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Textbook on International Law Martin Dixon,2013-04-18 Offers a concise and focused introduction to international law with coverage of all the core topics from the nature and sources of international law to the use of force and human rights

The Inherent Right of Self-Defence in International Law Murray Colin Alder,2012-09-21 Determining the earliest point in time at which international law authorises a state to exercise its inherent right of self defence is an issue which has been debated but unsatisfactorily reasoned by scholars and states since the 1960 s Yet it remains arguably the most pressing question of law that faces the international community This book unravels the legal and factual complications which have obscured the answer to this question In contrast to most other works it takes an historic approach by tracing the evolution of the rights rules and principles of international law which have governed the use of force by states since the 16th century Its emphasis on self defence provides the reader with a new and complete understanding of how and why the international legal framework limits defensive force to repelling an imminent threat or use of offensive force which is directed at the territory of a state Taking an historic approach enables this book to resurrect an understanding of the human defensive instinct which has guided the formation of the international law of self defence It also explains the true legal nature and scope of the inherent right of self defence of anticipatory self defence and provides a definition of the legal commencement of an armed attack for the purpose of Article 51 of the Charter Finally the reader will receive a unique source of research materials and analysis of state practice and of scholarly works concerning self defence and the use of force since the 16th century which is suitable for all readers of international law around the world

Asian Yearbook of International Law, Volume 22 (2016) Seokwoo Lee,Hee Eun Lee,2019-09-02 Launched in 1991 the Asian Yearbook of International Law is a major internationally refereed yearbook dedicated to international legal issues as seen primarily from an Asian perspective It is published under the auspices of the Foundation for the Development of International Law in Asia DILA in collaboration with DILA Korea the Secretariat of DILA in South Korea When it was launched the Yearbook was the first publication of its kind edited by a team of leading international law scholars from across Asia It provides a forum for the publication of articles in the field of international law and other Asian international legal topics The objectives of the Yearbook are two fold First to promote research study and writing in the field of international law in Asia and second to provide an intellectual platform for the discussion and dissemination of Asian views and practices on contemporary international legal issues Each volume of the Yearbook contains articles and shorter notes a section on Asian state practice an overview of the Asian states participation in multilateral treaties and succinct analysis of recent international legal developments in Asia a bibliography that provides information on books articles notes and other materials dealing with international law in Asia as well as book reviews This publication is important for anyone working on international law and in Asian studies

The Application of Teachings by the International Court of Justice Sondre Torp Helmersen,2021-03-04 How do the judges of the International Court of

Justice the most authoritative court in international law use teachings when deciding cases This book is the first book length examination of how teachings are used in an important international institution It uses three different methodologies a traditional legal analysis an empirical analysis where citations of teachings are counted and interviews with judges and staff Three main patterns are identified teachings have generally low weight but this weight varies between different works and between different judges The book suggests explanations for the patterns it identifies in order to contribute to understanding not only when and how teachings are used but also why and compares the Court s practice with that of other international courts and tribunals This study fills a gap in the international legal literature and will be essential reading for scholars and practicing international lawyers

International Economic Actors and Human Rights Adam McBeth, 2009-09-28 In noting that the actions of entities other than states in the economic arena can and often do have a profound effect on human rights this book poses the question as to how international human rights law can and should address that situation This book takes three very different categories of international actor the World Trade Organization the international financial institutions World Bank and IMF and multinational enterprises and analyses the interaction of each category with human rights in each case analysing the interaction of the different fields of law and seeking to identify a role for international human rights law Adam McBeth concludes that each of the selected international economic actors can and should be considered to operate within a holistic system of international law including human rights obligations but that changes in the operations and the accountability mechanisms for each actor are necessary for the practical implementation of that approach While written from a human rights perspective the underlying theme of the book is one of engagement and harmonisation rather than condemnation It provides valuable insight for those who approach this topic from a background of international trade law commercial law or general international law just as much as those who have a human rights background International Economic Actors and Human Rights will be of great interest to those studying or working in any field of international economic law as well as human rights scholars and practitioners

Privatizing War Lindsey Cameron, Vincent Chetail, 2013-03-07 A growing number of states use private military and security companies PMSCs for a variety of tasks which were traditionally fulfilled by soldiers This book provides a comprehensive analysis of the law that applies to PMSCs active in situations of armed conflict focusing on international humanitarian law It examines the limits in international law on how states may use private actors taking the debate beyond the question of whether PMSCs are mercenaries The authors delve into issues such as how PMSCs are bound by humanitarian law whether their staff are civilians or combatants and how the use of force in self defence relates to direct participation in hostilities a key issue for an industry that operates by exploiting the right to use force in self defence Throughout the authors identify how existing legal obligations including under state and individual criminal responsibility should play a role in the regulation of the industry

