

Contents

List of figures	vii
List of tables	viii
Notes on contributors	ix
Introduction: stories about international organisations, non-State actors, and the formation of customary international law – Sufyan Droubi and Jean d’Aspremont	1
Part I: Theoretical and conceptual perspectives	19
1 International organisations as autonomous actors – Nikolaos Voulgaris	21
2 Capturing the juridical will – Catherine Brölmann	42
3 <i>Opinio juris</i> : between mental states and institutional objects – Sufyan Droubi	62
4 Beyond the either-or paradigm – Lorenzo Gasbarri	102
5 Between anthropomorphism and artificial unity – Maiko Meguro	123
6 Custom as the product of successful argumentative campaigns – Fabian Cardenas	142
7 Unlearning some common tropes – Jean d’Aspremont	166
Part II: Field perspectives and case studies	189
8 International organizations and non-State actors in the International Law Commission’s conclusions on identification of customary international law – Michael Wood	191

Contents

9	The International Law Commission perspective on non-State actors and customary international law – Veronika Bílková	200
10	The International Law Commission in the eyes of the International Law Commission: mirror or looking-glass? – Luíza Leão Soares Pereira	227
11	The riddle of custom: General Assembly resolutions – Rossana Deplano	241
12	The United Nations Secretariat and custom – Jean-Baptiste Merlin	261
13	The making of custom through sanctions of international organisations – Maruša T. Veber	284
14	The International Committee of the Red Cross and custom – Iris Müller	306
15	Treaty bodies and States: shaping custom – Kasey McCall-Smith	321
16	The contribution to customary international law by territories under international administration – William Thomas Worster	343
17	The formation of customary international law by <i>de facto</i> regimes – Antal Berkes	363
18	Investors in the formation of customary international law – Tomoko Yamashita	382
19	Adjudicators, guardians, and enforcers: taking the role of non-governmental organisations in customary international lawmaking seriously – Valentina Azarova	404
	Index	437