force 25 November 2003) <http://haze.asean.org/asean-agreement-on-transboundary-haze-pollution/>

Bamako Convention on the ban of the import into Africa and control of transboundary movement and management of hazardous wastes within Africa (adopted 30 January 1991, entered into force 22 April 1998) 2101 UNTS 177

Charter of Fundamental Rights of the European Union (consolidated version) OJ 2012, C 326, 391

Charter of the United Nations (adopted 26 June 1945, entered into force 24 October 1945) 1 UNTS XVI

Constitution of the International Labour Organization (adopted 28 June 1919, entered into force 28 June 1919) 225 CTS 189 (Constitution of the ILO, as amended)

Constitution of the World Health Organisation (adopted 22 July 1946, entered into force 7 April 1948) 14 UNTS 185

Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (adopted 10 December 1984, entered into force 26 June 1987) 1465 UNTS 85

Convention Concerning Minimum Age for Admission to Employment (adopted 26 June 1973, entered into force 19 June 1976) 1015 UNTS 297 (Minimum Age Convention)

Convention for the Protection of Human Rights and Fundamental Freedoms (adopted 4 November 1950, entered into force 3 September 1953) (European Convention on Human Rights, as amended) 213 UNTS 211 (ECHR)

Convention for the Suppression of Unlawful Seizure of Aircraft (adopted 16 December 1970, entered into force 14 October 1971) 860 UNTS 105

Convention of the World Meteorological Organisation (adopted 11 October 1947, entered into force 23 March 1950, as amended) 77 UNTS 143

Convention on International Civil Aviation (adopted 7 December 1944, entered into force 4 April 1947) 15 UNTS 295 (Chicago Convention)

Convention on the Organisation for Economic Co-Operation and Development (adopted 14 December 1960, entered into force 30 September 1961) 888 UNTS 179

Convention on the Physical Protection of Nuclear Material (adopted 3 March 1980, entered into force 8 February 1987) 1456 UNTS 101

Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (adopted 14 December 1973, entered into force 20 February 1977) 1035 UNTS 167

Convention on the Prevention and Punishment of the Crime of Genocide (adopted 9 December 1948, entered into force 12 January 1951) 78 UNTS 277 (Genocide Convention)
Convention on the Rights and Duties of States (adopted 26 December 1933, entered into force 26 December 1936) 3802 LNTS 165 (Montevideo Convention)
Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 31
Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 85
Geneva Convention Relative to the Protection of Civilian Persons in Time of War (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 287
Geneva Convention Relative to the Treatment of Prisoners of War (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 135
Inter-American Convention on Facilitation of International Waterborne Transportation (adopted 7 June 1963, entered into force 11 January 1981) 1438 UNTS 169 (Convention of Mar del Plata)
International Convention against the Taking of Hostages (adopted 17 December 1979, entered into force 3 June 1983) 1316 UNTS 205
International Convention for the Prevention of Pollution from Ships (adopted 2 November 1973, entered into force 2 October 1983) 1340 UNTS 184
International Convention for the Safety of Life at Sea (adopted 1 November 1974, entered into force 25 May 1980) 1184 UNTS 277
International Convention for the Suppression of Acts of Nuclear Terrorism (adopted 13 April 2005, entered into force 7 July 2007) 2445 UNTS 89
International Convention for the Suppression of Terrorist Bombings (adopted 15 December 1997, entered into force 23 May 2001) 2149 UNTS 256
International Convention for the Suppression of the Financing of Terrorism (adopted 9 December 1999, entered into force 10 April 2002) 2178 UNTS 197
International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (adopted 7 July 1987, entered into force 28 April 1984) 1361 UNTS 190
International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171
International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976) 993 UNTS 3
International Health Regulations (adopted 23 May 2005, entered into force 15 June 2007) 2509 UNTS 79
Marrakesh Agreement establishing the World Trade Organisation (adopted 15 April 1994, entered into force 1 January 1995) 1867 UNTS 3
Merchant Shipping (Minimum Standards) Convention (adopted 29 October 1976, entered into force 28 November 1981) ILO C147
Minorities treaty between the Principal Allied and Associated Powers (the British Empire, France, Italy, Japan and the United States) and Poland (adopted 28 June 1919) 225 CTS 412
North Atlantic Treaty (adopted 4 April 1949, entered into force 24 August 1949) 34 UNTS 243
Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (adopted 8 June 1977, entered into force 7 December 1978) 1125 UNTS 609 (Additional Protocol II)
Protocol (no 2) on the Application of the Principles of Subsidiarity and Proportionality, OJ 2008, C 115, 201
Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition (adopted 31 May 2001, entered into force 3 July 2005) 2326 UNTS 208
Protocol against the Smuggling of Migrants by Land, Sea and Air (adopted 15 November 2000, entered into force 28 January 2004) 2241 UNTS 207

Protocol on Liability and Compensation for Damage resulting from Transboundary Movements of Hazardous Wastes and their Disposal (adopted 10 December 1999, not yet in force) UN Doc UNEP/CHW.1/WG.1/9/2

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (adopted 15 November 2000, entered into force 25 December 2003) 2237 UNTS 319

Rome Statute of the International Criminal Court (adopted 17 July 1998, entered into force 1 July 2002) 2187 UNTS 90 (Rome Statute)

Statute of the International Court of Justice (adopted 26 June 1945, entered into force 24 October 1945) 1 UNTS XVI (ICJ Statute)

Treaty of Amsterdam amending the Treaty on European Union, the Treaties establishing the European Communities and certain related acts, OJ 1997, C 340, 1

Treaty on European Union (consolidated version) OJ 2012, C 326, 1

Treaty on the Functioning of the European Union (consolidated version) OJ 2012, C 326, 47

United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (adopted 20 December 1988, entered into force 11 November 1990) 1582 UNTS 95

Vienna Convention on the Law of Treaties (adopted 23 May 1969, entered into force 27 January 1980) 1155 UNTS 331

Vienna Convention on the Law of Treaties between States and International Organisations or between International Organisations (adopted 21 March 1986, not yet in force) UN Doc A/CONF.129/15

WHO Framework Convention on Tobacco Control (adopted 21 May 2003, entered into force 27 February 2005) 2302 UNTS 166

International and regional courts and tribunals

Permanent Court of International Justice

Case concerning Certain German Interests in Polish Upper Silesia (Merits) [1926] PCIJ Rep Series A No 7

Exchange of Greek and Turkish Populations (Advisory Opinion) [1925] PCIJ Rep Series B No 10

German Settlers in Poland (Advisory Opinion) [1923] PCIJ Rep Series B no 6

Jurisdiction of the European Commission of the Danube between Galatz and Braila (Advisory Opinion) [1927] PCIJ Rep Series B no. 14

International Court of Justice

Applicability of the Obligation to Arbitrate under Section 21 of the United Nations Headquarters Agreement of 26 June 1947 (Advisory Opinion) [1988] ICJ Rep 12

Armed activities on the Territory of the Congo (Democratic Republic of the Congo v Uganda) (Judgment) (Separate Opinion of Judge Simma) [2005] ICJ Rep 334

Armed Activities on the Territory of the Congo (New Application 2002) (Democratic Republic of the Congo v Rwanda) (Jurisdiction of the Court and Admissibility of the Application) (Judgment) [2006] ICJ Rep 6

Arrest Warrant of 11 April 2000 (*Democratic Republic of the Congo v Belgium)* (Judgment) [2002] ICJ Rep 3

Arrest Warrant of 11 April 2000 (*Democratic Republic of the Congo v Belgium)* (Judgment) (Dissenting Opinion of Judge Van den Wyngaert) [2002] ICJ Rep 137

Asylum Case (Colombia v Peru) (Judgment) [1950] ICJ Rep 266

Case concerning Armed activities on the Territory of the Congo (Democratic Republic of the Congo v Uganda) (Judgment) [2005] ICJ Rep 168

Case concerning Military and Paramilitary Activities in and against Nicaragua (Nicaragua v United States of America) (Merits) (Judgment) [1986] ICJ Rep 14

Case Concerning the Application of the Convention of the Prevention and Punishment of the Crime of Genocide (Croatia v Serbia) (Preliminary Objections) (Separate Opinion of Judge *ad hoc* Vukas) [2008] ICJ Rep 549

Case Concerning the Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v Serbia and Montenegro) (Judgment) [2007] ICJ Rep 43
Case concerning the Continental Shelf (Libyan Arab Jamahiriya v Malta) (Judgment) [1985] ICJ Rep 13
Case Concerning the Land and Maritime Boundary between Cameroon and Nigeria (Cameroon v Nigeria; Equatorial Guinea intervening) (Judgment) [2002] ICJ Rep 303
Constitution of the Maritime Safety Committee of the Inter-Governmental Maritime Consultative Organisation (Advisory Opinion) (Dissenting Opinion of Judge Moreno Quintana) [1960] ICJ Rep 150
Corfu Channel Case (Merits) [1949] ICJ Rep 4
Difference relating to Immunity from Legal Process of a Special Rapporteur of the Commission on Human Rights (Advisory Opinion) [1999] ICJ Rep 62
Dispute Regarding Navigational and Related Rights (Costa Rica v Nicaragua) (Judgment) [2009] ICJ Rep 213
Dispute Regarding Navigational and Related Rights (Costa Rica v Nicaragua) (Judgment) (Separate Opinion of Judge Skotnikov) [2009] ICJ Rep 283
Fisheries Case (United Kingdom v Norway) (Judgment) [1951] ICJ Rep 116
Fisheries Jurisdiction (Federal Republic of Germany v Iceland) (Merits) [1974] ICJ Rep 175
Fisheries Jurisdiction (Spain v Canada) (Jurisdiction) (Dissenting Opinion of Judge Torres Bernárdez) [1998] ICJ Rep 582
Fisheries Jurisdiction (Spain v Canada) (Jurisdiction) (Judgment) [1998] ICJ Rep 432
Fisheries Jurisdiction (United Kingdom of Great Britain and Northern Ireland v Iceland) (Merits) (Judgment) [1974] ICJ Rep 3
Frontier Dispute (Benin v Niger) (Judgment) [2005] ICJ Rep 90
Frontier Dispute (Burkina Faso v Republic of Mali) (Judgment) [1986] ICJ Rep 554
Interpretation of Peace Treaties with Bulgaria, Hungary and Romania (Second phase) (Advisory Opinion) [1950] ICJ Rep 221
LaGrand Case (Germany v United States of America) (Judgment) [2001] ICJ Rep 466
Legal consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council resolution 276 (1970) (Advisory Opinion) [1971] ICJ Rep 16
Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Separate Opinion of Judge Khasawneh) [2004] ICJ Rep 235
Legality of the Threat or Use of Nuclear Weapons (Advisory Opinion) [1996] ICJ Rep 226
North Sea Continental Shelf Cases (Federal Republic of Germany v Denmark; Federal Republic of Germany v Netherlands) (Judgment) [1969] ICJ Rep 3
North Sea Continental Shelf Cases (Federal Republic of Germany v Denmark; Federal Republic of Germany v Netherlands) (Judgment) (Dissenting Opinion of Judge Lachs) [1969] ICJ Rep 218
Nottebohm Case (Liechtenstein v Guatamala) (Second phase) [1955] ICJ Rep 4
Reparation for Injuries Suffered in the Service of the United Nations (Advisory Opinion) [1949] ICJ Rep 174
Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide (Advisory Opinion [1951] ICJ Rep 15
South West Africa Cases (Ethiopia v South Africa and Liberia v South Africa) [1966] ICJ Rep 6
Western Sahara (Advisory Opinion) (Separate Opinion of Judge Dillard) [1975] ICJ Rep 116

International Criminal Tribunal for the Former Yugoslavia

Prosecutor v Anto Furundžija (Trial Chamber judgment) IT-95-17/1-T (10 December 1998)
Prosecutor v Blagoje Simić, Milan Simić, Miroslav Tadić, Stevan Todorović and Simo Zarić (Trial Chamber ex parte confidential decision on the prosecution motion under Rule 73 for a ruling concerning the testimony of a witness) IT-95-9 (27 July 1999)
Prosecutor v Blagoje Simić, Milan Simić, Miroslav Tadić, Stevan Todorović and Simo Zarić (Trial Chamber ex parte and confidential separate opinion of Judge David Hunt on prosecutor's motion for a ruling concerning the testimony of a witness) IT-95-9 (27 July 1999)

Prosecutor v Blagoje Simić, Miroslav Tadić and Simo Zarić (Trial Chamber judgment) IT-95-9-T (17 October 2003)
Prosecutor v Dario Kordić and Mario Čerkez (Appeals Chamber judgment) IT-95-14/2-A (17 December 2004)
Prosecutor v Dragoljub Kunarac, Radomir Kovač and Zoran Vuković (Trial Chamber judgment) IT-96-23-T & IT-96-23/1-T (22 February 2001)
Prosecutor v Duško Tadić (Appeals Chamber judgment), IT-94-1-A (15 July 1999)
Prosecutor v Duško Tadić aka 'Dule' (Decision on the defence motion for interlocutory appeal on jurisdiction) IT-94-1 (2 October 1995)
Prosecutor v Milorad Knrojelac (Appeals Chamber judgment) IT-97-25-A (17 September 2003)
Prosecutor v Pavle Strugar, Miodrag Jokic and others (Trial Chamber decision on defence preliminary motion challenging jurisdiction) IT-01-42-PT (7 June 2002)
Prosecutor v Radislav Krstić (Trial Chamber judgment) IT-98-33-T (2 August 2001)
Prosecutor v Stanislav Galić (Appeals Chamber judgment) IT-98-29-A (30 November 2006)
Prosecutor v Stanislav Galić (Trial Chamber judgment) IT-98-29-T (5 December 2003)
Prosecutor v Thomir Blaskic, (Appeals Chamber judgment) IT-95-14-A (29 July 2004)
Prosecutor v Zejnil Delalic, Zdravko Mucic (aka "Pavo"), Hazim Delic and Esad Landž (aka "Zenga") (Appeals Chamber judgment) IT-96-21-A (20 February 2001)
Prosecutor v Zoran Kupreškić, Mirjan Kupreškić, Vlatko Kupreškić, Drago Josipović, Dragan Papić, Vladimir Šantić, also known as "Vlado" (Trial Chamber judgment) IT-95-16-T (14 January 2000)

International Tribunal for the Law of the Sea

M/V 'Saiga' (No. 2) (Saint Vincent and the Grenadines v Guinea) (Judgment of 1 July 1999) ITLOS Reports 1999

