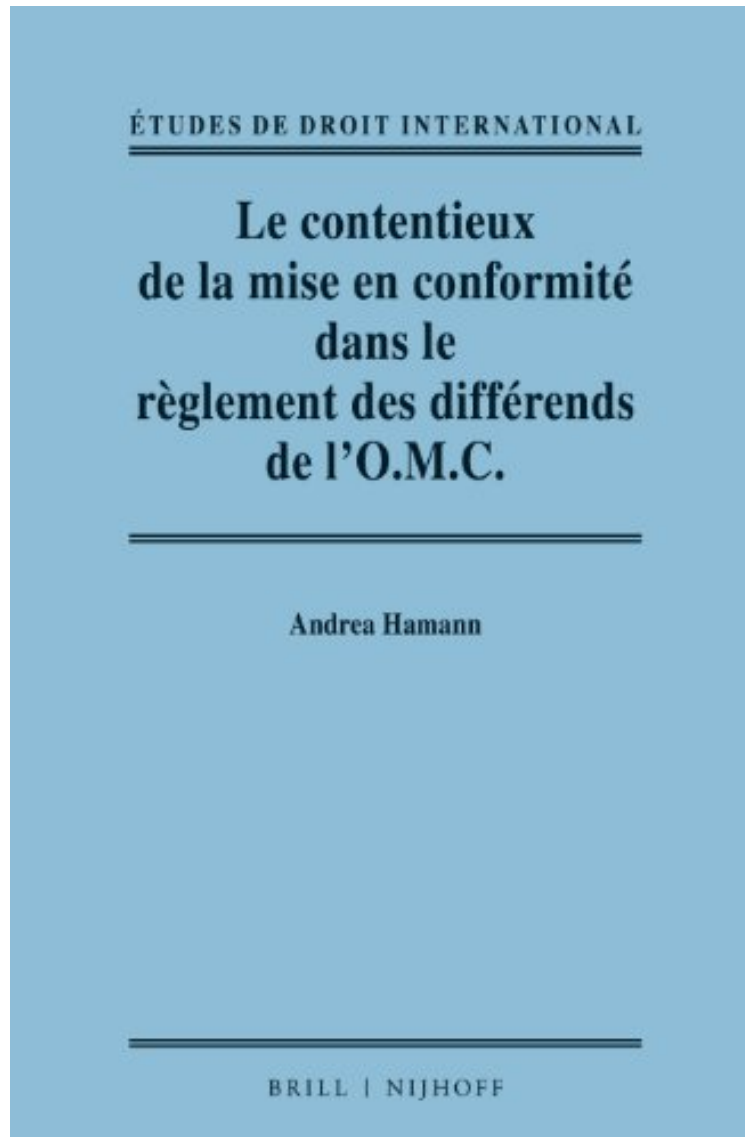


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Le Contentieux de La Mise En Conformite Dans Le ReGlement Des Differends de l'O.M.C. (Etudes de Droit International) (French Edition)

Andrea Hamann

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I'O.M.C. (Etudes de Droit International) (French Edition):

Le mecanisme de reglement des differends de l'O.M.C. se distingue des autres juridictions internationales en ce qu'il comporte un ensemble sophistique de procedures specifiquement et exclusivement destinees a traiter les desaccords pouvant surgir au cours de l'execution de l'obligation qui resulte pour un Membre de la decision juridictionnelle qui declare sa responsabilite. Leur existence meme et la facon dont les organes de jugement s'acquittent de leur mission temoignent de ce que l'execution des obligations resultant des actes juridictionnels dans l'ordre international n'echappe pas fatalement au droit. Ainsi, le systeme de l'O.M.C. exprime mais aussi realise une ambition singuliere en droit international: renforcer la garantie de la legalite en habilitant la juridiction a encadrer, controler, et, en definitive, participer a assurer l'execution de ses propres decisions. The WTO dispute settlement system has created a sophisticated set of procedures designed with the sole purpose of dealing with all disagreements that can arise between the parties during the implementation process. The very existence of these procedures, and the manner in which the adjudicative bodies accomplish their task, give evidence of the fact that compliance with judgments in the international legal order does not inevitably lie outside the realm of the law. The WTO system thereby expresses but also fulfills a strong ambition, unique when considered through the lens of international law: strengthening the rule of law by vesting the adjudicative bodies with the task of supervising, reviewing, and ultimately contributing to inducing and enforcing compliance with their own judgments.

About the Author Andrea Hamann holds a PhD in Law from the Sorbonne Law School (University Paris 1 Pantheon-Sorbonne); her doctoral thesis has been awarded the Prix Suzanne Bastid by the French Society of International Law, and the Prix Georges Scelle by the Chancellery of the Universities of Paris. She holds a position as lecturer at the University Pantheon-Assas (Paris 2). Her teaching and research activities focus on Public International Law and French Public Law. Andrea Hamann est docteur en droit de l'Ecole de droit de la Sorbonne (Universite Paris 1 Pantheon-Sorbonne); sa these de doctorat a ete recompensee par le Prix Suzanne Bastid de la Societe francaise pour le droit international, et par le Prix Georges Scelle de la Chancellerie des Universites de Paris. Elle est maitre de conferences a l'Universite Pantheon-Assas (Paris 2). Ses activites d'enseignement et de recherche portent sur le droit international public et le droit public interne.