Der Schutz der Menschheit vor existentiellen Risiken im Völkerrecht Lena Hammel, 2019 Künstliche Intelligenz stellt nach dem

Philosophen Nick Bostrom das gr te existentielle Risiko und eine Bedrohung f r alle Menschen dar und erfordert somit ein Handeln auf internationaler Ebene Das f hrt aus rechtswissenschaftlicher Perspektive zu der Frage ob und gegebenenfalls inwieweit das V lkerrecht gegenw rtig bereits Regelungen zum Schutz der Menschheit vor existentiellen Risiken bereith lt Es zeigt sich dass sich ein Existenzrecht der Menschheit ableiten l sst aufgrund dessen die Staaten zum Schutz der Existenz der Menschheit verpflichtet sind

Peremptory Norms of General International Law (Jus Cogens) Dire Tladi,2021-08-16
Peremptory Norms of General International Law Jus Cogens Disquisitions and Dispositions brings together an impressive collection of authors addressing both conceptual issues and challenges relating to peremptory norms of general international Covered themes in the edited collection include concepts relating to the identification of peremptory norms consequences of peremptory norms critiques of peremptory norms the relationship between peremptory norms and particular areas of international law as well as the peremptory status of particular norms of international law The contributions are presented from an array of scholars and experts with different perspective thus providing an interesting mosaic of thoughts on peremptory norms Written against the backdrop of the ongoing work of the International Law Commission it exposes some tensions inherent in the jus cogens

Business and Human Rights Nadia Bernaz,2016-10-04 Business corporations can and do violate human rights all over the world and they are often not held to account Emblematic cases and situations such as the state of the Niger Delta and the collapse of the Rana Plaza factory are examples of corporate human rights abuses which are not adequately prevented and remedied Business and human rights as a field seeks to enhance the accountability of business companies and businesspeople in the human rights area or to phrase it differently to bridge the accountability gap Bridging the accountability gap is to be understood as both setting standards and holding corporations and businesspeople to account if violations occur Adopting a legal perspective this book presents the ways in which this dual undertaking has been and could be further carried out in the future and evaluates the extent to which the various initiatives in the field bridge the corporate accountability gap It looks at the historical background of the field of business and human rights and examines salient periods events and cases The book then goes on to explore the relevance of international human rights law and international criminal law for global business International soft law and policy initiatives which have blossomed in recent years are evaluated along with private modes of regulation The book also examines how domestic law especially the domestic law of multinational companies home countries can be used to prevent and redress corporate related human rights violations

State Interest and the Sources of International Law Markus P. Beham,2018-05-11 This book addresses the disparity between positive non treaty law and its scholarly assessment in the area of moral concepts understood as altruistic as opposed to reciprocal legal obligations It shows how scholars are generously willing to assert the existence of a rule of international law thereby moving further away from actual state practice not taking into account the factors of legal rhetoric and the core survival interests of the state in the formation of custom and general principles of law The main argument is

that such moral concepts can simply not manifest themselves as non treaty sources of international law from a dogmatic perspective The reason is the inherent connection between the formation of the non treaty sources of international law and state interest that makes it difficult if not impossible to assess state practice or opinio juris in the case of altruistic obligations The book further demonstrates this finding by looking at two cases in point Human rights and humanitarian exceptions to the prohibition of force As opposed to the majority of existing works on the subject State Interest and the Sources of International Law takes a bigger picture approach to a number of distinct problems in international law scholarship by looking at the building blocks of international relations on the one hand and merging this with sources doctrine on the other It will be of interest to researchers academics and students in the fields of international law human rights international relations political science legal philosophy and legal theory

