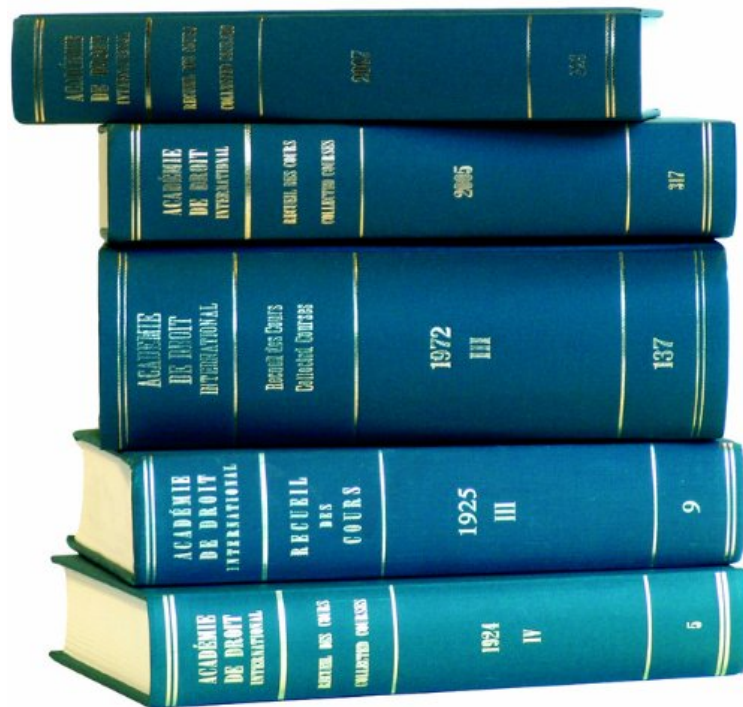


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Académie de Droit International de la Haye / Hague Academy of International Law : Recueil des Cours Collected Courses Volume 340 (French Edition) before purchasing it in order to gauge whether or not it would be worth my time, and all praised Recueil des Cours Collected Courses Volume 340 (French Edition):

Reflections on the Relevance of Public International Law to Private International Law Treaty Making Paul R. Beaumont This lecture focuses on treaty interpretation, reservations, declarations, the relationship between international instruments and decision making methods in an international institution. It deals with these public international law issues from the perspective of a private international lawyer who has encountered them when negotiating several treaties at the Hague Conference on Private International Law (the revised Statute of the Conference, the Choice of Court Agreements Convention, and the Maintenance Convention and its Protocol). Conflicts de lois en droit maritime Sergio M. Carbone La doctrine et la jurisprudence la plus récente relèvent de plus en plus les limites de l'utilisation du critère de la nationalité du navire dans la solution des conflits de loi. En ce qui concerne les conflits de lois relatifs aux transports maritimes de marchandise, on tient compte des différences des solutions adoptées à propos des charters-parties, des transports tramps et des transports maritimes de ligne documentés par un connaissement. A propos du contrat de travail maritime, on confirme l'affaiblissement du rôle de la nationalité du navire et l'importance croissante de la négociation collective internationale. En ce qui concerne la responsabilité extracontractuelle, c'est la *lex damni* qui s'applique, sauf pour ce qui concerne les événements à l'intérieur du navire.

De cette analyse, enfin, résulte confirmée la tendance à l'internationalisation du droit maritime et la fonction résiduelle confiée à la loi du pavillon dans la solution des conflits de lois. Unifying and Harmonizing Substantive Law and the Role of Conflict of Laws Katharina Boele Woelki Traditionally, conflict of law rules designate only national substantive law as the applicable law. Many unifying and harmonizing substantive law instruments of both States and non-State organizations, however, are designed specifically for application to cross-border relationships. Achieving this objective is, generally, hindered by conflict of law rules. The requirements which non-national law needs to fulfil in order to be accepted as the law governing a cross-border relationship deserve clarification. Not only uniform law, such as the CISG and the envisaged European substantive law instrument for the law of obligations, but, particularly, instruments which are aimed at harmonizing substantive law, challenge the established systems of conflict of laws. In seeking a positive approach towards the application of a law other than national law various aspects need to be considered: (1) is the decision taken by a court or an arbitral tribunal; (2) what field of law (contract/delict/tort or family relationships) is involved; and (3) the objective or subjective (choice by the parties) designation of the applicable law.

About the Author Co-publication with: The Hague Academy of International Law.