Court of Justice of the European Union

CJEU, *Adeneler and others,* case C-212/04, judgment of 4 July 2006, ECLI:EU:C:2006:443
CJEU, *Agrokonsulting-04,* case C-93/12, judgment of 27 June 2013, ECLI:EU:C:2013:432
CJEU, *Åkerberg Fransson*, case C-617/10, judgment of 26 February 2013, ECLI:EU:C:2013:105
CJEU, *Asociația Accept,* case C-81/12, judgment of 25 April 2013, ECLI:EU:C:2013:275
CJEU, *Associação Sindical dos Juízes Portugueses*, case C-64/16, judgment of 27 February 2018, ECLI:EU:C:2018:117
CJEU, *Azienda Agro-Zootecnica Franchini Sarl and Eolica di Altamura Srl,* case C-2/10, judgment of 21 July 2011, ECLI:EU:C:2011:502
CJEU, *Berlusconi,* joined cases C-387/02, C-391/02 and C-403/02, judgment of 3 May 2005, ECLI:EU:C:2005:270
CJEU, *Boehringer Ingelheim,* case C-348/04, judgment of 26 April 2007, ECLI:EU:C:2007:249
CJEU, *Boudjlida*, case C-249/13, judgment of 11 December 2014, ECLI:EU:C:2014:2431
CJEU, *Brasserie du Pêcheur*, joined cases C-46/93 and C-48/93, judgment of 5 March 1996, ECLI:EU:C:1996:79
CJEU, *Casati*, case C-203/80, judgment of 11 November 1981, ECLI:EU:C:1981:261
CJEU, *Cassis de Dijon,* case C-120/78, judgment of 20 February 1979, ECLI:EU:C:1979:42
CJEU, *Chmielewski,* case C-255/14, judgment of 16 July 2015, ECLI:EU:C:2015:475
CJEU, *Commission v Austria,* case C-194/01, judgment of 29 April 2004, ECLI:EU:C:2004:248
CJEU, *Commission v Belgium,* case C-415/01, judgment of 27 February 2003, ECLI:EU:C:2003:118
CJEU, *Commission v Belgium*, case C-422/05, judgment of 14 June 2007, ECLI:EU:C:2007:342
CJEU, *Commission v Belgium*, case C-475/08, judgment of 3 December 2009, ECLI:EU:C:2009:751
CJEU, *Commission v France,* case C-177/04, judgment of 14 March 2006, ECLI:EU:C:2006:173
CJEU, *Commission v France,* case C-225/97, judgment of 19 May 1999, ECLI:EU:C:1999:252
CJEU, *Commission v France,* case C-233/00, judgment of 26 June 2003, ECLI:EU:C:2003:371
CJEU, *Commission v France*, case C-296/01, judgment of 20 November 2003, ECLI:EU:C:2003:626
CJEU, *Commission v Germany,* case C-131/88, judgment 28 February 1991, ECLI:EU:C:1991:87

CJEU, *Commission v Germany*, case C-29/84, judgment of 23 May 1985, ECLI:EU:C:1985:229
CJEU, *Commission v Germany*, case C-441/02, judgment of 27 April 2006, ECLI:EU:C:2006:253
CJEU, *Commission v Germany,* case C-59/89, judgment 30 May 1991, ECLI:EU:C:1991:225
CJEU, *Commission v Greece*, case C-210/91, judgment of 16 December 1992, ECLI:EU:C:1992:525
CJEU, *Commission v Greece,* case C-274/05, judgment of 23 October 2008, ECLI:EU:C:2008:585
CJEU, *Commission v Greece*, case C-311/95, judgment of 2 May 1996, ECLI:EU:C:1996:189
CJEU, *Commission v Greece*, case C-68/88, judgment of 21 September 1989, ECLI:EU:C:1989:339
CJEU, *Commission v Greece*, case C-81/07, judgment of 13 March 2008, ECLI:EU:C:2008:172
CJEU, *Commission v Ireland,* case C-236/91, judgment of 17 November 1992, ECLI:EU:C:1992:444
CJEU, *Commission v Ireland*, case C-381/92, judgment of 26 January 1994, ECLI:EU:C:1994:22
CJEU, *Commission v Ireland*, case C-427/07, judgment of 16 July 2009, ECLI:EU:C:2009:457
CJEU, *Commission v Ireland,* case C-455/08, judgment of 23 December 2009, ECLI:EU:C:2009:809
CJEU, *Commission v Ireland*, case C-50/09, judgment of 3 March 2011, ECLI:EU:C:2011:109
CJEU, *Commission v Italy,* case C-159/99, judgment of 17 May 2001, ECLI:EU:C:2001:278
CJEU, *Commission v Italy,* case C-168/85, judgment of 15 October 1986, ECLI:EU:C:1986:381
CJEU, *Commission v Italy*, case C-207/96, judgment of 4 December 1997, ECLI:EU:C:1997:583
CJEU, *Commission v Italy,* case C-315/98, judgment of 11 November 1999, ECLI:EU:C:1999:551
CJEU, *Commission v Italy*, case C-316/96, judgment of 16 December 1997, ECLI:EU:C:1997:614
CJEU, *Commission v Italy*, case C-363/85, judgment of 9 April 1987, ECLI:EU:C:1987:196
CJEU, *Commission v Italy,* case C-456/03, judgment of 16 June 2005, ECLI:EU:C:2005:388
CJEU, *Commission v Italy,* case C-82/06, judgment of 14 June 2007, ECLI:EU:C:2007:349
CJEU, *Commission v Luxembourg*, case C-32/05, judgment of 30 November 2006, ECLI:EU:C:2006:749
CJEU, *Commission v Poland,* case C-281/11, judgment of 19 December 2013, ECLI:EU:C:2013:855
CJEU, *Commission v Poland,* case C-29/14, judgment of 11 June 2015, ECLI:EU:C:2015:379
CJEU, *Commission v Portugal,* case C-277/13, judgment of 11 September 2014, ECLI:EU:C:2014:2208
CJEU, *Commission v Portugal,* case C-392/99, judgment of 10 April 2003, ECLI:EU:C:2003:216
CJEU, *Commission v Portugal,* case C-61/05, judgment of 13 July 2006, ECLI:EU:C:2006:467
CJEU, *Commission v Portugal,* case C-72/02, judgment of 24 June 2003, ECLI:EU:C:2003:369
CJEU, *Commission v Spain,* case C-151/12, judgment of 24 October 2013, ECLI:EU:C:2013:690
CJEU, *Commission v Spain*, case C-242/94, judgment of 12 October 1995, ECLI:EU:C:1995:317
CJEU, *Commission v United Kingdom*, case C-466/98, Opinion of Advocate General Tizzano of 31 January 2002, ECLI:EU:C:2002:63
CJEU, *Costa v ENEL,* case 6/64, judgment of 15 July 1964, ECLI:EU:C:1964:66
CJEU, *Crispoltoni,* joined cases C-133/93, C300/93 and C362/93, judgment of 5 October 1990, ECLI:EU:C:1994:364
CJEU, *Danske Svineproducenter,* case C-316/10, judgment of 21 December 2011, ECLI:EU:C:2011:863
CJEU, *Deutsche Telekom,* case C-262/06, judgment of 22 November 2007, ECLI:EU:C:2007:703
CJEU, *Dillenkofer,* joined cases C-178/94, C-179/94, C-188/94, C-189/94 and C-190/94, judgment of 8 October 1996, ECLI:EU:C:1996:375
CJEU, *Ecotrade,* joined cases C-95/07 and C96/07, judgment of 8 May 2008, ECLI:EU:C:2008:267
CJEU, *Edis,* case C-231/96, judgment of 15 September 1998, ECLI:EU:C:1998:401
CJEU, *EMS-Bulgaria Transport,* case C-284/11, judgment of 12 July 2012, ECLI:EU:C:2012:458
CJEU, *Érsekcsanádi Mezőgazdasági*, case C-56/13, judgment of 22 May 2014, ECLI:EU:C:2014:352
CJEU, *ERTA*, case 22/70, judgment of 31 March 1971, ECLI:EU:C:1971:32
CJEU, *Federconsorzi,* case C-104/14, judgment of 26 February 2015, ECLI:EU:C:2015:125
CJEU, *Fedesa,* case C-331/88, judgment of 13 November 1990, ECLI:EU:C:1990:391
CJEU, *Francovich,* cases C-6/90 and C-9/90, judgment of 19 November 1991, ECLI:EU:C:1991:428
CJEU, *Gallotti,* joined cases C-58/95, C-75/95, C-112/95, C-119/95, C-123/95, C-135/95, C-140/95, C-141/95, C-154/95 and C-157/95, judgment of 12 September 1996, ECLI:EU:C:1996:323
CJEU, *Handlbauer*, case C-278/02, judgment of 24 June 2004, ECLI:EU:C:2004:388
CJEU, *Hauptzollambt Bremen,* case C-74/69, judgment of 18 June 1970, ECLI:EU:C:1970:58

CJEU, *Hauptzollamt Hamburg v Bollmann*, case C-40/69, judgment of 18 February 1970, ECLI:EU:C:1970:12
CJEU, *Heinrich*, case C-345/06, judgment of 10 March 2009, ECLI:EU:C:2009:140
CJEU, *Impact*, case C-268/06, judgment of 15 April 2008, ECLI:EU:C:2008:223
CJEU, *Inter-Environnement Wallonie*, case C-129/96, judgment of 18 December 1997, ECLI:EU:C:1997:628
CJEU, *Inuit Tapiriit Kanatami*, case C-583/11, judgment of 3 October 2013, ECLI:EU:C:2013:625
CJEU, *Jetair*, case C-599/12, judgment of 13 March 2014, ECLI:EU:C:2014:144
CJEU, *Johnston*, case C-222/84, judgment of 15 May 1986, ECLI:EU:C:1986:206
CJEU, *Juuri*, case C-396/07, judgment of 27 November 2008, ECLI:EU:C:2008:656
CJEU, *Kamino International Logistics BV and Datema Hellmann Worldwide Logistics*, joined cases C129/13 and C130/13, judgment of 3 July 2014, ECLI:EU:C:2014:2041
CJEU, *Kušionová*, case C-34/13, judgment of 10 September 2014, ECLI:EU:C:2014:2189
CJEU, *LCL Le Crédit Lyonnais*, case C-565/12, judgment of 27 March 2014, ECLI:EU:C:2014:190
CJEU, *Leonesio*, case C-93/71, judgment of 17 May 1972, ECLI:EU:C:1972:39
CJEU, *Mukarubega*, case C-166/13, judgment of 5 November 2014, ECLI:EU:C:2014:2336
CJEU, *Muladi*, case C-447/15, judgment of 7 July 2016, ECLI:EU:C:2016:533
CJEU, *Mulliez*, joined cases C-23/03, C-52/03, C-133/03, C-337/03 and C473/03, order of the Court of 4 May 2006, ECLI:EU:C:2006:285
CJEU, *Ntionik and Pikoulas*, case C-430/05, judgment of 5 July 2007, ECLI:EU:C:2007:410
CJEU, *Paquay*, case C-460/06, judgment of 11 October 2007, ECLI:EU:C:2007:601
CJEU, *Peterbroeck*, case C-312/93, judgment of 14 December 1995, ECLI:EU:C:1995:437
CJEU, *Pohl*, case C-429/12, judgment of 16 January 2014, ECLI:EU:C:2014:12
CJEU, *Pohotovost'*, case C-470/12, judgment of 27 February 2014, ECLI:EU:C:2014:101
CJEU, *Portgás*, case C-425/12, judgment of 12 December 2013, ECLI:EU:C:2013:829
CJEU, *Rědlihs*, case C-263/11, judgment of 19 July 2012, ECLI:EU:C:2012:497
CJEU, *Rewe*, case C-33/76, judgment of 16 December 1976, ECLI:EU:C:1976:188
CJEU, *Rosado Santana*, case C-177/10, judgment of 8 September 2011, ECLI:EU:C:2011:557
CJEU, *Royer*, case C-48/75, judgment of 8 April 1976, ECLI:EU:C:1976:57
CJEU, *Sánchez Morcillo and Abril García*, case C-169/14, judgment of 17 July 2014, ECLI:EU:C:2014:2099
CJEU, *SETAR*, case C-551/13, judgment of 18 December 2014, ECLI:EU:C:2014:2467
CJEU, *Specht*, joined cases C-501/12 to C506/12, C540/12 and C541/12, judgment of 19 June 2014, ECLI:EU:C:2014:2005
CJEU, *Starjakob*, case C-417/13, judgment of 28 January 2015, ECLI:EU:C:2015:38
CJEU, *Stichting Al-Aqsa*, joined cases C-539/10 P and C550/10, judgment of 15 November 2012, ECLI:EU:C:2012:711
CJEU, *Stichting Natuur en Milieu*, joined cases C-165/09, C-166/09 and C-167/09, judgment of 26 May 2011, ECLI:EU:C:2011:348
CJEU, *Stichting Zuid-Hollandse Milieufederatie*, case C-316/04, judgment of 10 November 2005, ECLI:EU:C:2005:678
CJEU, *Surgicare*, case C-662/13, judgment of 12 February 2015, ECLI:EU:C:2015:89
CJEU, *UNIBET*, case C-432/05, judgment of 13 March 2007, ECLI:EU:C:2007:163
CJEU, *VALE Építési*, case C-378/10, judgment of 12 July 2012, ECLI:EU:C:2012:440
CJEU, *Van Gend en Loos*, case 26/62, judgment of 5 February 1963, ECLI:EU:C:1963:1
CJEU, *Variola*, case C-34/73, judgment of 10 October 1973, ECLI:EU:C:1973:101
CJEU, *Von Colson*, case C-14/83, judgment of 10 April 1984, ECLI:EU:C:1984:153
CJEU, *W and others*, case C-621/15, judgment of 21 June 2017, ECLI:EU:C:2017:484
CJEU, *Zeman*, case C-543/12, judgment of 4 September 2014, ECLI:EU:C:2014:2143
CJEU, *Zerbone*, case C-94/77, judgment of 31 January 1978, ECLI:EU:C:1978:17

European Court of Human Rights

A., B. & C. v Ireland (App no 25579/05) ECHR 2010-VI 185
A.D.T. v the United Kindom (App no 35765/97) ECHR 2000-IX 295

