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Transparency in International Law
Research Handbook on International Law and Natural Resources
Trans-jurisdictional Water Law and Governance
International Economic Law in the 21st Century
State Renaissance for Peace
A Dual Approach to Ocean Governance
Climate Change Marine Policy
Research Handbook on the Politics of International Law
International Internet Law
Normative Pluralism and International Law
International Economic Law and Governance
Global Health Governance
Governance and International Legal Theory
Public International Law of Cyberspace
Searching for Contemporary Legal Thought
Arctic Law and Governance
Global Civil Society in International Law
making and Global Governance
International Law and Governance of Natural Resources in Conflict and Post-Conflict Situations
The Oxford Handbook of Climate Change and Society
International Governance and the Rule of Law in China under the Belt and Road Initiative
Introduction to Law and Global Governance
Private International Law and Global Governance
International Law, International Relations and Global Governance
The Rule of Law in Global Governance
The International Legal

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Governance of the Human Genome
International Law and its Others
Ruling the World?
Global Governance and International Law
International Law in the 21st Century
International Law and Revolution
The Future of International Law
The Rise of China and International Law
Veiled Power
Ecological Integrity, Law and Governance
Governmental Illegitimacy in International Law
Democratic Governance and International Law
The Law of Global Governance
International Law and Transitional Governance
International Environmental Law and Governance

Transparency in International Law

Drawing upon 'global governance,' 'global civil society' (GCS) and 'international lawmaking' scholarship and presenting studies of GCS practice in international lawmaking processes, including treaty-making, conferences, international organisations and adjudicatory mechanisms, this book comprehensively re-evaluates GCS's role in public international lawmaking.

Research Handbook on International Law and Natural Resources

Veiled Power conducts a thorough historical study of the relationship between international law and business corporations. It chronicles the emergence of the

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contemporary legal architecture for corporations in international law between 1886 and 1981. Doreen Lustig traces the relationship between two legal 'veils': the sovereign veil of the state and the corporate veil of the company. The interplay between these two veils constitutes the conceptual framework this book offers for the legal analysis of corporations in international law. By weaving together five in-depth case studies - Firestone in Liberia, the Industrialist Trials at Nuremberg, the Anglo-Iranian Oil Company, Barcelona Traction and the emergence of the international investment law regime - a variety of contexts are covered, including international criminal law, human rights, natural resources, and the multinational corporation as a subject of regulatory concern. Together, these case studies offer a multifaceted account of the history of corporations in international law over time. The book seeks to demonstrate the facilitative role of international law in shaping and limiting the scope of responsibility of the private business corporation from the late-nineteenth century and throughout the twentieth century. Ultimately, Lustig suggests that, contrary to the prevailing belief that international law failed to adequately regulate private corporations, there is a history of close engagement between the two that allowed corporations to exert influence under a variety of legal regimes while obscuring their agency.

Trans-jurisdictional Water Law and Governance

While its importance in domestic law has long been acknowledged, transparency

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has until now remained largely unexplored in international law. This study of transparency issues in key areas such as international economic law, environmental law, human rights law and humanitarian law brings together new and important insights on this pressing issue. Contributors explore the framing and content of transparency in their respective fields with regard to proceedings, institutions, law-making processes and legal culture, and a selection of cross-cutting essays completes the study by examining transparency in international law-making and adjudication.

International Economic Law in the 21st Century

Taking the North-East Atlantic Ocean as an example of regional practice, this book addresses the dual approach to ocean governance in international law. It examines the interaction between zonal and integrated management approaches and the conservation of marine living resources and marine biological diversity. The study examines the limitations of the traditional zonal approach and suggests new possibilities for conformity between sovereign states, international law and sustainable development.

State Renaissance for Peace

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This publication present in-depth study of the very topical subject-matter of legal powers of Conferences of the Parties established on the basis of Multilateral Environmental Agreements. The book deals with the legitimacy and efficiency of the decisions of such bodies.

A Dual Approach to Ocean Governance

What is the relationship between politics and international law? Inspired by comparative politics and socio-legal studies, this Research Handbook develops a novel framework for comparative analysis of politics and international law at different stages of governance and in different governance systems. It applies the framework in a wide range of fields—from human rights and environmental standards, to cyber conflict and intellectual property—to show how the relationship between politics and international law varies depending on the sites where it unfolds.