The Use of Force in International Relations Hans Köchler,2006 *The Rome Statute and Islamic Law* Majed Handi Alsolami,2024-09-16 This book examines in depth the degree of compatibility and incompatibility between the general principles and jurisdiction of Islamic law and international criminal law the Rome Statute It discusses the controversy related to the non ratification of the Rome Statute by some Islamic and Arab countries The author analyses arguments that maintain that Islamic law cannot be compatible with international criminal law and makes it clear that there are no fundamental differences between the principles of Islamic law and the principles of international criminal law The book considers Saudi Arabia as a case for reference *Introduction to International Investment Law* Cristina-Elena Popa Tache,2020-07-10 We are in the presence of a recent scientific paper an analysis prepared with professionalism which deals with a topic of great relevance in the inter human and inter state relations that contemporaneity has brought to today s society The paper aims to know the international law of investment as a require to understand the connection between international investment and the science of law and can be used as a subject course of university study Mrs Cristina Popa Tache PhD presented several proposals aimed at contributing to the regulation of the legal regime of foreign investment and concluded that it can be seen that the legal regime of foreign investment can evolve only through cooperation in this area of all specialists to strengthen legislative economic and social cohesion by creating a comprehensive legislative framework as well as by promoting appropriate government policies I would like to accentuate once again the special value of this research work in the international context of a topic full of interest in current international relations Recommending the reading of a wide circle of people interested in the field of international foreign investment law I am convinced that those who know this monograph will considerably enrich their information in view of understanding a very current and useful phenomenon for this field of information and legal culture PhD Ianfred Silberstein

The Relationship of WTO Law and Regional Trade Agreements in Dispute Settlement: From Fragmentation to Coherence Malebakeng Agnes Forere,2015-10-12 It is becoming increasingly evident that traditional sovereignty is simply out of date Instead what we might call cooperative sovereignty which focuses on communication and interaction is more responsive to

the realities of interdependent economies in the twenty first century Nowhere is this more salient than in the area of dispute resolution especially as labour intellectual property and the environment can no longer be evaded in trade negotiations This ground breaking book suggests that it is this shift in perspective that has given rise to the proliferation of Regional Trade Agreements RTAs and the inevitable overlaps and tensions between their provisions and those of the World Trade Organization WTO The author examines this phenomenon in great detail and offers viable recommendations to restore coherence in the global trading system without upsetting the rights and obligations of WTO Member States Because the WTO and RTAs must be viewed as layers of one system and must therefore have a relationship that extends to dispute settlement such principles of subsidiarity as autonomy mutual assistance and flexibility are key to a successful institutional relationship between the WTO and RTAs From this theoretical springboard the author proceeds to analyse the following issues and more the relationship between WTO and RTAs based on Article XXIV of GATT the extent to which WTO panels can apply RTA law the extent to which the WTO panels can hear RTA claims opportunity for RTA Members to secure preliminary rulings and advisory opinions from the WTO recognition by WTO panels of the results of litigation or arbitration that took place at the RTA level opportunity for RTA Members to appeal RTA dispute settlement decisions to the WTO and clarification of WTO rules designed to enable RTA activities or intervene if necessary Major cases decided at the WTO and RTA levels that manifest conflict between RTAs and the WTO are fully analysed Confronting directly the stagnation in negotiating and concluding new trade agreements at the multilateral level and the fragmentation of the international trade law system this important book shows clearly how the institutional relationship between the WTO and RTAs can be restructured with a view to establishing mutual recognition of the judgments of both In a nutshell the book calls for reconfiguration of WTO Dispute Settlement Body to perform functions of World Trade Court that is capable of hearing disputes arising between WTO Members RTA Members and Non WTO Members It will prove invaluable to all involved in the negotiation and implementation of trade agreements at every level *The Law and Politics of Engaging De Facto States* Benedikt

Harzl, 2018-05-08 The secessionist entities that emerged out of the turbulent upheavals in the 1990s in the South Caucasus have over many years and with enormous external assistance successfully defied the jurisdiction of their metropolitan states As entities that have attained a status of de facto statehood they epitomize unresolved conflicts between core principles and doctrines in public international law This study addresses the interplay between law and politics against this context and problematizes false dichotomies that have arguably hindered the transformation of these territorial disputes The author devotes particular attention to different ways of engagement with the de facto states below the level of political endorsement

The Contemporary Commonwealth James Mayall, 2009-09-25 This collection of essays has been assembled to mark the centenary of The Round Table It provides an analysis of the modern Commonwealth since the establishment of the Secretariat in 1965 Providing an overview of the contemporary Commonwealth this book places the organization in its rich

historical context while assessing its achievements failures and prospects The volume is divided into two parts Part I concentrates on a series of themes dealing with the structure and functioning of the Commonwealth and its major activities including the work of the secretary general and secretariat its championing of the interests of small states human rights and the world economy Part II adopts a regional perspective identifying the impact of the Commonwealth on regional relations generally and particular problems that affect these relations It also examines the ways in which the Commonwealth sometimes reinforces regional loyalties and interests but also the extent to which these have also reduced the importance of the Commonwealth in the foreign policy of its member states The Contemporary Commonwealth will be of interest to students and scholars of international politics and international organisations practitioners journalists and those working in NGOs involved in Commonwealth affairs This collection of essays is intended as a companion volume to The Commonwealth and International Affairs edited by Alex May marking the centenary of The Round Table