Airey v Ireland (App no 6289/73) ECHR 9 October 1979
Al-Adsani v the United Kingdom (App no 35763/97) ECHR 2001-XI 79
Anna Todorova v Bulgaria (App no 23302/03) ECHR 24 May 2011
Association Ekin v France (App no 39288/98) ECHR 2001-VIII 323
Aydin v Turkey (App no 23178/94) ECHR 25 September 1997
Bajić v Croatia (App no 41108/10) ECHR 13 November 2012
Başkaya and Okçuoğlu v Turkey (App no 23536/94 and 24408/94) ECHR 1999-IV 261
Beian v Romania (no. 1) (App no 30658/05) ECHR 2007-V 193
Brincat and others v Malta (App no 60908/11, 62110/11, 62129/11, 62312/11 and 62338/11) ECHR 24 July 2014
Brumărescu v Romania (App no 28342/95) ECHR 1999-VII 201
Budayeva and others v Russia (App no 15339/02, 21166/02, 20058/02, 11673/02 and 15343/02) ECHR 20 March 2008
C.N. and V. v France (App no 67724/09) ECHR 11 October 2012
Cantoni v France (App no 17862/91) ECHR 11 November 1996
Centro Europa 7 S.R.L. and Di Stefano v Italy (App no 38433/09) ECHR 2012-III 339
Chauvy and Others v France (App no, judgment of 29 June 2004
Christine Goodwin v the United Kingdom (App no 28957/95) ECHR 2002-VI 1
Ciobanu v Moldova (App no 62578/09) ECHR 24 February 2015
Couderc and Hachette Filipacchi Associés v France (App no 40454/07) ECHR 14 June 2007
De Tommaso v Italy (App no 43395/09) ECHR 23 February 2017
Delfi AS v Estonia (App no 64569/09) ECHR 16 June 2015
Demir & Baykara v Turkey (App no 34503/97) ECHR 2008-V 395
Eremia v the Republic of Moldova (App no 3564/11) ECHR 28 May 2013
Fabris v France (App no 16574/08) ECHR 2013-I 425
Fanziyeva v Russia (App no 41675/08) ECHR 18 June 2015
Gáll v Hungary (App no 49570/11) ECHR 25 June 2013
Ghimp and others v Moldova (App no 32520/09) ECHR 30 October 2012
Grigoriades v Greece (App no 24348/94) ECHR 25 November 1997
Groppera Radio AG and others v Switzerland (App no 10890/84) ECHR 28 March 1990
Guiliano and Gaggio v Italy (App no 23458/02) ECHR 2011-II 275
July and SARL Libération v France (App no 20893/03) ECHR 14 February 2008
Kazakov v Russia (App no 1758/02) ECHR 18 December 2008
Koretskyy and others v Ukraine (App no 40269/02) ECHR 3 April 2008
Kudra v Croatia (App no 13904/07) ECHR 18 December 2012
L.C.B. v the United Kingdom (App no 23413/94) ECHR 9 June 1998
Lobanov v Russia (App no 16159/03) ECHR 16 October 2008
Marckx v Belgium (App no 6833/74) (1979) Series A no 31
McCann and others v the United Kingdom (App no 18984/91) (1995) Series A no 324
Modinos v Cyprus (App no 15070/89) (1993) Series A no 259
Munjaz v the United Kingdom (App no 2913/06) ECHR 17 July 2012
N.K.M. v Hungary (App no 66529/11) ECHR 14 May 2013
Öneryildiz v Turkey (App no 48939/99) ECHR 2004-XII 79
Opuz v Turkey (App no 33401/02) ECHR 2009-III 107
Osmanoğlu v Turkey (App no 48804/99) ECHR 24 January 2008
Ostendorf v Germany (App no 15598/08) ECHR 7 March 2013
Piroğlu and Karakaya v Turkey (App no 36370/02 and 37581/02) ECHR 18 March 2008
R.Sz. v Hungary (App no 41838/11) ECHR 2 July 2013
Rantsev v Cyprus and Russia (App no 25965/04) ECHR 2010-I 65
Rotaru v Romania (App no 28341/95) ECHR 2000-V 109
S.A.S. v France (43835/11) ECHR 2014-III 341
S.B. v Romania (App no 24453/04) ECHR 23 September 2014
Sanoma Uitgevers B.V. v the Netherlands (App no 38224/03) ECHR 14 September 2010
Sari and Çolak v Turkey (App no 42596/98) ECHR 2006-V 295
Siliadin v France (App no 73316/01) ECHR 2005-VII 333

Silver and others v the United Kingdom (App no 5947/72, 6205/73, 7052/75, 7061/75, 7107/75, 7113/75, 7136/75) ECHR 25 March 1983
Siryk v Ukraine (App no 6428/07) ECHR 31 March 2011
Soering v the United Kingdom (App no 14038/88) Series A no 161
Špaček s.r.o. v Czech Republic (App no 26449/95) ECHR 9 November 1999
Stanev v Bulgaria (App no 36760/06) ECHR 2012-I 81
Storck v Germany (App no 61603/00) ECHR 2005-V 111
Sunday Times v the United Kingdom (App no 6538/74) ECHR 26 April 1979
Svyato-Mykhaylivska Parafiya v Ukraine (App no 77703/01) ECHR 14 June 2007
Tolstoy Miloslavsky v the United Kingdom (App no 18139/91) ECHR 13 July 1995
Tyrer v the United Kingdom (App no 5856/72) (1978) Series A no 26
Uçar v Turkey (App no 52392/99) ECHR 11 April 2006
Varvara v Italy (App no 17475/09) ECHR 29 October 2013
Vo v France (App no 53924/00) ECHR 2004-VIII 67
Wille v Liechtenstein (App no 28396/95) ECHR 1999-VII 279
Zubkova v Ukraine (App no 36660/08) ECHR 17 October 2013

Documents of international organisations and affiliated bodies

United Nations Security Council

UNSC Res 1373 (28 September 2001) UN Doc S/RES/1373
UNSC Res 1540 (28 April 2004) UN Doc S/RES/1540
UNSC Res 670 (25 September 1990) UN Doc S/RES/670
UNSC Res 661 (6 August 1990) UN Doc S/RES/661

United Nations General Assembly

UNGA, 'Measures to eliminate international terrorism. Report of the Working Group' (26 October 1999) UN Doc A/C.6/54/L.2
UNGA, 'Measures to eliminate international terrorism. Report of the Sixth Committee' (10 December 1999) UN Doc A/54/615
UNGA, 'Report of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organised Crime on the work of its first to eleventh sessions, Addendum, Interpretative notes for the official records (travaux préparatoires) of the negotiation of the United Nations Convention against Transnational Organised Crime and the Protocols thereto' (3 November 2000) UN Doc A/55/383/Add1
UNGA, 'Report of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organised Crime on its Tenth Session, held in Vienna from 17 to 28 July 2000 (11 September 2000) UN Doc A/AC.254/34
UNGA res 57 (11 December 1946)
UNGA res 174(II) (21 November 1947)
UNGA res 217(III)A (10 December 1948)
UNGA res 51/210 (17 December 1996) UN Doc A/RES/51/210
UNGA res 53/111 (9 December 1998) UN Doc A/RES/53/111
UNGA res 53/108 (26 January 1999) UN Doc A/RES/53/108
UNGA res 54/109 (25 February 2000) UN Doc A/Res/54/109
UNGA res 55/25 (15 November 2000) UN Doc A/RES/55/25
UNGA res 55/255 (31 May 2001) UN Doc A/RES/55/255

Committee on Economic, Social and Cultural Rights

CESCR, 'General Comment no. 3: the nature of states parties' obligations (art. 2, Para 1, of the Covenant)' (14 December 1990) UN Doc E/1991/3
CESCR, 'General Comment no. 9: the domestic application of the Covenant' (3 December 1998) UN Doc E/C.12/1998/24

CESCR, 'General Comment no. 12: the right to adequate food (art. 11)' (12 May 1999) UN Doc E/C.12/1999/5
CESCR, 'General Comment no. 14: The right to the highest attainable standard of health (article 12 of the International Covenant on Economic, Social and Cultural Rights)' (11 August 2000) UN Doc E/C.12/2000/4
CESCR, 'General Comment no. 15: the right to water (arts. 11 and 12 of the International Covenant on Economic, Social and Cultural Rights)' (20 January 2003) UN Doc E/C.12/2002/11
CESCR, 'General Comment no. 16: the equal right of men and women to the enjoyment of all economic, social and cultural rights (article 3 of the International Covenant on Economic, Social and Cultural Rights)' (11 August 2005) UN Doc E/C.12/2005/4
CESCR, 'General Comment no. 17: The right of everyone to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he or she is the author (article 15, paragraph 1 (c), of the Covenant)' (12 January 2006) UN Doc E/C.12/GC/17
CESCR, 'General Comment no. 18: article 6 of the International Covenant on Economic, Social and Cultural Rights' (6 February 2006) UN Doc E/C.12/GC/18
CESCR, 'General Comment no. 19: the right to social security (art. 9)' (4 February 2008) UN Doc E/C.12/GC/19
CESCR, 'General Comment no. 20: non-discrimination in economic, social and cultural rights (art. 2, para. 2, of the International Covenant on Economic, Social and Cultural Rights)' (2 July 2009) UN Doc E/C.12/GC/20
CESCR, 'General Comment no. 21: the right of everyone to take part in cultural life (art. 15, para. 1 (a) of the International Covenant on Economic, Social and Cultural Rights)' (21 December 2009) UN Doc E/C.12/GC/21
CESCR, 'General Comment no. 22 on the right to sexual and reproductive health (article 12 of the International Covenant on Economic, Social and Cultural Rights)' (2 May 2016) UN Doc E/C.12/GC/22
CESCR, 'General Comment no. 23 on the right to just and favourable conditions of work (article 7 of the International Covenant on Economic, Social and Cultural Rights)' (27 April 2016) UN Doc E/C.12/GC/23)
CESCR, Concluding observations concerning the fourth periodic report of Belgium (29 November 2013) UN Doc E/C.12/BEL/CO/4
CESCR, Concluding observations on the combined fifth and sixth periodic reports of the Philippines (7 October 2016) UN Doc E/C.12/PHL/CO/5-6
CESCR, Concluding observations on the combined fifth and sixth periodic reports of the Philippines (7 October 2016) UN Doc E/C.12/PHL/CO/5-6
CESCR, Concluding observations on the combined initial and second periodic reports of Thailand (19 June 2015) UN Doc E/C.12/THA/CO/1-2
CESCR, Concluding observations on the combined second and third periodic reports of Liechtenstein (23 June 2017) UN Doc E/C.12/LIE/CO/2-3
CESCR, Concluding observations on the combined second and third periodic reports of Liechtenstein (23 June 2017) UN Doc E/C.12/LIE/CO/2-3
CESCR, Concluding observations on the combined second to fifth periodic reports of Kenya (4 March 2016) UN Doc E/C.12/KEN/CO/2-5
CESCR, Concluding observations on the fifth periodic report of Costa Rica (7 October 2016) UN Doc E/C.12/CRI/CO/5
CESCR, Concluding observations on the fifth periodic report of Sri Lanka (23 June 2017) UN Doc E/C.12/LKA/CO/5
CESCR, Concluding observations on the fifth report of Australia (23 June 2017) UN Doc E/C.12/AUS/CO/5
CESCR, Concluding observations on the fifth report of Australia (23 June 2017) UN Doc E/C.12/AUS/CO/5
CESCR, Concluding observations on the fourth periodic report of Chile (19 June 2015) UN Doc E/C.12/CHL/CO/4
CESCR, Concluding observations on the fourth periodic report of Morocco (8 October 2015) UN Doc E/C.12/MAR/CO/4

CESCR, Concluding observations on the fourth periodic report of the Dominican Republic (7 October 2016) E/C.12/DOM/CO/4
CESCR, Concluding observations on the fourth periodic report of the Dominican Republic (7 October 2016) E/C.12/DOM/CO/4
CESCR, Concluding observations on the initial report of Burundi (9 October 2015) UN Doc E/C.12/BDI/CO/1
CESCR, Concluding observations on the initial report of Burundi (9 October 2015) UN Doc E/C.12/BDI/CO/1
CESCR, Concluding observations on the initial report of Burundi (9 October 2015) UN Doc E/C.12/BDI/CO/1
CESCR, Concluding observations on the initial report of Gabon (29 November 2013) UN Doc E/C.12/GAB/CO/1
CESCR, Concluding observations on the initial report of Indonesia (23 May 2014) UN Doc E/C.12/IDN/CO/1
CESCR, Concluding observations on the initial report of Indonesia (23 May 2014) UN Doc E/C.12/IDN/CO/1
CESCR, Concluding observations on the initial report of Pakistan (23 June 2017) UN Doc E/C.12/PAK/CO/1
CESCR, Concluding observations on the initial report of Togo (17 May 2013) UN Doc E/C.12/TGO/CO/1
CESCR, Concluding observations on the second periodic report of China, including Hong Kong, China, and Macao, China (23 May 2014) UN Doc E/C.12/CHN/CO/2
CESCR, Concluding observations on the second periodic report of China, including Hong Kong, China, and Macao, China (23 May 2014) UN Doc E/C.12/CHN/CO/2
CESCR, Concluding observations on the second periodic report of Greece (9 October 2015) UN Doc E/C.12/GRC/CO/2
CESCR, Concluding observations on the second periodic report of Honduras (24 June 2016) E/C.12/HND/CO/2
CESCR, Concluding observations on the second periodic report of Honduras (24 June 2016) E/C.12/HND/CO/2
CESCR, Concluding observations on the second periodic report of Honduras (24 June 2016) E/C.12/HND/CO/2
CESCR, Concluding observations on the second periodic report of Kuwait (29 November 2013) UN Doc E/C.12/KWT/CO/2
CESCR, Concluding observations on the second periodic report of Lebanon (7 October 2016) UN Doc E/C.12/LBN/CO/2
CESCR, Concluding observations on the second periodic report of the Sudan (9 October 2015) UN Doc E/C.12/SDN/CO/2
CESCR, Concluding observations on the second periodic report of the Islamic Republic of Iran, adopted by the Committee at its fiftieth session (29 April-17 May 2013) (17 May 2013) UN Doc E/C.12/IRN/CO/2
CESCR, Concluding observations on the sixth periodic report of Canada (4 March 2016) UN Doc E/C.12/CAN/CO/6
CESCR, Concluding observations on the sixth periodic report of Canada (4 March 2016) UN Doc E/C.12/CAN/CO/6
CESCR, Concluding observations on the sixth periodic report of Canada (4 March 2016) UN Doc E/C.12/CAN/CO/6
CESCR, Concluding observations on the sixth periodic report of Colombia (6 October 2017) UN Doc E/C.12/COL/CO/6
CESCR, Concluding observations on the sixth periodic report of Colombia (6 October 2017) UN Doc E/C.12/COL/CO/6
CESCR, Concluding observations on the sixth periodic report of Cyprus (7 October 2016) UN Doc E/C.12/CYP/CO/6
CESCR, Concluding observations on the sixth periodic report of Poland (7 October 2016) UN Doc E/C.12/POL/CO/6