Climate Change

Institutional and political developments since the end of the Cold War have led to a revival of public interest in, and anxiety about, international law. Liberal international law is appealed to as offering a means of constraining power and as

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representing universal values. This book brings together scholars who draw on jurisprudence, philosophy, legal history and political theory to analyse the stakes of this turn towards international law. Contributors explore the history of relations between international law and those it defines as other - other traditions, other logics, other forces, and other groups. They explore the archive of international law as a record of attempts by scholars, bureaucrats, decision-makers and legal professionals to think about what happens to law at the limits of modern political organisation. The result is a rich array of responses to the question of what it means to speak and write about international law in our time.

Marine Policy

This compact, highly engaging book examines the international legal regulation of both the conduct of States among themselves and conduct towards individuals, in relation to the use of cyberspace. Chapters introduce the perspectives of various stakeholders and the challenges for international law. The author discusses State responsibility and key cyberspace rights issues, and takes a detailed look at cyber warfare, espionage, crime and terrorism. The work also covers the situation of non-State actors and quasi-State actors (such as IS, or ISIS, or ISIL) and concludes with a consideration of future prospects for the international law of cyberspace. Readers may explore international rules in the areas of jurisdiction of States in cyberspace, responsibility of States for cyber activities, human rights in the cyber world,

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permissible responses to cyber attacks, and more. Other topics addressed include the rules of engagement in cyber warfare, suppression of cyber crimes, permissible limits of cyber espionage, and suppression of cyber-related terrorism. Chapters feature explanations of case law from various jurisdictions, against the background of real-life cyber-related incidents across the globe. Written by an internationally recognized practitioner in the field, the book objectively guides readers through ongoing debates on cyber-related issues against the background of international law. This book is very accessibly written and is an enlightening read. It will appeal to a wide audience, from international lawyers to students of international law, military strategists, law enforcement officers, policy makers and the lay person.

Research Handbook on the Politics of International Law

The objective of this book is to identify similarities and differences between the positions of Finland (as an EU Member State) and China, on Arctic law and governance. The book compares Finnish and Chinese legal and policy stances in specific policy areas of relevance for the Arctic, including maritime sovereignty, scientific research, marine protected areas, the Svalbard Treaty and Arctic Council co-operation. Building on these findings, the book offers general conclusions on Finnish and Chinese approaches to Arctic governance and international law, as well as new theoretical insights on Arctic governance. The book is the result of a collaboration between The Northern Institute for Environmental and Minority Law

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International Internet Law

Governance of global water resources presents one of the most confounding challenges in contemporary natural resource governance. With considerable government, citizen and financial donor attention devoted to a range of international, transnational and domestic laws and policies aimed at protecting, managing and sustainably using fresh and coastal marine water resources, this book proposes that sustainable water outcomes require a 'trans-jurisdictional' approach to water governance. Focusing on the concept of trans-jurisdictional water governance the book diagnoses barriers and identifies pathways to coherent and coordinated institutional arrangements between and across different bodies of laws at local, national, regional and international levels. It includes case studies from the European Union, Australia, New Zealand, South Africa, the United States and Southeast Asia. Leading specialists offer insights into the pretence and the promise of trans-jurisdictional water governance and provide readers, including students, practitioners, policy-makers and academics, with a basis for better analysing, articulating and synthesising standards of good trans-jurisdictional water governance both in theory and in practice.

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Normative Pluralism and International Law

Explores how international law applies to transitional governance from a multi-actor perspective in conflict-riven countries.

International Economic Law and Governance

This textbook provides the reader with a foundation in policy development and analysis and describes how policy, including legal mechanisms, is applied to marine environments around the world. It offers a systematic treatment of all aspects of marine policy, including environmental protection, fisheries, transportation, energy, mining and climate change. It starts with a biophysical overview of the structure and function of the marine environment with a particular emphasis on the challenges and opportunities of managing the marine environment. An overview of the creation and function of international law is then provided with a focus on international marine law. It explores the geographic and jurisdictional dimensions of marine policy, as well the current and anticipated challenges facing marine systems, including climate change-related impacts and resource over-exploitation. The book should appeal to senior undergraduate and graduate students and form a core part of the curriculum for marine affairs, science and policy courses. It will also provide supplementary reading for students

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taking a course in the law of the oceans, but is not aimed at legal specialists.

