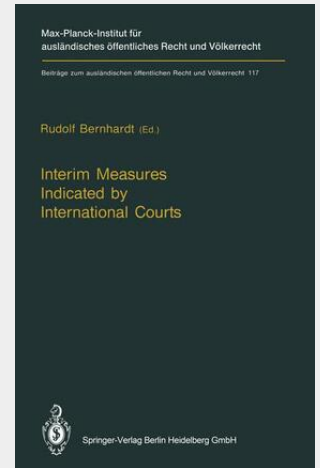Bernhardt

Interim Measures Indicated by International Courts

Professor Hermann Mosler, former Director of the Max Planck Institute for Comparative Public Law and International Law, former Judge and Vice President of the European Court of Human Rights, Judge of the Interna tional Court of Justice from 1976 to 1985, celebrated his 80th birthday at the end of the year 1992. On 22nd January 1993, the Max Planck Institute organized a colloquium in honour of Hermann Mosler, on a topic which is of theoretical as well as practical interest: Interim Measures Indicated by International Courts. The participants of the colloquium were outstanding scholars and experts in the area of international dispute settlement. The present publication is based on the colloquium of January 1993. It contains four reports, namelyon the International Court of Justice (Thirl way), the Court of Justice of the European Communities (Jacobs), the Inter-American Court of Human Rights (Buergenthal) and the European Court of Human Rights (Bernhardt). Three of the reports were orally pre sented and discussed, and they have been revised and expanded for this publication; the report by Thomas Buergenthal could only be submitted in writing. In preparing the colloquium the authors were requested to concentrate their contributions on the following questions: 1. Legal bases for the indication of interim measures (convention, statute, rules of court). 2. Conditions for the indication of interim measures (jurisdiction, compe tence, admissibility, urgency, necessity - irreparable damage -; request of the parties andjor indication by the court proprio molu).

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