CESCR, Concluding observations on the sixth periodic report of Poland (7 October 2016) UN Doc E/C.12/POL/CO/6
CESCR, Concluding observations on the sixth periodic report of Sweden (24 June 2016) E/C.12/SWE/CO/6
CESCR, Concluding observations on the sixth periodic report of the Russian Federation (6 October 2017) UN Doc E/C.12/RUS/CO/6
CESCR, Concluding observations on the third periodic report of Ireland (19 June 2015) UN Doc E/C.12/IRL/CO/3
CESCR, Concluding observations on the third periodic report of the Republic of Moldova (6 October 2017) UN Doc E/C.12/MDA/CO/3
CESCR, Consideration of reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (18 November 2009) UN Doc E/C.12/TCD/CO/3
CESCR, Consideration of reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (29 August 2001) UN Doc E/C.12/1/Add.66
CESCR, Consideration of reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (16 May 2007) UN Doc E/C.12/NPL/CO/2
CESCR, Consideration of reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (18 May 2012) UN Doc E/C.12/SVK/CO/2
CESCR, Consideration of reports submitted by states parties under articles 16 and 17 of the Covenant (14 May 2004) UN Doc E/C.12/1/Add.97
CESCR, Consideration of reports submitted by states parties under articles 16 and 17 of the Covenant (28 November 2003) UN Doc E/C.12/1/Add.94
CESCR, Consideration of reports submitted by states parties under articles 16 and 17 of the Covenant (20 May 2010) UN Doc E/C.12/KAZ/CO/1
CESCR, Views of the Committee on Economic, Social and Cultural Rights under the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (fifty-fifth session) concerning Communication No. 2/2014 (17 June 2015) UN Doc E/C.12/55/D/2/2014

International Law Commission

ILC, 'Report of the International Law Commission on the Work of its Fifty-Third Session (23 April–1 June and 2 July–10 August 2001)' UN Doc A/56/10
ILC, 'Report of the International Law Commission on the Work of its First Session' (12 April-9 June 1949) UN Doc A/CN.4/13 and Corr. 1-3

World Health Organisation

Conference of the Parties to the WHO Framework Convention on Tobacco Control, 'Protocol to Eliminate Illicit Traffic in Tobacco Products' Decision FCTC/COP5(1) (12 November 2012) <http://apps.who.int/gb/fctc/PDF/cop5/FCTC_COP5(1)-en.pdf>
WHO (Resolution of the World Health Assembly), 'An international strategy for tobacco control' (12 May 1995) WHA 48.11
WHO (Resolution of the World Health Assembly), 'Health consequences of smoking' (19 May 1970) WHA 23.32
WHO (Resolution of the World Health Assembly), 'Revision of the International Health Regulations' (23 May 2005) WHA 58.3
WHO (Resolution of the World Health Assembly), 'Towards a WHO framework convention on tobacco control' (24 May 1999) WHA 52.18
WHO (Resolution of the World Health Assembly), 'WHO Framework Convention on Tobacco Control' (21 May 2003) WHA56.1
WHO, 'International Health Regulations (2005). A brief introduction to implementation in national legislation' (World Health Organisation, Geneva 2009) WHO/HSE/IHR/2009.2 <http://www.who.int/ihr/Intro_legislative_implementation.pdf>

WHO, 'International Health Regulations (2005). Toolkit for implementation in national legislation. Questions and answers, legislative reference and assessment tool and examples of national legislation' (World Health Organisation, Geneva 2009) WHO/HSE/IHR/2009.3 <http://www.who.int/ihr/Toolkit_Legislative_Implementation.pdf?ua=1>

WHO, *WHO Framework Convention on Tobacco Control. Guidelines for implementation* (World Health Organisation, Geneva 2013) <http://apps.who.int/iris/bitstream/10665/80510/1/9789241505185_eng.pdf>

WHO, 'Revision of the International Health Regulations. Report by the Secretariat' (24 March 2003) A 56/25

International Labour Organisation

General Conference of the International Labour Organisation, 'Declaration concerning the aims and purposes of the International Labour Organisation (Declaration of Philadelphia)' (26th session 10 May 1944)

ILO Recommendation R201: Recommendation concerning Decent Work for Domestic Workers (100th Conference session Geneva 16 June 2011)

ILO, 'Explanatory note to the regulations and the code of the Maritime Labour Convention' <http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:91:0::::P91_SECTION:MLCA_AMEND_N1>

International Labour Conference, 'Adoption of an instrument to consolidate maritime labour standards' Report I (1a) (94th session 7-23 February 2006)

Other United Nations or affiliated bodies

'Report of the United Nations Conference on the Human Environment' (Stockholm 5-16 June 1972) UN Doc A/CONF.48/14/Rev.1

Ad Hoc Committee on the Elaboration of a Convention against Transnational Organised Crime, 'Draft United Nations Convention against Transnational Organised Crime' (1st session, Vienna, 19-29 January 1999) (15 December 1998) UN Doc A/AC.254/4

Ad Hoc Committee on the Elaboration of a Convention against Transnational Organised Crime, 'Proposals and contributions received from governments' (1st session, Vienna, 19-29 January 1999) (19 December 1998) UN Doc A/AC.254/5

Conference of the Parties to the Convention on the International Trade in Endangered Species, 'Compliance and Enforcement', Resolution Conf. 11.3 (April 2000) <https://www.cites.org/eng/res/index.php>

Conference of the Parties to the Convention on the International Trade in Endangered Species, 'CITES Strategic Vision 2008-2020', Resolution Conf. 16.3 (March 2013) <https://www.cites.org/eng/res/index.php>

Conference of the Parties to the Convention on the International Trade in Endangered Species, 'National laws for implementation of the Convention' Resolution Conf. 8.4 (March 1992) <https://www.cites.org/eng/res/index.php>

ECOSOC, 'Review of the composition, organisation and administrative arrangements of the Sessional Working Group of Governmental Experts on the implementation of the International Covenant on Economic, Social and Cultural Rights' Res 1985/17 (28 May 1985) UN Doc E/RES/1985/17

International Civil Aviation Organisation, *Safety oversight manual part B: Establishment and management of a Regional Safety Oversight Organisation* (2nd edn International Civil Aviation Organisation, Montréal 2011)

UN Commission on Human Rights, 'Note verbale dated 5 December 1986 from the Permanent Mission of the Netherlands to the United Nations Office at Geneva addressed to the Centre for Human Rights ("Limburg Principles")' (8 January 1987) UN Doc E/CN.4/1987/17

UN Human Rights Committee, 'General Comment no. 31: the nature of the legal general obligation imposed on states parties to the Covenant' (26 May 2004) UN Doc CCPR/C/21/Rev.1/Add.13

UN Human Rights Council, 'Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie' (21 March 2011) UN Doc A/HRC/17/31
UN Office on Drugs and Crime, *Legislative Guides for the implementation of the United Nations Convention against Transnational Organised Crime and the Protocols Thereto* (United Nations, New York 2004)
UN Office on Drugs and Crime, *Travaux préparatoires of the negotiations for the elaboration of the United Nations Convention against Transnational Organised Crime and the Protocols thereto* (United Nations, New York 2006)
United Nations Environmental Programme (Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention), 'Manual for the implementation of the Basel Convention' (24 June 2015) UN Doc UNEP/CHW.12/9/Add.4/Rev.1
United Nations Environmental Programme, 'Amendment to the Basel Convention' (Decision III/1 of the Conference of the Parties to the Basel Convention, 3rd Meeting, 18-22 September 1995) (28 november 1995) UN Doc UNEP/CHW.3/35
World Meteorological Organization, *Technical regulations,* I, *General meteorological standards and recommended practices* (WMO-no. 49, Geneva 2015)

Organisation for Economic Co-operation and Development

OECD, 'Guiding principles for regulatory quality and performance' (OECD, Paris 2005) <http://www.oecd.org/fr/reformereg/34976533.pdf>
OECD, 'Integrated checklist on regulatory reform. A policy instrument for regulatory quality, competition policy and market openness' (OECD, Paris 2005) <http://www.oecd.org/regreform/34989455.pdf>
OECD, 'Recommendation of the Council of the OECD on Improving the Quality of Government Regulation' (9 March 1995) C(95)21/final < http://www.oecd.org/regreform/>
OECD, 'Recommendation of the Council on Regulatory Policy and Governance' (22 March 2012) <http://www.oecd.org/governance/regulatory-policy/49990817.pdf>
OECD, 'The OECD Report on regulatory reform. Synthesis' (OECD, Paris 1997) <http://www.oecd.org/gov/regulatory-policy/2391768.pdf>
OECD, *Regulatory enforcement and inspections* (OECD Best practice principles for regulatory policy, OECD Publishing, Paris 2014) <http://dx.doi.org/10.1787/9789264208117-en>
OECD, *The governance of regulators* (OECD Best practice principles for regulatory policy, OECD Publishing, Paris 2014) < http://dx.doi.org/10.1787/9789264209015-en>

Other international organisations

Council of Europe, *Guide to good practice in respect of domestic remedies* (Council of Europe, Strasbourg 2013)
Council of Europe, 'Explanatory report to the Anti-Doping Convention' (16 September 1989) <https://rm.coe.int/16800cb349>
International Monetary Fund, *Suppressing the Financing of Terrorism. A handbook for legislative drafting* (International Monetary Fund, Washington 2003) <https://www.imf.org/external/pubs/nft/2003/SFTH/pdf/SFTH.pdf>

European Union legislation

Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ 2000, L 303)
Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment (OJ 1985, L 175)
Council Directive 89/665/EEC of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts (OJ 1989, L 395)

Council Directive 90/313/EEC of 7 June 1990 on the freedom of access to information on the environment (OJ 1990, L 158)
Council Directive 91/477 of 18 June 1991 on control of the acquisition and possession of weapons as amended by Directive 2008/51/EC of the European Parliament and of the Council of 21 May 2008 (OJ 1991, L 256)
Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ 1993, L 95)
Directive 1999/44/EC of the European Parliament and of the Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees (OJ 1999, L 171)
Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC (OJ 2008, L 133)
Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (OJ 2010, L 153)
Directive 2014/60/EU of the European Parliament and of the Council of 15 May 2014 on the return of cultural objects unlawfully removed from the territory of a Member State and amending Regulation (EU) No 1024/2012 (OJ 2014, L 159)
Directive 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision on information in the field of technical regulations and of rules on information society services (codification) (OJ 2015, L 241)
Interinstitutional agreement of 13 April 2016 between the European Parliament, the Council of the European Union and the European Commission on better law-making (OJ 2016, L 123)
Interinstitutional agreement of 16 December 2003 of the European Parliament, the Council of the European Union and the Commission of the European Communities on better law-making (OJ 2003, C321)
Interinstitutional agreement of 22 December 1998 of the European Parliament, the Council of the European Union and the Commission of the European Communities on common guidelines for the quality of drafting of Community legislation (OJ 1999, C73)
Regulation 536/2014/EU of the European Parliament and of the Council of 16 April 2014 on clinical trials on medicinal products for human use, and repealing Directive 2001/20/EC (OJ 2014, L 158)
Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes – Common system of value added tax: uniform basis of assessment (OJ 1977, L 145)

Other European Union documents

EU (European Commission), 'A strategic review of better regulation in the European Union', Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions (14 November 2006) COM (2006) 689
EU (European Commission), 'Better regulation for better results- an EU agenda', Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions (19 May 2015) COM (2015) 215
EU (European Commission), 'Better regulation for growth and jobs in the European Union', Communication from the Commission to the Council and the European Parliament (16 March 2005) COM (2005) 97
EU (European Commission), 'Better regulation guidelines', Commission staf working document (19 May 2015) SWD (2015) 111
EU (European Commission), 'Better regulation: Delivering better results for a stronger Union', Communication from the Commission to the European Parliament, the European Council and the Council (14 September 2016) COM (2016) 615
EU (European Commission), 'Smart regulation in the European Union', Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions (8 October 2010) COM (2010) 543

EU, *Joint Practical Guide of the European Parliament, the Council and the Commission for persons involved in the drafting of European Union legislation* (Publications Office of the European Union, Luxembourg 2015)
High Level Group on the Operation of the Internal Market, presided over by P. Sutherland, 'The internal market after 1992. Meeting the challenge' (report to the EEC Commission) (28 October 1992) <http://aei.pitt.edu/1025/1/Market_post_1992_Sutherland_1.pdf>

National legislation and case-law

Basic Law for the Federal Republic of Germany 1949 <https://www.bundesregierung.de/Content/EN/StatischeSeiten/breg/basic-law-content-list.html>
Constitution of the Kingdom of the Netherlands 2008 (Ministry of the Interior and Kingdom Relations, Constitutional Affairs and Legislation Division 2008) <https://www.government.nl/binaries/government/documents/regulations/2012/10/18/the-constitution-of-the-kingdom-of-the-netherlands-2008/the-constitution-of-the-kingdom-of-the-netherlands-2008.pdf>
Constitution of the Republic of Ireland 2015 (The Stationery Office, Dublin 2015) <https://www.taoiseach.gov.ie/eng/Historical_Information/The_Constitution/February_2015_-_Constitution_of_Ireland_.pdf>
Constitution of the Republic of South Africa 1996 <https://www.gov.za/documents/constitution-republic-south-africa-1996>
Constitution of the Republic of the Union of Myanmar 2008 (Ministry of Information, 2008) <http://www.burmalibrary.org/docs5/Myanmar_Constitution-2008-en.pdf>
Constitution of the Republic of Uganda 1995 <http://www.statehouse.go.ug/government/constitution>>
Constitution of the United States 1787 <https://www.senate.gov/civics/constitution_item/constitution.htm>
Hoge Raad, 30 May 1986, NJ 1986, 688 (Spoorwegstaking)
Human Rights Act 1998 <https://www.legislation.gov.uk/ukpga/1998/42/contents>
Rijkswet van 7 juli 1994, houdende regeling betreffende de goedkeuring en bekendmaking van verdragen en de bekendmaking van besluiten van volkenrechtelijke organisaties (Rijkswet goedkeuring en bekendmaking verdragen) (*Stb*. 1994, 542)

Documents of national governments

The Netherlands

'Instructions for law-making', issued by the Prime-Minister, as amended (18 November 1992) (*Stcrt*. 1992, 230)
Minister van Justitie, 'Integraal wetgevingsbeleid' (6 October 2008) Parliamentary Papers II 2008/09, 31731, no. 1
Minister van Justitie, 'Marktwerking, deregulering en wetgevingskwaliteit' Parliamentary Papers II 1994/95, 24036, no. 1
Minister van Justitie, 'Wetgevingskwaliteitsbeleid en wetgevingsvisitatie' (6 November 2000) Parliamentary Papers II 2000/01, 27475, no. 2
Minister van Justitie, 'Zicht op wetgeving' (5 March 1991) Parliamentary Papers II 1990/91, 22008, no. 2
Ministerie van Justitie, *Handleiding Wetgeving en Europa. De voorbereiding, totstandkoming en nationale implementatie van Europese regelgeving* (Ministerie van Justitie, Den Haag 2009) <http://www.kcwj.nl> (in Dutch)

