

# CUSTOMARY INTERNATIONAL LAW AND ITS INTERPRETATION BY INTERNATIONAL COURTS

It is notorious that international courts and tribunals have greatly contributed to the development of customary international law (CIL) by, for instance, articulating the constituent elements of custom and clarifying the conditions required for its modification. This volume demonstrates that they have also been actively engaged in the interpretation of CIL. In elucidating CIL interpretation before and by international courts and tribunals, the volume chooses three focal points: theory, method and normative interactions. Viewing CIL and its interpretation from these vantage points leads to a more complete picture of the role and function of CIL interpretation in international courts. The volume encourages readers to question orthodox theories on CIL and its interpretation, to look anew at what has long been labelled as mere identification of custom, and to take a systemic approach to CIL, which, even in the process of interpretation, remains unwaveringly connected to treaties and general principles of law.

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Established in 2021, the *TRICI-Law Book Series* is a limited series that aims to publish monographs and edited volumes on topics that shed light on legal interpretation in international law, with a particular emphasis on the interpretation of customary international law. Titles appearing in the series examine the interpretation of customary international law from a theoretical and practical perspective, and compare the characteristics of legal interpretation in international law across courts, regimes and sources as they have evolved and continue to do so through time. The *TRICI-Law Book Series* is a joint initiative between Cambridge University Press, the European Research Council and the University of Groningen. The titles in this series are available as Open Access thanks to the generous funding from the European Research Council (ERC) under the European Union's Horizon 2020 Research and Innovation Programme (Grant Agreement No 759728) and the University of Groningen.

*General Editor*  
Panos Merkouris  
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CUSTOMARY  
INTERNATIONAL LAW  
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INTERPRETATION BY  
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COURTS

Theories, Methods and Interactions

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CAMBRIDGE  
UNIVERSITY PRESS



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Shaftesbury Road, Cambridge CB2 8EA, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi – 110025, India

103 Penang Road, #05–06/07, Visioncrest Commercial, Singapore 238467

Cambridge University Press is part of Cambridge University Press & Assessment,  
a department of the University of Cambridge.

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education, learning and research at the highest international levels of excellence.

[www.cambridge.org](http://www.cambridge.org)

Information on this title: [www.cambridge.org/9781009541329](http://www.cambridge.org/9781009541329)

DOI: [10.1017/9781009541312](https://doi.org/10.1017/9781009541312)

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An online version of this work is published at [doi.org/10.1017/9781009541312](https://doi.org/10.1017/9781009541312)  
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When citing this work, please include a reference to the DOI [10.1017/9781009541312](https://doi.org/10.1017/9781009541312)

First published 2024

*A catalogue record for this publication is available from the British Library.*

*Library of Congress Cataloging-in-Publication Data*

Names: Merkouris, Panos, editor. | Føllesdal, Andreas, editor. | Ulfstein, Geir, 1951– editor. | Westerman,  
Pauline, editor. | Gorobets, Kostia, editor. | Fortuna, Marina, 1995– editor.

Title: Customary international law and its interpretation by international courts : theories, methods, and  
interactions / edited by Panos Merkouris, Rijksuniversiteit Groningen, The Netherlands; Andreas Føllesdal,  
Universitetet i Oslo; Geir Ulfstein, Universitetet i Oslo; Pauline Westerman, Rijksuniversiteit Groningen, The  
Netherlands; Kostia Gorobets, Rijksuniversiteit Groningen, The Netherlands; Marina Fortuna, Rijksuniversiteit  
Groningen, The Netherlands.

Description: Cambridge, United Kingdom; New York, NY : Cambridge University Press, 2024. | Series: Tric the rules  
of interpretation of customary international law | Includes bibliographical references and index. | Contents: The  
illusion of gold-digging : interpretation of state practice / Pauline Westerman – Addressing the chronological paradox  
: constitutive rules and the constructive interpretation of CIL / Henrique Marcos – Interpreting the plural sources of  
CIL / Harlan Grant Cohen – Interpretation dynamics in CIL : an entropic approach / Eleni Micha – The application of  
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customary rules / Marina Fortuna – Reconciling conflicting norms of CIL-towards a mode of practical concordance at  
the ICJ / Raphael Oidtmann – Indicators of coherence and interpretation of CIL / Charalampos Giannakopoulos.

Identifiers: LCCN 2024020480 | ISBN 9781009541329 (hardback) | ISBN 9781009541312 (ebook)

Subjects: LCSH: Customary law, International – Interpretation and construction. | International courts.

Classification: LCC KZ1277 .I58 2024 | DDC 340.5–dc23/eng/20240509

LC record available at <https://lcn.loc.gov/2024020480>

ISBN 978-1-009-54132-9 Hardback

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