# Contents

*Table of Cases*  
*Table of Treaties*  
*Table of International Instruments*  
*Table of Domestic Legislation*  
*List of Abbreviations*

**Introduction**

I. Doctrinal Implications of Increased Jurisdictional Interaction  
II. The Internationalization of the National  
III. The Need for Regulation  
IV. Structure of the Treatise and Research Methodology

**I. COMPETING PARADIGMS FOR DELINEATING RELATIONS BETWEEN NATIONAL AND INTERNATIONAL COURTS**

1. Categorizing Vertical and Horizontal Jurisdictional Interactions  
   1.1 Stating the Obvious: Regulated Interactions between National and International Courts  
   1.2 Uncharted Territory: Unregulated Interactions between National and International Courts  
2. Conceptualizing the Relations between National and International Courts  
   2.1 Traditional Objections to Regulation: Dualism and Hierarchy  
   2.2 Alternative Relationship Theories  
3. The Fragmentation of International Law  
   3.1 Fragmentation and Jurisdictional Interaction  
   3.2 Disintegrationism and Integrationism in Practice  
   3.3 Analogies to the National/International Relationship
II. REGULATING RELATIONS BETWEEN NATIONAL AND INTERNATIONAL COURTS

4. The Feasibility of Regulation: Do National and International Proceedings Overlap? 125
   4.1 Non-Hierarchical Context 126
   4.2 Applicability of International Jurisdiction-regulating Rules 130
   4.3 Conditions of Jurisdictional Competition 131
   4.4 Interim Conclusions 144

5. Application of Jurisdictional-regulating Norms 145
   5.1 Choice of Forum Rules 146
   5.2 Multiple Proceedings 155
   5.3 Interim Conclusions 163

6. Flexible Jurisdiction-regulating Rules 165
   6.1 Comity 166
   6.2 Abus de droit 191
   6.3 Interim Conclusions 194

Conclusions 197

Bibliography 201
Index 213