The United Kingdom

Cabinet Office, *Consultation principles: guidance* (2016) <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/492132/20160111_Consultation_principles_final.pdf>

Cabinet Office, *Guide to making legislation* (2017) <https://www.gov.uk/government/publications/guide-to-making-legislation>

HM Government, *Transposition guidance: How to implement European directives effectively* (2013). <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/229763/bis-13-775-transposition-guidance-how-to-implement-european-directives-effectively-revised.pdf>

House of Commons (Political and Constitutional Reform Committee), *Ensuring standards in the quality of legislation, vol I, Report, together with formal minutes, oral and written evidence* (1st report of session 2013-2014) (The Stationary Office, London 2013) <https://publications.parliament.uk/pa/cm201314/cmselect/cmpolcon/85/85.pdf>

Office of the Parliamentary Counsel, *Drafting guidance* (2015) <https://www.gov.uk/government/publications/drafting-bills-for-parliament>

LITERATURE

Abeyratne, R., *Convention on International Civil Aviation: A Commentary* (Springer International Publishing, Cham 2014)

Abi-Saab, G., 'The concept of sanction in international law' in: V. Gowlland-Debbas (ed), *United Nations sanctions and international law* (Kluwer Law International, The Hague 2001) 29-41

Accetto, M., and S. Zleptnig, 'The principle of effectiveness. Rethinking its role in Community law' 11 *European Public Law* 3 (2005) 375-403

Adăscălței, O., 'The Maritime Labour Convention 2006. A long-awaited change in the maritime sector' 149 *Procedia Social and Behavioral Sciences* (2014) 8-13

Akandji-Kombe, J.-F., *Positive obligations under the European Convention on Human Rights. A guide to the implementation of the European Convention on Human Rights* (Human Rights Handbooks no. 7, Council of Europe, Strasbourg 2007)

Albin, E., and V. Mantouvalou, 'Recent legislation. The ILO Convention on Domestic Workers. From the shadows to the light' 41 *Industrial Law Journal* 1 (2012) 67-78

Allain, J., '*Rantsev v Cyprus and Russia*' 10 *Human Rights Law Review* 3 (2010) 546-557

Alvarez, J., *International organisations as law-makers* (OUP, Oxford 2005)

Anzilotti, D., *Cours de droit international,* vol I, *Introduction et théories générales* (traduction Française d'après la troisième édition Italienne, Paris 1929)

Arangio-Ruiz, G., 'International law and interindividual law' in: J. Nijman and A. Nollkaemper (eds), *New perspectives on the divide between national and international law* (OUP, Oxford 2007) 15-52

Aust, A., *Modern treaty law and practice* (3rd edn CUP, Cambridge 2013)

Aust, A., *Modern treaty law and practice* (CUP, Cambridge 2000)

Avbelj, M., 'National procedural autonomy: concept, practice and theoretical queries' in: A. Lazowski and S. Blockmans (eds) *Research handbook on EU institutional law* (Edward Elgar Publishing, Cheltenham and Northampton 2016) 421-440

Baldwin, R., 'Better regulation: the search and the struggle' in: R. Baldwin, M. Cave and M. Lodge (eds), *The Oxford Handbook of Regulation* (OUP, Oxford 2010) 259-278

Baldwin, R., M. Cave and M. Lodge, 'Introduction: regulation- the field and the developing agenda' in: Idem (eds), *The Oxford Handbook of Regulation* (OUP, Oxford 2010) 3-16

Bauer, P.J., 'The Maritime Labour Convention: an adequate guarantee of seafarer rights, or an impediment to true reforms?' 8 *Chicago Journal of International Law* 2 (2008) 643-659

Benvenisti, E., 'Reclaiming democracy: the strategic uses of foreign and international law by national courts' 102 *American Journal of International Law* 2 (2008) 241-274

Benvenisti, E., and G. Downs, 'National courts, domestic democracy and the evolution of international law' 20 *European Journal of International Law* 1 (2009) 59-72

Blackett, A., 'Current developments. The Decent Work for Domestic Workers Convention and Recommendation, 2011' 106 *American Journal of International Law* 4 (2012) 778-794

Blanck jr., J.I., 'Reflections on the negotiation of the Maritime Labor Convention 2006 at the International Labor Organisation' 31 *Tulane Maritime Law Journal* 1 (2006) 35-55

Blokker, N., 'Decisions of international organisations: the case of the European Union' 30 *Netherlands Yearbook of International Law* (1999) 3-44
Bockel, B. van, and P. Wattel, 'New wine into old wineskins: the scope of the Charter of Fundamental Rights of the EU after Akerberg Fransson' 38 *European law review* 6 (2013) 866-833
Bothe, M., 'National implementation of the CWC: some legal considerations' in: M. Bothe, N. Ronzitti and A. Rosas (eds), *The New Chemical Weapons Convention: implementation and prospects* (Kluwer Law International, The Hague 1998) 543-568
Boven, Th. Van, 'Categories of rights' in: D. Moeckli, S. Shah and S. Sivakumaran (eds) *International human rights law* (2nd edn OUP, Oxford 2014) 143-156
Bowman, M., P. Davies and C. Redgwell, *Lyster's international wildlife law* (2nd edn CUP, Cambridge 2010)
Brownlie, I., *Principles of public international law* (6th edn OUP, Oxford 2003)
Buchowska, N., 'The issue of nullity of law-making resolutions of international organisations' 28 *Polish Yearbook of International Law* 9 (2006-2008) 9-23
Buckingham, M.L., 'The Basel Convention' 10 *Colorado Journal of International Environmental Law and Policy* (1999) 291-298
Burns, W., 'CITES and the regulation of international trade in endangered species of flora. A critical appraisal' 8 *Dickinson Journal of International Law* 2 (1990) 203-223
Byers, M., *Custom, power and the power of rules: International relations and customary international law* (CUP, Cambridge 1999)
Cai, C., 'International law in Chinese courts during the rise of China' 110 *American Journal of International Law* 2 (2016) 269-288
Carbonara, E., and F. Parisi, E., 'The paradox of legal harmonisation' 132 *Public Choice* 3-4 (2007) 367-400
Cassese, A., *International law* (2nd edn OUP, Oxford 2005)
Chalmers, D., G. Davies and G. Monti, *European Union law. Text and materials* (3rd edn CUP, Cambridge 2014)
Chandra, A. and A. Idrisova, 'Convention on Biological Diversity: a review of national challenges and opportunities for implementation' 20 *Biodiversity and Conservation* 14 (2011) 3295-3316
Chinkin, C., 'Normative development in the international legal system' in: D. Shelton (ed), *Commitment and compliance. The role of non-binding norms in the international legal system* (OUP, Oxford 2000) 21-42
Choudhry, S., 'Migration as a new metaphor in comparative constitutional law' in: Idem (ed), *The migration of constitutional ideas* (CUP, Cambridge 2006) 1-35
Christodoulou-Varotsi, I., 'Critical review of the consolidated Maritime Labour Convention (2006) of the International Labour Organisation. Limitations and perspectives' 43 *Journal of Maritime Law and Commerce* 4 (2012) 467-489
Clifford, J., 'Equality' in: D. Shelton (ed), *The Oxford Handbook of International Human Rights Law* (1st edn OUP, Oxford 2013) 420-445
Craig, P., and G. De Búrca, *EU Law. Text, cases, and materials* (6th edn OUP, Oxford 2015)
Craig, P., *EU Administrative law* (Collected courses of the Academy of European Law, 2nd edn OUP, Oxford 2012)
Crail, P., 'Implementing UN Security Council resolution 1540. A risk-based approach' 13 *Nonproliferation review* 2 (2006) 355-399
Craven, M., *The International Covenant on Economic, Social and Cultural Rights. A perspective on its development* (Clarendon Press, Oxford 1995)
Crawford, J., *Brownlie's Principles of Public International Law* (8th edn OUP, Oxford 2012)
Cullen, H., '*Siliadin v France.* Positive obligations under article 4 of the European Convention on Human Rights' 6 *Human Rights Law Review* 3 (2006) 585-592
Culley, A.C., 'The International Convention for the Suppression of the Financing of Terrorism. A legal tour de force?' 29 *Dublin University Law Journal* (2007) 397-413
Dahlman, C., 'The function of *opinio iuris* in customary international law' 81 *Nordic Journal of International Law* 3 (2012) 327-339
Daillier, P., M. Forteau and A. Pellet, *Droit international public* (8th edn LGDJ, Paris 2009)

Dale, W., *Legislative drafting: A new approach. A comparative study of methods in France, Germany, Sweden and the United Kingdom* (Butterworths, London 1977)
De Búrca, G., 'International law before the courts: the EU and the US compared' 55 *Virginia Journal of International Law* 3 (2015) 685-728
Deccaux, E., 'France' in: D. Shelton (ed), *International law in domestic legal systems: Incorporation, transformation, and persuasion* (OUP, Oxford 2011) 207-239
Denza, E., 'The relationship between international and national law' in: M. D. Evans (ed), *International law* (3rd edn OUP, Oxford 2010) 411-438
Divac Öberg, M., 'The legal effects of resolutions of the UN Security Council and General Assembly in the jurisprudence of the ICJ' 16 *European Journal of International Law* 5 (2006) 879-906
Dixon, M. *Textbook on international law* (7th edn OUP, Oxford 2013)
Dougan, M., 'Approximation of laws in the EU' in: P. Cane and J. Conaghan (eds), *The New Oxford Companion to Law* (OUP, Oxford 2009)
Drinóczi, T., 'Concept of quality in legislation revisited. Matter of perspective and a general overview' 36 *Statute Law Review* 3 (2015) 211-227
Dzehtsiarou, K., 'European consensus and the evolutive interpretation of the European Convention on Human Rights' 12 *German Law Journal* (2011) 1730-1745
Eijlander, Ph., and W. Voermans, 'Nieuwe aanwijzingen voor de regelgeving' *Nederlands Juristenblad* 5 (1993) 169-174
Erne, J., 'Conferral of powers by states as a basis of obligation of international organisations' 78 *Nordic Journal of International Law* 2 (2009) 177-199
Fatima, S., *Using international law in domestic courts* (Hart Publishing, Oxford 2005)
Fauchald, O., and A. Nollkaemper (eds), *The practice of international and national courts and the (de-)fragmentation of international law* (Hart Publishing, Oxford 2012)
Fidler, D., 'From international sanitary conventions to global health security: the new International Health Regulations' 4 *Chinese Journal of International Law* 2 (2005) 325-392
Fikfak, V., 'International law before English and Asian courts: finding the judicial role in the separation of powers' 3 *Asian Journal of International Law* 2 (2013) 271-304
Fleuren, J.A., 'The application of public international law by Dutch courts' 57 *Netherlands International Law Review* 2 (2010) 245-266
Florijn, N.A., 'Quality of legislation: a law and development project' in: J. Arnscheidt, B. van Rooij and J.M. Otto (eds), *Lawmaking for development. Exploration into the theory and practice of international legislative projects* (Leiden University Press, Leiden 2008) 75-89
Florijn, N.A., 'The instructions for legislation in the Netherlands. A critical appraisal' 4 *Legisprudence* 2 (2010) 171-191
Folz, H.-P., 'Germany' in: D. Shelton (ed), *International law in domestic legal systems: Incorporation, transformation, and persuasion* (OUP, Oxford 2011) 240-248
Footer, M.E., 'Some theoretical and legal perspectives on WTO compliance' 38 *Netherlands Yearbook of International Law* (2007) 61-112
Fremuth, M., and J. Griebel, 'On the Security Council as a legislator: a blessing or a curse for the international community?' 76 *Nordic Journal of International Law* 4 (2007) 339-361
Gaja, G., 'Dualism. A review' in: J. Nijman and A. Nollkaemper (eds), *New perspectives on the divide between national and international law* (OUP, Oxford 2007) 52-62
Gaja, G., 'Positivism and dualism in Dionisio Anzilotti' 3 *European Journal of International Law* 1 (1992) 123-138
Gardiner, R. K., *Treaty interpretation* (2nd edn OUP, Oxford 2015)
Garoupa, N., and A. Ogus, 'A strategic interpretation of legal transplants' 35 *Journal of Legal Studies* (2006) 339-363
Gerards, J. H., 'Judicial deliberations in the European Court of Human Rights' in: N. Huls, M. Adams and J. Bomhoff (eds), *The legitimacy of highest courts' rulings. Judicial deliberations and beyond* (TMC Asser Press, The Hague 2009) 407-436
Gowlland-Debbas, V., 'Implementing sanctions resolutions in domestic law' in: Idem (ed), *National implementation of United Nations sanctions. A comparative study* (Martinus Nijhoff Publishers, The Hague 2004) 33-73

Gowlland-Debbas, V., 'Sanctions regimes under article 41 of the UN Charter' in: Idem (ed), *National implementation of United Nations sanctions. A comparative study* (Martinus Nijhoff Publishers, The Hague 2004) 3-31

Grady Schwartz, O., 'International law and national courts: between mutual empowerment and mutual weakening' 23 *Cardozo Journal of International and Comparative Law* 3 (2015) 587-626

Gullett, W., 'Legislative implementation of the Law of the Sea Convention in Australia' 32 *University of Tasmania Law Review* 2 (2013) 184-207

Hafner, G., 'Subsequent agreements and practice. Between interpretation, informal modification and formal amendment' in: G. Nolte (ed), *Treaties and subsequent practice* (OUP, Oxford 2013) 105-122

Hartley, T.C., *The foundations of European Union law. An introduction of the constitutional and administrative law of the European Union* (8th edn OUP, Oxford 2014)

Hathaway, O.A., S. McElroy and S. Aronchick Solow, 'International law at home: enforcing treaties in U.S. courts' 37 *Yale Journal of International Law* 1 (2012) 51-106

Hegde, V.G., 'Indian courts and international law' 23 *Leiden Journal of International Law* 1 (2010) 53-77

Herrera, J.A., *Mexico's implementation of the Biodiversity Convention and the Cartagena Protocol in the GMO era: challenges in principles, policies and practices* (DSL thesis, Dalhousie University 2007)

Hewitt, T., 'Implementation and enforcement of the Convention on International Trade in Endangered Species of Wild Fauna and Flora in the South Pacific Region. Management and scientific authorities' 6 *Queensland University of Technology Law and Justice Journal* 2 (2002) 98-130