Global Health Governance

This book discusses the international legal issues underlying Internet Governance and proposes an international solution to its problems. The book encompasses a wide spectrum of current debate surrounding the governance of the internet and focuses on the areas and issues which urgently require attention from the international community in order to sustain the proper functioning of the global network that forms the foundation of our information fuelled society. Among the topics discussed are international copyright protection, state responsibility for cyber-attacks (cyberterrorism), and international on-line privacy protection. Taking a comparative approach by examining how different jurisdictions such as the United States, the European Union, China and Singapore have attempted various solutions to the problem of Internet Governance, the author offers a practical solution to the problem and is a proponent of International Internet Law. Kulesza suggests that just as in the case of International Environmental Law, an Internet Framework Convention could shape the starting point for international cooperation and lead to a clear, contractual division of state jurisdictional competences. International Internet Law is of particular interest to legal scholars engaged with the current challenges in international law and international relations, as well as students of law, international relations and political science. The issues discussed

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in the book are also relevant to journalists and other media professionals, facing the challenges of analyzing current international developments in cyberspace.

Governance and International Legal Theory

In the freshest new international law text in 20 years, Christopher C. Joyner offers a critical assessment of international legal rules in the early 21st century as they are applied by governments to the real world. Looking at concepts and principles, processes and critical problems, Joyner steers clear of an old-time case method approach, preferring to treat issues thematically. He shows the challenges of international law in terms of peace, security, human rights, the environment, and economic justice. Particular features of the book include engaging vignettes, clearly defined key terms, and special coverage of emerging topics including common spaces; international criminal law; rules, norms, and regimes; and trade relations and commercial exchange. Through it all, Joyner maintains an intent focus on the role of the individual in the evolving international legal order.

Public International Law of Cyberspace

This book discusses the above-mentioned topics from a multidisciplinary perspective.

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Searching for Contemporary Legal Thought

The human genome is a well known symbol of scientific and technological progress in the twenty-first century. However, concerns about the exacerbation of inequalities between the rich and the poor, the developing and the developed states, the healthy and the unhealthy are causing problems for the progress of scientific research. The international community is moving towards a human rights approach in addressing these concerns. Such an approach will be piecemeal and ineffective so long as fundamental issues about economic, social and cultural rights, the so-called second generation of human rights, are not addressed. This book argues that, in order to be able to meaningfully apply a human rights framework to the governance of the human genome, the international human rights framework should be based on a unified theory of human rights where the distinction between positive and negative rights is set aside. The book constructs a common heritage concept with the right to development at its core and explores the content of the right to development through rational human rights theory. It is argued that the notion of property rights in the human genome should be placed within the context of protecting human rights, including the right to development. The concept of common heritage of humanity, contrary to the widely held belief that it is in opposition to patenting of gene sequences, supports human rights-based conceptions of property rights. This book fills a gap in the literature on international legal governance of the human genome will provide an essential

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reference point for research into the right to development, development issues in bioethics, the role of international institutions in law making and research governance.

Arctic Law and Governance

This book explores whether the co-existence of (partially) overlapping and sometimes competing layers of authority, which characterizes today's global order, undermines or rather strengthens efforts to promote the rule of law on a global scale. Heupel and Reinold argue that whether multi-level governance and global legal pluralism have beneficial or detrimental effects on the international rule of law depends on specific scope conditions. Among these are the mobilization of powerful states and courts, as well as the fit between soft law and hard law arrangements. The volume comprises seven case studies written by International Relations and International Law scholars. Bridging the gap between political science and legal scholarship, the volume enables an interdisciplinary perspective on the emergence of an international rule of law. It also provides much needed empirical research on the implications of multi-level governance and global legal pluralism for the rule of law beyond the nation state.

Global Civil Society in International Lawmaking and Global

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Governance

Ruling the World?: Constitutionalism, International Law, and Global Governance provides an interdisciplinary analysis of the major developments and central questions in debates over international constitutionalism at the UN, EU, WTO, and other sites of global governance. The essays in this volume explore controversial empirical and structural questions, doctrinal and normative issues, and questions of institutional design and positive political theory. Ruling the World? grows out of a three-year research project that brought twelve leading scholars together to create a comprehensive and integrated framework for understanding global constitutionalization. Ruling the World? is the first volume to explore in a cross-cutting way constitutional discourse across international regimes, constitutional pluralism, and relations among transnational and domestic constitutions. The volume examines the core assumptions, basic analytic tools, and key challenges in contemporary debates over international constitutionalization.