The International Rule of Law

Denise Wohlwend,2021-05-28 This insightful book offers an in depth examination of whether and if so how and to what degree contemporary international law can and should conform to and develop the rule of law principle Motivated by the neglect of conceptual and normative theorizing of the international rule of law within contemporary international legal scholarship Denise Wohlwend analyses the moral and legal principle of the rule of law in the international legal order

Catholic Cosmopolitanism and Human Rights Leonard Francis Taylor,2020-03-05 Provides a more complete account of the human rights project that factors in the contribution of cosmopolitan Catholicism

Religion as Empowerment Kyriaki Topidi,Lauren Fielder,2016-06-10 This volume shows how and why legal empowerment is important for those exercising their religious rights under various jurisdictions in conditions of legal pluralism At the same time it also questions the thesis that as societies become more modern they also become less religious The authors look beyond the rule of law orthodoxy in their consideration of the freedom of religion as a human right and place this discussion in a more plurality sensitive context The book sheds more light on the informal and or customary mechanisms that explain the limited impact of law on individuals and groups especially in non Western societies The focus is on discussing how religion and the exercise of religious rights may or may not empower individuals and social groups and improve access to human rights in general This book is important reading for academics and practitioners of law and religion religious rights religious diversity and cultural difference as well as NGOs policy makers lawyers and advocates at multicultural jurisdictions It offers a contemporary take on comparative legal studies with a distinct focus on religion as an identity marker

Diplomatic Law in a New Millennium Paul

Behrens,2017-07-04 The granting of diplomatic asylum to Julian Assange the dangers faced by diplomats in troublespots around the world WikiLeaks and the publication of thousands of embassy cable situations like these place diplomatic agents and diplomatic law at the very centre of contemporary debate on current affairs Diplomatic Law in a New Millennium brings together 20 experts to provide insight into some of the most controversial and important matters which characterise modern

diplomatic law They include diplomatic asylum the treatment and rights of domestic staff of diplomatic agents the inviolability of correspondence of the diplomatic bag and of the diplomatic mission the immunity to be given to members of the diplomatic family diplomatic duties including the duty of non interference but also the rise of diplomatic actors which are not sent by States including members of the EU diplomatic service This book explores these matters in a critical yet accessible manner and is therefore an invaluable resource for practitioners scholars and students with an interest in diplomatic relations The authors of the book include some of the leading authorities on diplomatic law including a delegate to the 1961 conference which codified modern diplomatic law as well as serving and former members of the diplomatic corps

Whispering the Techniques of Language: An Mental Quest through **Textbook On International Law Martin Dixon Google S**

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Table of Contents Textbook On International Law Martin Dixon Google S

1. Understanding the eBook Textbook On International Law Martin Dixon Google S
 - The Rise of Digital Reading Textbook On International Law Martin Dixon Google S
 - Advantages of eBooks Over Traditional Books
2. Identifying Textbook On International Law Martin Dixon Google S
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Textbook On International Law Martin Dixon Google S
 - User-Friendly Interface
4. Exploring eBook Recommendations from Textbook On International Law Martin Dixon Google S

- Personalized Recommendations
 - Textbook On International Law Martin Dixon Google S User Reviews and Ratings
 - Textbook On International Law Martin Dixon Google S and Bestseller Lists
5. Accessing Textbook On International Law Martin Dixon Google S Free and Paid eBooks
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 - ePub, PDF, MOBI, and More
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 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Textbook On International Law Martin Dixon Google S
 - Highlighting and Note-Taking Textbook On International Law Martin Dixon Google S
 - Interactive Elements Textbook On International Law Martin Dixon Google S
 8. Staying Engaged with Textbook On International Law Martin Dixon Google S
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Textbook On International Law Martin Dixon Google S
 9. Balancing eBooks and Physical Books Textbook On International Law Martin Dixon Google S
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Textbook On International Law Martin Dixon Google S
 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
 11. Cultivating a Reading Routine Textbook On International Law Martin Dixon Google S
 - Setting Reading Goals Textbook On International Law Martin Dixon Google S
 - Carving Out Dedicated Reading Time
 12. Sourcing Reliable Information of Textbook On International Law Martin Dixon Google S

- Fact-Checking eBook Content of Textbook On International Law Martin Dixon Google S
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
- Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
- Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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