Hill, K., 'The Convention on International Trade in Endangered Species. Fifteen years later' 13 *Loyola of Los Angeles International and Comparative Law Journal* 2 (1990) 231-278

Höffler, S., M. Nussbaumer and H. Xanthaki, 'Legislative drafting' in: U. Karpen and H. Xanthaki (eds), *Legislation in Europe. A comprehensive guide for scholars and practitioners* (Hart Publishing; Oxford and Portland, Oregon, 2017) 145-163

Jacobson, H.K. and E. Brown Weiss, 'A framework for analysis' in: Idem (eds), *Engaging countries. Strengthening compliance with international environmental accords* (MIT Press, Cambridge MA 1998) 1-18

Kammerhofer, J., 'Uncertainty in the formal sources of international law: Customary international law and some of its problems' 15 *European Journal of International Law* 3 (2004) 523-553

Karpen, U., 'Comparative law: perspectives of legislation' 6 *Legisprudence* 2 (2012) 149-189

Karpen, U., 'Introduction' in: U. Karpen and H. Xanthaki (eds), *Legislation in Europe. A comprehensive guide for scholars and practitioners* (Hart Publishing; Oxford and Portland, Oregon, 2017) 1-16

Keller, H., *Rezeption des Völkerrechts. Eine rechtsvergleichende Studie zur Praxis des U.S. Supreme Court, des Gerichtshofes der Europäischen Gemeinschaften und des schweizerischen Bundesgerichts in ausgewählten Bereichen* (Springer Verlag, Berlin 2003)

Kelsen, H., *Das Problem der Souveränität und die Theorie des Völkerrechts. Beitrag zu einer reinen Rechtslehre* (Verlag von J.B.C. Mohr, Tübingen 1920)

Kelsen, H., *Principles of international law* (2nd edn revised and edited by Robert W. Tucker, Holt, Rinehart and Winston Inc., New York 1966)

Klabbers, J., *An introduction to international institutional law* (2nd edn CUP, Cambridge 2009)

Klabbers, J., *International law* (CUP, Cambridge 2013)

Klamert, M., *The principle of loyalty in EU law* (OUP, Oxford 2014)

Kohen, M., 'Keeping subsequent agreements and practice in their right limits' in: G. Nolte (ed), *Treaties and subsequent practice* (OUP 2013) 34-45

Kueck, D., 'Using international political agreements to protect endangered species: a proposed model' 2 *University of Chicago Law School Round Table* (1995) 345-354

Kummer, K., 'The Basel Convention. Ten years on', 7 *Review of European Community and International Environmental Law* 3 (1998) 227-236

Kummer, K., 'The international regulation of transboundary traffic in hazardous wastes: the 1989 Basel Convention' 41 *International and Comparative Law Quarterly* 3 (1992) 530-562

Lauterpacht, E. (ed), *International law, being the collected papers of Hersch Lauterpacht*, vol I, *The General Works* (CUP, Cambridge 1970)
Lauterpacht, H. (ed), *Oppenheim's International law* (8th edn Longman, Greens & Co, London 1955)
Lauterpacht, H., 'Restrictive interpretation and the principle of effectiveness in the interpretation of treaties' 26 *British Yearbook of International Law* (1949) 48-85
Lavalle, R., 'The International Convention for the Suppression of the Financing of Terrorism' 60 *Heidelberg Journal of International Law* 1 (2000) 491-510
Law, J., and E.A. Martin (eds), *Oxford Dictionary of Law* (7th edn OUP, Oxford 2009)
Laws, S., 'Drawing the line' H. Xanthaki and C. Stefanou (eds), *Drafting legislation. A modern approach* (Routledge, London 2008) 19-34
Lawson, R.A., 'Positieve verplichtingen onder het EVRM. Opkomst en ondergang van de Fair Balance-test' 20 *NJCM Bulletin* 5 (1995) 558-573
Legrand, P., 'The impossibility of legal transplants' 4 *Maastricht Journal of European and Comparative Law* 2 (1997) 111-124
Lewis, M., 'China's implementation of the United Nations Convention against Transnational Organised Crime' 2 *Asian Journal of Criminology* 2 (2007) 179-196
Mader, L., 'Evaluating the effects. A contribution to the quality of legislation' 22 *Statute Law Review* 2 (2001) 119-131
Mahony, D., 'The Convention on International Trade in Endangered Species of Flora and Fauna. Addressing problems in global wildlife trade enforcement' 3 *New England International and Comparative Law Annual* (1997) 1-23
Malanczuk, P., *Akehurst's Modern introduction to international law* (7th edn Routledge, New York 1997)
Marochkin, S., 'International law in the courts of the Russian Federation: Application of practice' 6 *Chinese Journal of International Law* 2 (2007) 329-344
Martínez, L.M.H., 'The legislative role of the Security Council in its fight against terrorism: legal political and practical limits' 57 *International and Comparative Law Quarterly* 2 (2008) 333-360
Mastenbroek, E., *The politics of compliance. Explaining the transposition of EC directives in the Netherlands* (PhD thesis Leiden University 2007)
McNair, Lord, *The law of treaties* (Clarendon Press, Oxford 1961)
McOmber, E., 'Problems in enforcement of the Convention on International Trade in Endangered Species' 27 *Brooklyn Journal of International Law* 2 (2002) 673-701
Mendes, J., *Participation in EU-Rulemaking. A rights-based approach* (Oxford Studies in European Law, OUP, Oxford 2011)
Moloo, R., 'When actions speak louder than words. The relevance of subsequent party conduct to treaty interpretation', 31 *Berkeley Journal of International Law* (2013) 39-88
Momtaz, D., 'Attribution of conduct to the state. State organs and entities empowered to exercise elements of governmental authority' in: J. Crawford, A. Pellet and S. Olleson (eds), *The law of international responsibility* (OUP, Oxford 2010) 237-246
Montesquieu, C. de, *The spirit of the laws*, A. M. Cohler et al. (eds), (Cambridge texts in the history of political thought, CUP, Cambridge 1989)
Mousmouti, M., 'Operationalising quality of legislation through the effectiveness test' 6 *Legisprudence* 2 (2012) 191-205
Mowbray, A.R., *The development of positive obligations under the European Convention on Human Rights by the European Court of Human Rights* (Hart Publishing, Oxford 2004)
Neff, S. 'United Kingdom' in: D. Shelton (ed), *International law in domestic legal systems: Incorporation, transformation, and persuasion* (OUP, Oxford 2011) 620-630
Nicholson, A., 'Reflections on *Siliadin v. France.* Slavery and legal definition' 14 *International Journal of Human Rights* 5 (2010) 705-720
Nollkaemper, A., 'The role of domestic courts in the case law of the International Court of Justice' 5 *Chinese Journal of International Law* 2 (2006) 301-322
Nollkaemper, A., *National courts and the international rule of law* (OUP, Oxford 2011)
Nolte, G., 'Subsequent agreements and subsequent practice of states outside of judicial or quasi-judicial proceedings. Third report for the ILC Study Group on Treaties over time' in: Idem (ed), *Treaties and subsequent practice* (OUP, Oxford 2013) 307-386

Nolte, G., 'Subsequent practice as a means of interpretation in the jurisprudence of the WTO Appellate Body', in: E. Cannizzaro (ed), *The law of treaties beyond the Vienna Convention* (OUP, Oxford 2011) 138-144

O'Keefe, R., 'Domestic courts as agents of the development of the international law of jurisdiction' 26 *Leiden Journal of International Law* 3 (2013) 541-558

Oelz, M., 'The ILO's Domestic Workers Convention and Recommendation. A window of opportunity for social justice' 153 *International Labour Review* 1 (2014) 143-172

Okaru, V. O., 'The Basel Convention: Controlling the movement of hazardous wastes to developing countries' 4 *Fordham Environmental Law Report* 2 (1992) 137-165

Okeke, Ch., 'The use of international law in the domestic courts of Ghana and Nigeria' 32 *Arizona Journal of International and Comparative Law* 2 (2015) 371-430

Olleson, S., 'Internationally wrongful acts in domestic courts. The contribution of domestic courts to the development of customary international law relating to the engagement of international responsibility', 26 *Leiden Journal of International Law* 3 (2013) 615-642

Orakhelashvili, A., *The interpretation of acts and rules in public international law* (Oxford Monographs in International Law, OUP, Oxford 2008)

Patel, S., 'The Convention on International Trade in Endangered Species: enforcement and the last unicorn' 18 *Houston Journal of International Law* 2 (1995) 157-213

Paulus, A., 'The judge and international custom' 12 *The Law and Practice of International Courts and Tribunals* 2 (2013) 253-265

Payoyo, P.B., 'The contribution of the 2006 ILO Maritime Labour Convention to global governance' in: A. Chircop, T. McDorman and S. Rolston (eds), *The future of ocean regime-building. Essays in tribute to Douglas M. Johnston* (Brill, Leiden 2009) 385-408

Pellet, A., 'Article 38' in: A. Zimmermann et al. (eds), *The Statute of the International Court of Justice. A commentary* (2nd edn OUP, Oxford 2012) 731-870

Perju, V., 'Constitutional transplants, borrowing and migrations' in: M. Rosenfeld and A. Sajó (eds), *The Oxford handbook of comparative constitutional law* (1st edn OUP, Oxford 2012) 1304-1327

Pictet, J., (ed), *Commentary on the Geneva Conventions of 12 August 1949,* vol IV, *Geneva Convention Relative to the Protection of Civilian Persons in Time of War* (International Committee of the Red Cross, Geneva 1958)

Piotrowicz, R., 'States' obligations under human rights law towards victims of trafficking in human beings. Positive developments in positive obligations' 24 *International Journal of Refugee Law* 2 (2012) 181-201

Pooter, H. de, 'The obligation to prevent genocide. A large shell yet to be filled', 17 *African Yearbook of International Law* (2011) 285-320

Pot, C.W. van der, *Handboek van het Nederlandse Staatsrecht* (16th edn Kluwer; Deventer 2014)

Prahalad, V., and L. Kriwoken, 'Implementation of the Ramsar Convention on wetlands in Tasmania, Australia' 13 *Journal of International Wildlife Law and Policy* 3 (2010) 205-239

Prechal, S., *Directives in EC law* (2nd edn OUP, Oxford 2005)

Radaelli, C., and F. de Francesco, 'Regulatory impact assessment' in: R. Baldwin, M. Cave and M. Lodge (eds), *The Oxford Handbook of Regulation* (OUP, Oxford 2010) 279-298

Radaelli, C., and F. De Francesco, *Regulatory quality in Europe: concepts, measures and processes* (Manchester University Press, Manchester 2007)

Rainey, B., E. Wicks and C. Ovey, *The European Convention on Human Rights* (6th edn OUP, Oxford 2014)

Raustiala, K., and A.-M. Slaughter, 'International law, international relations and compliance', in: W. Carlsnaes, Th. Risse and B.A. Simmons (eds), *Handbook of international relations* (Sage Publications, London 2002) 538-558

Rietiker, D., 'The principle of "effectiveness" in the recent jurisprudence of the European Court of Human Rights: its different dimensions and its consistency with public international law- no need for the concept of treaty *sui generis'*, 79 *Nordic Journal of International Law* 2 (2010) 245-277

Roberts, A., 'Comparative international law? The role of national courts in creating and enforcing international law' 60 *International and Comparative Law Quarterly* 1 (2011) 57-92

Robinson, W., 'Manuals for drafting of European Union legislation' 4 *Legisprudence* 2 (2010) 129-155

Rose, C., 'The UK Bribery Act and accompanying guidance: belated implementation of the OECD Anti-bribery Convention' 61 *International and Comparative Law Quarterly* 2 (2012) 485-499

Rosen, G.E., and K.F. Smith, 'Summarizing the evidence on the international trade in illegal wildlife' 7 *EcoHealth* 1 (2010) 24-32

Ruano Albertos, S., and A. Vicente Palacio, 'Adopting European legislation to the Maritime Labour Convention 2006 regulations in relation to the state responsibilities of both the flag state and the control of ships by port state control' 4 *Beijing Law Review* 4 (2013) 141-146

Rub, A., *Hans Kelsens Völkerrechtslehre. Versuch einer Würdigung* (Schweizer Studien zum internationalen Recht 93, Schulthess Polygraphischer Verlag, Zürich 1995)

Samuels, A., 'Ensuring standards in the quality of legislation' 34 *Statute law review* 3 (2013) 296-299

Sandholtz, W., 'How domestic courts use international law' 38 *Fordham International Law Journal* 2 (2015) 595-637

Saul, B., D. Kinley and J. Mowbray, *The International Covenant on Economic, Social and Cultural Rights. Commentary, cases, and materials* (1st edn OUP, Oxford 2014)

Scanlon, J.E., 'The international dimension of illegal wildlife trade' (Presentation on the occasion of the 1st session of the United Nations Environment Assembly (UNEA) in Nairobi, Kenya, on 24 June 2014) <https://cites.org/eng/international_dimension_of_illegal_wildlife_trade>

Schabas, W., *Genocide in international law: The crime of crimes* (2nd edn CUP, Cambridge 2009)

Schermers, H., and N. Blokker, *International institutional law* (5th edn Martinus Nijhoff Publishers, Leiden & Boston 2011)

Schneider, W. 'The Basel Convention ban on hazardous waste exports: paradigm of efficacy or exercise in futility' 20 *Suffolk Transnational Law Review* (1996) 247-288

Scruton, R. (ed), *The Palgrave MacMillan dictionary of political thought* (3rd edn Palgrave Macmillan Publishers, Basingstoke 2007)

Senyonjo, M., *Economic, Social and Cultural Rights in International Law* (Hart Publishing, Oxford 2009)

Shaw, M.N., *International law* (6th edn CUP, Cambridge 2008)

Shelton, D. 'Introduction' in: Idem (ed), *International law in domestic legal systems: Incorporation, transformation, and persuasion* (OUP, Oxford 2011) 1-22

Sono, H., 'Japan's accession to and implementation of the United Nations Convention on Contracts for the International Sale of Goods (CISG)' 53 *Japanese Yearbook of International Law* (2010) 410-437

Sorel, J.-M. and V. Boré Eveno, 'Article 31 of the 1969 Vienna Convention' in: O. Corten and P. Klein (eds), *The Vienna Convention on the Law of Treaties. A Commentary,* vol I (Oxford Commentaries on International Law, OUP, Oxford 2011) 804-837

Stefanou, C., 'Drafters, drafting and the policy process' in: H. Xanthaki and C. Stefanou (eds), *Drafting legislation. A modern approach* (Routledge, London 2008) 321-333

Stevenson, A. (ed), *Oxford Dictionary of English* (3rd edn OUP, Oxford 2010)

Szasz, P., 'The Security Council starts legislating' 96 *American Journal of International Law* 4 (2002) 901-905