International Law and Governance of Natural Resources in Conflict and Post-Conflict Situations

This book explores the historical inter-relations between international law and revolution, with a focus on how international anti-capitalist struggle plays out

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through law. The book approaches the topic by analysing the meaning of revolution and what revolutionary activity might look like, before comparing this with legal activity, to assess the basic compatibility between the two. It then moves on to examine two prominent examples of revolutionary movements engaging with international law from the twentieth century; the early Soviet Union and the Third World movement in the nineteen sixties and seventies. The book proposes that the 'form of law', or its base logic, is rooted in capitalist social relations of private property and contract, and that therefore the law is a particularly inhospitable place to advance revolutionary breaks with established distributions of power or wealth. This does not mean that the law is irrelevant to revolutionaries, but that turning to legal means comes with tendencies towards conservative outcomes. In the light of this, the book considers the possibility of how, or whether, international law might contribute to the pursuit of a more egalitarian future. International Law and Revolution fills a significant gap in the field of international legal theory by offering a deep theoretical reflection on the meaning of the concept of revolution for the twenty-first century, and its link to the international legal system. It develops the commodity form theory of law as applied to international law, and explores the limits of law for progressive social struggle, informed by historical analysis. It will therefore appeal to students and scholars of public international law, legal history, human rights, international politics and political history.

The Oxford Handbook of Climate Change and Society

Draws together the theoretical and practical aspects of international cooperation needs and legal responses in critical areas of international concern.

International Governance and the Rule of Law in China under the Belt and Road Initiative

International Relations and International Law have developed in parallel but distinctly throughout the 20th Century. However in recent years there has been recognition that their shared concerns in areas as diverse as the environment, transnational crime and terrorism, human rights and conflict resolution outweigh their disciplinary and methodological divergences. This concise and accessible volume focuses on collaborative work within the disciplines of international law and international relations, and highlights the need to develop this collaboration further, describing the value for individuals, states, IGOs, and other non-state actors in being able to draw on the cross-pollination of international relations and international legal scholarship. This book: examines how different elements of governance are interacting and shifting from one actor to another analyses the cumulative effect of these shifts, and evaluates how they both enhance and challenge the worlds governing capacity considers how the characteristics of an

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architecture for a globalized governance are emerging. Helping readers to examine and understand how accumulated actions over time have given rise to system-wide changes, this work is essential reading for all students of international law, international relations and global governance.

Introduction to Law and Global Governance

Globalization has immersed all of humanity in a single germ pool. There are no health sanctuaries in a globalizing world. In *Global Health Governance*, Obijiofor Aginam explores the relevance of international law in contemporary public health diplomacy. He focuses on the concept of mutual vulnerability to explore the globalization of disease, in what is paradoxically a global village and a divided world. Drawing from a wide range of disciplines, *Global Health Governance* offers a holistic approach to global health governance involving a multiplicity of actors: nation-states, international organizations, civil society organizations, and private actors. Aginam articulates modest proposals under the rubric of communitarian globalism, a paradigm that strives to meet the ideals of 'law of humanity.' These proposals project a humane global health order where all of humanity is inexorably tied into a global compact and where the health of one nation-state rises and falls with the health of others. International law—with its bold claims to universal protection of human rights and human dignity—is an indispensable governance tool for the reconstruction of damaged public health trust in the relations of

Private International Law and Global Governance

When is a de facto authority not entitled to be considered a 'government' for the purposes of International Law? International reaction to the 1991-4 Haitian crisis is only the most prominent in a series of events that suggest a norm of governmental illegitimacy is emerging to challenge more traditional notions of state sovereignty. This challenge has dramatic implications for two fundamental legal strictures: that against the use or threat of force against a state's political independence, and that against interference in matters 'essentially' within a state's domestic jurisdiction. Yet although human rights advocates have begun to speak of state sovereignty as an 'anachronism', with some expansively proclaiming the emergence of an international 'right to democratic governance,' international law literature lacks systematic treatment of governmental illegitimacy. This work seeks to specify the international law of collective non-recognition of governments, so as to enable legal evaluation of cases in which competing factions assert governmental authority. It subjects the recognition controversies of the United Nations era to a systematic examination, informed by theoretical and comparative perspectives on governmental legitimacy. The inquiry establishes that the category of 'illegitimate government' now occupies a place in international law, with significant consequences for the legality of intervention in certain instances. The

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principle of popular sovereignty, hitherto vague and ambiguous, has acquired sufficient determinacy to serve, in some circumstances, as a basis for denial of legal recognition to putative governments. This development does not imply, however, the emergence in international law of a meaningful norm of 'democratic governance,' nor would such a norm serve the purposes of the scheme of sovereign equality of states embodied in the United Nations Charter.

