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### **International**

Fact-Finding before the International Court of Justice examines a number of significant recent criticisms of the way in which the ICJ deals with facts. The book takes the position that such criticisms are warranted and that the ICJ's current approach to fact-finding falls short of adequacy, both in cases involving

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abundant, particularly complex or technical facts, and in those involving a scarcity of facts.

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1. Like the previous publications on the issue of evidence in the International Court of Justice (the ICJ or the Court), 1Fact-Finding before the International Court of Justice by James Gerard Devaney has noted from the very beginning that a striking feature of the conduct of the proceedings before the ICJ is its flexibility.

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## **James Gerard Devaney, Fact-Finding before the ...**

Introduction. The preceding chapter set out a number of recent criticisms of the ICJ's current reactive approach to fact-finding. It was argued that the Court's current reactive approach to fact-finding is not fit for purpose both (i) where there

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are abundant, particularly complex or technical facts, since the Court's reluctance to appoint experts or conduct cross-examination impede the Court ...

## **The practice of other international courts and tribunals ...**

PAGE #1 : Fact Finding Before The International Court Of Justice By Agatha

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Christie - the court devoted several paragraphs in its judgment to methods of proof and in particular the reliance on fact finding before other tribunals or commissions the court must itself make

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Rules of evidence and procedure before

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international courts and tribunals seek to enable them to establish a factual foundation upon which to base legal determinations, even where the parties before the tribunal cannot come to an agreement on the facts relating to the dispute.

## **Rules of evidence before the**

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## **International Court of ...**

Fact Finding and Evidence Before the International Court of Justice (Notably in Scientific-Related Disputes) 1.

INTRODUCTION. During the decade 2006-16, the International Court of Justice has been increasingly confronted with... 2. TECHNICAL AND SCIENTIFIC EVIDENCE AT THE WRITTEN AND ORAL

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PHASE OF ...

## **Fact Finding and Evidence Before the International Court ...**

fact-finding is in many respects reactive  
- the onus being placed squarely on the  
parties to place before the Court the  
information necessary for the  
establishment of a sound factual basis

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upon which the case can be decided.

**The Law and Practice of Fact  
Finding before the ...**

In particular, the Fact-Finding Mission is interested in receiving information related to alleged cases of extrajudicial executions, enforced disappearances, arbitrary detentions and torture and



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other cruel, inhuman or degrading treatment, including sexual or gender-based violence, perpetrated since 2014 in the Bolivarian Republic of Venezuela, as per Human Rights Council resolution 42/25.

**OHCHR | Independent International  
Fact-Finding Mission on ...**

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Introduction: three cases of fact-finding by the International Court of Justice / Stephen M. Schwebel --Fact-finding in the I.C.J. / Thomas M. Franck --Evidence, the chamber, and the ELSI case / Keith Hight --Fact-finding in the case concerning the frontier dispute (Burkina Faso/Republic of Mali) / Pierre-Marie Dupuy --The fact/law distinction ...

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## **Fact-finding before international tribunals : Eleventh ...**

Thirdly, relating to both the fact-finding and fact-assessment processes, Section 4.3 explores the possibility of increased use of experts, the refinement of the current procedure for the presentation of expert evidence and greater use of cross-

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examination as a way of aiding the Court in effectively assessing the facts put before it by the parties.

## **Winds of change: the possibility of reform (Chapter 4 ...**

In order to secure the guarantees afforded to the victims of armed conflicts, Article 90 of the First

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Additional Protocol to the Geneva Conventions of 1949 (AP I) provides for the establishment of an International Fact-Finding Commission. The International Humanitarian Fact-Finding Commission (IHFFC) was subsequently established in 1991.

## **IHFFC International Humanitarian**

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## **Fact-Finding Commission ...**

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## **Fact-Finding before the International Court of Justice ...**

Fact-finding before the International Court of Justice. [James Gerard Devaney]

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-- A comprehensive study of the topical issue of fact-finding which makes realistic proposals to address the ICJ's problematic practice in this area.

## **Fact-finding before the International Court of Justice ...**

The present report, submitted to the Human Rights Council pursuant to

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Council resolution 42/25 of 27  
September 2019, contains the findings  
of the independent international fact-  
finding mission on ...

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