Taki, H., 'Effectiveness' in: R. Wolfrum (ed), *Max Planck Encyclopedia of public international law* (online edn OUP, Oxford)

Talmon, S., 'The Security Council as world legislature' 99 *American Journal of International Law* 1 (2005) 175-193

Thirlway, H., 'The sources of international law' in: M.D. Evans, *International law* (3rd edn OUP, Oxford 2010) 91-117

Thirlway, H., *The sources of international law* (OUP, Oxford 2014)

Timmermans, Ch., 'How can one improve the quality of community legislation?' 34 *Common Market Law Review* (1997) 1229-1257

Tomei, M., and P. Belser, 'New ILO standards on decent work for domestic workers. A summary of the issues and discussions' 150 *International Labour Review* 3-4 (2011) 431-438
Tomuschat, Ch. *Human rights. Between idealism and realism* (2nd edn OUP, Oxford 2008)
Triepel, H., *Völkerrecht und Landesrecht* (Unveränderter Nachdruck 1958 Verlag von C.L. Hirschfeld, Leipzig 1899)
Tsimplis, M., 'Liability and compensation in the international transport of hazardous wastes by sea: the 1999 Protocol to the Basel Convention' 16 *International Journal of Marine and Coastal Law* 2 (2001) 295-346
Tzanakopoulos, A., 'Domestic courts in international law: the international judicial function of national courts' 34 *Loyola of Los Angeles International and Comparative Law Review* 1 (2011) 133-168
Tzanakopoulos, A., and Ch. J. Tams, 'Introduction: domestic courts as agents of the development of international law' 26 *Leiden Journal of International Law* 3 (2013) 531-540
Van der Pot, *Handboek van het Nederlandse Staatsrecht* (16th edn Kluwer, Deventer 2014)
Vanterpool, V., 'A critical look at achieving quality in legislation' 9 *European Journal of law Reform* 2 (2007) 167-204
Veljanovski, C., 'Economic approaches to regulation' in: R. Baldwin, M. Cave and M. Lodge (eds), *The Oxford Handbook of Regulation* (OUP, Oxford 2010) 17-35
Verzijl, J.H.W., *International law in historical perspective,* vol I, *General subjects* (A.W. Sijthoff, Leiden 1968)
Villiger, M., *Commentary on the 1969 Vienna Convention on the Law of Treaties* (Martinus Nijhoff Publishers, Leiden 2009)
Voermans, W.J.M., 'Beating about the bush in 'Better regulation' in: B. Steunenberg, W. Voermans and S. van den Bogaert (eds), *Fit for the future? Reflections from Leiden on the functioning of the EU* (Eleven International Publishing, The Hague 2016) 69-88
Voermans, W.J.M., 'Concern about the quality of EU legislation. What kind of problem, by what kind of standards?' 2 *Erasmus Law Review* 1 (2009) 59-95
Voermans, W.J.M., 'Implementation. The Achilles heel of European integration' 2 *The Theory and Practice of Legislation* 3 (2015) 343-359
Voermans, W.J.M., 'Legislation and regulation' in: U. Karpen and H. Xanthaki (eds), *Legislation in Europe. A comprehensive guide for scholars and practitioners* (Hart Publishing; Oxford and Portland, Oregon, 2017) 17-32
Voermans, W.J.M., 'Styles of legislation and their effects' 32 *Statute Law Review* 1 (2013) 38-53
Wasilkowski, A., 'Monism and dualism at present' in: J. Makarczyk (ed), *Theory of international law at the threshold of the 21st century. Essays in honour of Krzysztof Skubiszewski* (Kluwer Law International, The Hague 1996)
Watson, A., *Legal transplants and European private law* (Ius Commune lectures on European private law, Ius Commune Research School, Maastricht 2000)
Weill, S., *The role of national courts in applying international humanitarian law* (International Law in Domestic Legal Orders, OUP, Oxford 2014)
Wessel, R.A.'Informal international law-making as a new form of world legislation?' 8 *International Organisations Review* (2011) 253-265
Wijnstekers, W., *The evolution of CITES. A reference to the Convention on International Trade in Endangered Species of Wild Fauna and Flora* (9th edn International Council for Game and Wildlife Conservation, Budakeszi 2011)
Wilets, J.D., 'A unified theory of international law, the state, and the individual: transnational legal harmonisation in the context of economic and legal globalization' 31 *University of Pennsylvania Journal of International Law* 3 (2014) 753-825
Wintgens, L., 'Rationality in legislation – Legal theory as legisprudence: an introduction' in: Idem (ed), *Legisprudence: a new theoretical approach to legislation. Proceedings of the Fourth Benelux-Scandinavian Symposium on Legal Theory* (Hart Publishing, Oxford and Portland, Oregon, 2002) 1-7
Wintgens, L., and Ph. Thion, 'Introduction' in: Idem (eds), *Legislation in context: essays in legisprudence* (Ashgate, Aldershot and Burlington 2007) ix-xiii
Woods, L., and Ph. Watson, *EU Law* (12th edn OUP, Oxford 2014)

Wouters, J., 'Bronnen van het internationaal recht' in: N. Horbach, R. Lefeber and O. Ribbelink (eds), *Handboek Internationaal recht.* (TMC Asser Press, The Hague 2007) 81-122

Wouters, J., and S. Verhoeven, 'The prohibition of genocide as a norm of *ius cogens*' 5 *International Criminal Law Review* (2005) 401-416

Würth, I., 'Treaty interpretation, subsequent agreements and practice, and domestic constitutions' in: G. Nolte (ed), *Treaties and subsequent practice* (OUP, Oxford 2013) 154-159

Würth, I., 'International law in domestic courts and the Jurisdictional immunities of the state case' 13 *Melbourne Journal of International Law* 2 (2012) 819-837

Xanthaki, H., 'Drafting manuals and quality in legislation. Positive contribution towards certainty in the law or impediment to the necessity for dynamism of rules?' 4 *Legisprudence* 2 (2010) 111-128

Xanthaki, H., 'Emerging trends in legislation in Europa' in: U. Karpen and H. Xanthaki (eds), *Legislation in Europe. A comprehensive guide for scholars and practitioners* (Hart Publishing; Oxford and Portland, Oregon, 2017) 275-296

Xanthaki, H., 'On transferability of legislative solutions: the functionality test' in: H. Xanthaki and C. Stefanou (eds), *Drafting legislation. A modern approach* (Routledge, London 2008) 12-24

Xanthaki, H., 'Quality of legislation: an achievable universal concept or a utopian pursuit?' <http://sas-space.sas.ac.uk/4854/1/Nomos_book_Quality_of_legislation_a_utopian_pursuit.pdf> (Author's original manuscript. Also published in: M. Travares Almeida (ed), *Quality of Legislation* (Nomos, Baden-Baden 2011) 75-85)

Xenos, D., *The positive obligations of the state under the European Convention of Human Rights* (Routledge, London 2012)

Zander, M., *The law-making process* (7th edn Hart Publishing, Oxford and Portland, Oregon, 2015)

Summary in Dutch

De implementatie van internationaal recht in de nationale rechtsorde: een wetgevingsperspectief

Samenvatting

Het vertrekpunt van dit proefschrift, getiteld 'De implementatie van internationaal recht in de nationale rechtsorde: een wetgevingsperspectief', is dat internationaal recht voor zijn verwezenlijking in belangrijke mate afhankelijk is van de organen van afzonderlijke staten en dat de rol van de wetgevende organen, zeker in vergelijking met de rol van rechters, weinig aandacht heeft gekregen in de literatuur. Het proefschrift richt zich daarom specifiek op de rol van de nationale wetgever bij de implementatie van internationaal recht en geeft antwoord op de vraag hoe implementatiewetgeving onder internationaal recht is gereguleerd en in hoeverre die regulering adequaat is. 'Implementatie' wordt in deze studie begrepen als de handeling waarmee een internationaalrechtelijke norm wordt geëffectueerd in de nationale rechtsorde. Met 'nationale wetgever' wordt gedoeld op het orgaan van de staat dat krachtens nationaal recht de bevoegdheid heeft om wetgeving vast te stellen.

Het antwoord op de hoofdvraag valt uiteen in twee onderdelen: een beschrijvende analyse van het bestaande, toepasselijke internationaal recht in deel II en een normatieve analyse van dat recht in deel III.

Deel I, getiteld 'De implementatie van internationaal recht in de nationale rechtsorde', gaat in op de vraag waarom nationale wetgeving ter uitvoering van internationaal recht nodig is en uit welke rechtsbronnen verplichtingen voor staten voortvloeien om in de nationale rechtsorde dergelijke wetgeving vast te stellen. De eerste vraag, die centraal staat in hoofdstuk 2, raakt aan de verhouding tussen de internationale rechtsorde en de nationale rechtsorde. Deze verhouding moet naar de huidige stand van het recht bovenal als 'dualistisch' worden aangemerkt. Dat betekent dat de internationale rechtsorde en de nationale rechtsorde(s) als aparte rechtssferen moeten worden beschouwd.

Voor dit proefschrift is dat relevant in twee situaties. Ten eerste kan de situatie zich voordoen waarin een internationaalrechtelijk regime de staat een verplichting oplegt om op nationaal niveau wetgeving vast te stellen teneinde de in het regime geformuleerde doelen te verwezenlijken. Een voorbeeld hiervan is de verplichting, opgenomen in artikel 12, eerste lid, van het Afrikaans Handvest over de Waarden en Beginselen voor Openbare Dienst en Openbaar Bestuur, om wetgeving vast te stellen waarmee nationale anticorruptieautoriteiten worden opgericht. Dergelijke wetgeving wordt in het proefschrift 'implementatiewetgeving in enge zin' genoemd.

Ten tweede kan de situatie zich voordoen dat een internationale rechtsnorm niet doorwerkt in een nationale rechtsorde, ook al is zij zodanig geformuleerd dat zij in theorie geschikt zou zijn voor rechtstreekse toepassing in die rechtsorde. Een voorbeeld hiervan is het recht op leven, verankerd in artikel 2 van het Europees Verdrag tot bescherming van de Rechten van de Mens en de Fundamentele Vrijheden (EVRM), dat aan een individu wordt toegekend. De mate waarin internationaal recht doorwerkt in de nationale rechtsorde, hangt namelijk af van nationaal constitutioneel recht. Dit blijkt onder andere uit het feit dat een internationale rechtsnorm niet als 'recht' in de zin van een nationale rechtsorde kan worden aangemerkt totdat die norm op grond van nationaal recht die status verwerft, hetgeen op uiteenlopende manieren en onder verschillende voorwaarden gebeurt. Dergelijke wetgeving wordt in het proefschrift 'incorporatiewetgeving' genoemd.

Deze stand van zaken verklaart waarom implementatiewetgeving in ruime zin (hetgeen de hierboven omschreven implementatiewetgeving in enge zin en incorporatiewetgeving omvat) nodig is: internationaal recht is niet bij machte om eigenstandig, dus zonder dat nationaal constitutioneel recht hierin voorziet, rechtsposities binnen nationale rechtsordes te bepalen. Overigens is het vervolg van het proefschrift beperkt tot implementatiewetgeving in enge zin; incorporatiewetgeving blijft verder buiten beschouwing.

In hoofdstuk 3 wordt geïnventariseerd uit welke internationale rechtsbronnen verplichtingen voor staten kunnen voortvloeien om op nationaal niveau implementatiewetgeving te kunnen vaststellen. Daarbij is gekeken naar drie rechtsbronnen in het bijzonder: verdragsrecht, gewoonterecht en bindende besluiten van internationale organisaties. Verplichtingen voor staten om implementatiewetgeving vast te stellen, zijn meestal onderdeel van verdragen. Dergelijke verdragen kunnen betrekking hebben op zeer uiteenlopende onderwerpen. Er zijn ook aanwijzingen dat in zeer uitzonderlijke situaties gewoonterecht een verplichting kan bevatten om op nationaal niveau wetgeving aan te nemen. Het (enige bekende) voorbeeld dat in hoofdstuk 3 is besproken, heeft betrekking op het verbod op foltering en het verbod op genocide. Deze verboden omvatten ook, zo lijkt het Joegoslaviëtribunaal te suggereren, een verplichting voor staten om wetgeving aan te nemen ter bestraffing van foltering en genocide. Daarnaast kunnen bindende besluiten van internationale organisaties de plicht opleggen aan staten om op nationaal niveau wetgeving vast te stellen. Voorbeelden zijn enkele resoluties van de VN-Veiligheidsraad over terrorisme en over massavernietigingswapens, de Internationale Gezondheidsregeling van de Wereldgezondheidsorganisatie (ook al bestaat er een mogelijkheid tot een *opt out*), de 'technische standaarden' van de Internationale Organisatie voor Burgerluchtvaart en de Wereldmeteorologieorganisatie en de richtlijnen en verordeningen die worden vastgesteld in het kader van de Europese Unie (EU).

Internationaalrechtelijke normen kunnen als volgt worden ingedeeld. Er zijn normen die implementatie in de nationale rechtsorde behoeven en normen die niet hoeven te worden geïmplementeerd in de nationale

rechtsorde (zoals een verdrag tot vorming van een bondgenootschap tussen staten). De eerste categorie kan in drie groepen worden onderverdeeld: normen die moeten worden geïmplementeerd door de uitvoerende macht, normen die moeten worden geïmplementeerd door de rechtsprekende macht en normen die moeten worden geïmplementeerd door de wetgevende macht.

In dit proefschrift staat de laatstgenoemde categorie centraal, die op zijn beurt kan worden onderverdeeld in normen die een uitdrukkelijke verplichting tot de vaststelling van implementatiewetgeving bevatten en normen die dat impliciet doen. Het verschil tussen deze twee (sub)categorieën is dat uit de tekst van een norm die onder de laatstgenoemde subcategorie valt, niet uitdrukkelijk wordt verwezen naar het vaststellen van wetgeving, maar naar aanverwante begrippen, zoals 'maatregelen' of 'strategieën'. Indien de redactie van de internationaalrechtelijke norm de mogelijkheid openlaat dat ook de uitvoerende macht of de rechtsprekende macht zorg draagt voor de implementatie ervan op het nationale niveau, zal nationaal recht doorslaggevend zijn. Met andere woorden, dan bepaalt nationaal (constitutioneel) recht welke van de staatsorganen uitvoering moet geven aan de implementatieverplichting.

In deel II wordt geïnventariseerd hoe implementatiewetgeving onder huidig internationaal recht is gereguleerd, in het bijzonder in hoeverre dat recht wetgevingsstandaarden bevat. Met 'wetgevingsstandaard' wordt gedoeld op elk voorgeschreven materiële of formele kenmerk van nationale implementatiewetgeving of van de nationale implementatiewetgevingsprocedure**.** In dit deel wordt betoogd dat er geen wetgevingsstandaarden bestaan onder *algemeen* internationaal recht. Onder algemeen internationaal recht geldt als uitgangspunt dat staten verplicht zijn om op nationaal niveau de nodige maatregelen te nemen om te voldoen aan hun internationaalrechtelijke verplichtingen; hoe zij echter aan die verplichting voldoen, is aan de betreffende staat zelf om te bepalen. Wetgevingsstandaarden kunnen daarentegen wel worden waargenomen onder *bijzondere* internationaalrechtelijke regimes. In deel II worden daartoe twee regimes uit elk van de volgende rechtsgebieden geanalyseerd: internationale mensenrechten, het recht van de EU, internationaal strafrecht, internationaal gezondheidsrecht, internationaal milieurecht en internationaal arbeidsrecht (hoofdstukken 4 tot en met 9).

Op basis van de in deel II opgenomen inventarisatie kan de wetgevingsstandaard 'doeltreffendheid' als meest voorkomende wetgevingsstandaard worden aangemerkt. Andere wetgevingsstandaarden met een meer specifiek karakter hebben betrekking op de consistentie met ander toepasselijk recht (waaronder het verbod op discriminatie), het vereiste om belanghebbenden te consulteren bij het opstellen van implementatiewetgeving, het verstrekken van informatie over de vast te stellen implementatiewetgeving aan de doelgroep, het toezicht op de naleving van de implementatiewetgeving, de handhaving, rechtsbescherming en evaluatie van de implementatiewetgeving. Daarnaast zijn er wetgevingsstandaarden die betrekking

hebben op formele aspecten van nationale implementatiewetgeving ter bescherming van de rechtszekerheid.

De in deel II opgenomen analyse laat zien dat de praktijk ten aanzien van de opneming van wetgevingsstandaarden in internationaalrechtelijke regimes gefragmenteerd is: waar sommige regimes in grote mate de kenmerken voorschrijven waaraan nationale implementatiewetgeving moet voldoen, laten andere regimes veel ruimte aan de wetgevende organen van staten om de nationale implementatiewetgeving en het daarbij horende wetgevingsproces vorm te geven. Ook *binnen* regimes bestaan verschillen tussen de toepassing van wetgevingsstandaarden bij de vaststelling van implementatiewetgeving ter uitvoering van dat regime; wetgevingsstandaarden worden niet altijd van toepassing geacht op het betreffende regime als geheel, maar soms ook slechts op bepaalde delen van dat regime. Bovendien bestaat er ook een uiteenlopende praktijk met betrekking tot het bindende karakter van de wetgevingsstandaarden: terwijl sommige wetgevingsstandaarden een duidelijke basis hebben in het bindende juridische instrument, zijn andere opgenomen in niet-bindende documenten zoals implementatierichtlijnen, implementatiehandboeken etc.

In deel III worden de inhoud en reikwijdte van deze gemeenschappelijke kenmerken van implementatiewetgeving, oftewel de waargenomen wetgevingsstandaarden, verder uitgewerkt. Daarbij blijkt onder meer dat de wetgevingsstandaard 'doeltreffendheid' zich onder internationaal recht in verschillende formuleringen manifesteert. Daarnaast moet niet alleen de implementatiewetgeving zelf doeltreffend zijn, maar ook de toepassing ervan in de praktijk, althans onder het EVRM en het recht van de EU. Om te bepalen hoe de nationale wetgever op 'doeltreffende' wijze uitvoering kan geven aan een internationale verplichting tot de vaststelling van implementatiewetgeving, zal de wetgever de onderliggende verplichting moeten interpreteren. Ook daarbij speelt het vereiste van 'doeltreffendheid' een rol; het moet worden beschouwd als integraal onderdeel van de interpretatie van verdragsbepalingen 'in het licht van het voorwerp en het doel' van internationale verplichtingen, zoals is voorgeschreven in het Weens Verdrag inzake Verdragenrecht en de relevante jurisprudentie van het Internationaal Gerechtshof.

'Doeltreffendheid' is niet alleen de meest voorkomende wetgevingsstandaard, maar ook de overkoepelende wetgevingsstandaard. Er is met andere woorden sprake van een zekere hiërarchie tussen wetgevingsstandaarden. Deze hiërarchie kan worden opgemaakt uit de internationaalrechtelijke praktijk, waarbij de naleving van de 'ondergeschikte' wetgevingsstandaarden niet zelden als middel wordt gezien om de doeltreffendheid van het regime als geheel te bewerkstelligen.

Eén van die wetgevingsstandaarden is de standaard van rechtszekerheid, die van toepassing kan worden geacht op nationale implementatiewetgeving ter uitvoering van het recht van de EU en van de positieve verplichtingen onder het EVRM. Deze wetgevingsstandaard houdt in dat nationale implementatiewetgeving duidelijk en nauwkeurig moet zijn

geformuleerd. Daarnaast moet de betreffende wetgeving toegankelijk en voorzienbaar zijn, zodat individuen zich kunnen informeren over de regels die op hen van toepassing zijn en over de juridische gevolgen van hun handelen. Een andere wetgevingsstandaard die kan worden afgeleid uit de in deel II besproken internationaalrechtelijke regimes is het vereiste van consistentie met toepasselijk nationaal of internationaal recht. Dit vereiste houdt in dat nationale implementatiewetgeving niet strijdig mag zijn met reeds bestaande wet- en regelgeving, waaronder ook het verbod op discriminatie kan worden begrepen. Hiermee wordt enerzijds de doeltreffendheid van het regime beschermd, omdat naleving van dit vereiste voorkomt dat nationale implementatiewetgeving kan worden vernietigd wegens strijd met nationaal recht van een hogere rangorde. Anderzijds kan deze wetgevingsstandaard worden beschouwd als een bescherming van de soevereiniteit van staten, omdat het tot gevolg heeft dat het internationaalrechtelijke regime geen gevolgen heeft voor reeds bestaande nationale wet- en regelgeving. Soms bevatten internationaalrechtelijke regimes ook verplichtingen om bij de vaststelling van nationale implementatiewetgeving reeds bestaande *internationale* normen in acht te nemen. Voorts kan een wetgevingsstandaard worden waargenomen die de nationale wetgever verplicht om belanghebbenden te consulteren bij de opstelling van nationale implementatiewetgeving. Dit heeft tot doel het bevorderen van de steun voor en de kwaliteit van de betreffende wet. Weer een andere wetgevingsstandaard benadrukt het belang van de verstrekking van informatie over de vast te stellen of vastgestelde nationale implementatiewetgeving. De informatie moet in het bijzonder worden verstrekt aan de doelgroepen van deze wetgeving. De wetgevingsstandaard die verplicht tot het houden van toezicht op de naleving van nationale implementatiewetgeving, die onder enkele van de in deel II besproken regimes kan worden gevonden, omvat de instelling van een toezichtsmechanisme op nationaal niveau. Onder het Maritiem Arbeidsverdrag houdt deze wetgevingsstandaard onder meer in dat inspectie-organisaties de nodige expertise moeten bezitten en onafhankelijk moeten zijn. Bovendien moeten de inspecteurs bekleed zijn met de benodigde bevoegdheden om hun toezichttaak goed te kunnen uitoefenen. Wanneer wordt vastgesteld dat de toepasselijke nationale implementatiewetgeving is overtreden, schrijven meerdere internationaalrechtelijke regimes voor dat sancties moeten worden opgelegd. Dit omvat de verplichting voor staten om de bevoegde autoriteiten aan te wijzen en te voorzien in de nodige wettelijke grondslagen voor de oplegging van handhavingsmaatregelen. Vervolgens moeten staten de mogelijke handhavingsmaatregelen ook daadwerkelijk gebruiken. Ook kan onder enkele internationaalrechtelijke regimes een wetgevingsstandaard worden waargenomen die staten verplicht om rechtsmiddelen open te stellen voor individuen, zodat zij hun op grond van nationale implementatiewetgeving verkregen rechten ook daadwerkelijk kunnen afdwingen. Als laatste wetgevingsstandaard kan een verplichting voor staten om nationale implementatiewetgeving *ex post* te evalueren worden genoemd. Hiermee kan niet alleen worden nagegaan

of de implementatiewetgeving in de betreffende staat overeenstemt met de vereisten van het internationaalrechtelijke regime, maar ook worden vastgesteld of de nationale implementatiewetgeving kan worden verbeterd.

Vervolgens wordt beoordeeld in hoeverre die gemeenschappelijke kenmerken leiden tot een regulering van implementatiewetgeving die als 'adequaat' kan worden aangemerkt. Om dit begrip te operationaliseren, wordt het begrepen als 'in overeenstemming met de vereisten van goede wetgeving'. Daartoe bevat hoofdstuk 11 een bespreking van het wetgevingskwaliteitsbeleid in Nederland, het Verenigd Koninkrijk, de EU en de Organisatie voor Economische Samenwerking en Ontwikkeling (OESO). Hoewel hun wetgevingskwaliteitsbeleid van elkaar verschilt, bestaat duidelijke overeenstemming in de wetgevingsstandaarden die ervan deel uit maken en die als vereisten voor goede wetgeving worden beschouwd.

Voortbouwend op de vier besproken voorbeelden van wetgevingskwaliteitsbeleid wordt in hoofdstuk 11 een definitie voorgesteld van 'goede implementatiewetgeving', waarbij het vertrekpunt is dat de kwaliteit van een specifieke wet uitsluitend kan worden beoordeeld in het licht van de *functie* van die wet: het vermogen van een nationale wet om, met het oog op de functie of functies van die wet, de doelstelling of doelstellingen die zijn neergelegd in het internationale instrument te behalen. De toepassing en de naleving van wetgevingsstandaarden worden gebruikt om vast te stellen in hoeverre sprake is van een 'goede' implementatiewet. Deze standaarden kunnen kunnen betrekking hebben op de gevolgde procedure, of op de vorm of inhoud van de betreffende wet.

Ten slotte wordt in hoofdstuk 12 de vraag beantwoord in hoeverre de internationaalrechtelijke regulering van implementatiewetgeving voldoet aan de in hoofdstuk 11 besproken vereisten van goede wetgeving. Daarbij worden in het bijzonder de in het kader van de Organisatie voor Economische Samenwerking en Ontwikkeling (OESO) geformuleerde wetgevingsstandaarden als maatstaf genomen, omdat zij, anders dan de standaarden die deel uit maken van het Nederlandse of Britse wetgevingskwaliteitsbeleid of het wetgevingskwaliteitsbeleid van de EU, het enige regime is met een internationaal perpectief. Deze vergelijking vindt plaats aan de hand van de reikwijdte, de aard en de inhoud van de wetgevingsstandaarden. Ten aanzien van de reikwijdte is een belangrijk verschil dat de wetgevingsstandaarden die zijn geformuleerd in het kader van de OESO van toepassing zijn op een in beginsel onbeperkt aantal wetten die door de nationale wetgever worden voorbereid en vastgesteld. Bij afwezigheid van een regulering van nationale implementatiewetgeving onder algemeen internationaal recht zijn de wetgevingsstandaarden die zijn verankerd in een internationaalrechtelijk regime uitsluitend van toepassing op de nationale implementatiewet die ter uitvoering van dat specifieke regime wordt vastgesteld. Een ander belangrijk verschil is dat de onder de auspiciën van de OESO ontwikkelde wetgevingsstandaarden van toepassing zijn op wetgeving in het algemeen, en niet in het bijzonder op implementatiewetgeving. Ten aanzien van de aard van de wetgevingsstandaarden is er ook

een duidelijk verschil tussen het OESO-regime de internationaalrechtelijke praktijk: waar de wetgevingsstandaarden van de OESO zijn neergelegd in een niet-bindende 'aanbeveling' aan de OESO-staten, zijn de wetgevingsstandaarden die we onder de in deel II besproken regimes hebben waargenomen deels neergelegd in juridisch bindende documenten en deels in juridisch niet-bindende documenten. Ten aanzien van de inhoud van de wetgevingsstandaarden valt vooral de grote overeenkomst op: de wetgevingsstandaarden die deel uitmaken van de internationaalrechtelijke praktijk komen ook terug in de aanbeveling van de OESO. Op basis van deze vergelijking kan worden vastgesteld dat internationale beleidsmakers zich bewust zijn van de standaarden die kunnen bijdragen aan goede implementatiewetgeving; dit bewustzijn heeft echter niet geleid tot een coherente verankering of toepassing van die wetgevingsstandaarden onder internationaal recht.

Deze stand van zaken zou kunnen en moeten worden verbeterd door te voorzien in een codificatie in internationaal verband van wetgevingsstandaarden voor nationale implementatiewetgeving. Die codificatie moet wel voldoende flexibel zijn om de bestaande verschillen tussen rechtssystemen en wetgevingspraktijken van staten te accommoderen. Die flexibiliteit kan op twee manieren worden bereikt: door te kiezen voor codificatie in een niet-bindend document en door de formulering van de betreffende wetgevingsstandaarden in bewoordingen die ze geschikt maken voor gebruik door uiteenlopende rechtssystemen en wetgevingspraktijken. Een dergelijk document zal behulpzaam zijn voor zowel nationale als internationale beleidsmakers en komt de kwaliteit van nationale implementatiewetgeving ten goede, zonder op onaanvaardbare wijze afbreuk te doen aan het democratische gehalte van besluitvorming op nationaal niveau.

Curriculum vitae

Emile Beenakker (1985) obtained degrees in History (BA, MA), Dutch law (LL.B), International law (LL.M) and Legislation (LL.Mleg) from Leiden University, University of Amsterdam and the Academy for Legislation in The Hague. As part of the ERASMUS exchange programme, he studied German language and culture and German contemporary history at the Freie Universität Berlin and the Humboldt-Universität zu Berlin in 2006. In 2008 he took an internship at the Dutch Embassy in Berlin, Germany. For several months in 2010, he was employed as a legal researcher at the Swedish National Defence College in Stockholm, Sweden, on the legal responsibility of states for acts of *cyber* warfare and on *cyber* aspects of the law of belligerent occupation. Between autumn 2011 and spring 2018 he has worked as a legislative lawyer in the Legal department of the Dutch Ministry of Health, Welfare and Sports, on various legislative projects in the field of public health and medical ethics. Since 2014 he has been affiliated to Leiden University's Faculty of Law as an external PhD-candidate. In April 2018 Emile joined the Financial Markets Directorate of the Dutch Ministry of Finance.

In de boekenreeks van het E.M. Meijers Instituut van de Faculteit der Rechtsgeleerdheid, Universiteit Leiden, zijn in 2016 en 2017 verschenen:

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