International Law, International Relations and Global Governance

Horatia Muir Watt and Diego P. Fernández-Arroyo: Introduction: The Relevance of Private International Law to the Global Governance Debate Part I: BEHIND CLOSED DOORS: THE PRIVATE MODEL AND ITS DISCONTENTS Section A. Epistemological Challenge: The Meaning of 'Private' in Private International Law 1: Geoffrey Samuel: Comparative Law as Resistance 2: Robert Wai: Private v Private: Transnational Private Law and Contestation in Global Economic Governance 3: Ralf Michaels: Post-critical Private International Law: From Politics to Technique Section B. Political Critique: Privatization as Homogenization 4: Tomaso Ferrando: Global Land Grabbing: A Tale of Three Legal Homogenizations 5: Veronica Corcodel: Governance Implications of Comparative Legal Thinking: On Henry Maine's Jurisprudence and British Imperialism Section C. Searching for Legitimacy:

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Questions of Design 6: Diego P. Fernández-Arroyo: Private Adjudication Without Precedent? 7: Gilles Cuniberti: The Merchant Who Would Not Be King: Unreasoned Fears about Private Lawmaking 8: Yannick Radi: Balancing the Public and the Private in International Investment Law PART II: BEYOND THE SCHISM: EMERGING MODELS AND WORLDVIEWS Section A. The Global Turn to Informality: Pragmatism and Constructivism 9: Benoit Frydman: A Pragmatic Approach To Global Law 10: Harm Schepel: Rules of Recognition: A Legal Constructivist Approach to Transnational Private Regulation 11: Michael Karayanni: The Extraterritorial Application of Access to Justice Rights: On the Availability of Israeli Courts to Palestinian Plaintiffs Section B. Re-importing Public Law Methodology: Federalism and Constitutionalism 12: Alex Mills: Variable Geometry, Peer Governance, and the Public International Perspective on Private International Law 13: Jacco Bomhoff: The Constitution of the Conflict of Laws 14: Jérémy Heymann: Importing Proportionality to the Conflict of Laws Section C. Reinventing a Global Horizon: Working towards a Global Public Good 15: Bram van der Eem: Financial Stability and Private International Law 16: Ivana Isailovic: Recognition(and Mis-recognition) in Private International Law 17: Sabine Corneloup: Can Private International Law Contribute to Global Migration Governance? Horatia Muir Watt: Paradigm Change in Private International Law: Renewal, Circularity, or Decline?

The Rule of Law in Global Governance

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This two volume study systematically addresses both international climate change law and global climate change governance. It deals with international law and the multiple regulatory regimes which reflect fragmentation in the absence of a universal climate change regime. International climate change law, global climate governance, and diplomacy are interrelated and extremely complex, and each volume explores these areas from a variety of doctrinal, transdisciplinary, and thematic perspectives. *** Volume I [ISBN 978 3 8329 7797 9] assesses the most pressing impacts of climate change on various.

The International Legal Governance of the Human Genome

The edited volume aims at examining China's role in the field of international governance and the rule of law under the Belt and Road Initiative from a holistic manner. It seeks alternative analytical frameworks that not only take into account legal ideologies and legal ideals, but also local demand, socio-political circumstances, to explain and understand China's legal interactions with countries along the Road, so that more useful insights can be produced in predicting and analysing China's as well as other emerging Asian countries' legal future. Authors from Germany, Korea, Singapore, Mainland China, Taiwan and Hong Kong have contributed to this edited volume, which produces academic dialogues and conducts intellectual exchanges in specific sub-themes.

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International Law and its Others

An assessment of the role of international law in preventing natural resources from fuelling armed conflict and improving their governance.

Ruling the World?

Ecological integrity is concerned with protecting the planet in a holistic way, while respecting ethics and human rights. Over recent years it has been introduced directly and indirectly in several legal regimes, culminating in international law with the 2016 expanded remit of the International Criminal Court, which now includes "environmental disasters". This book celebrates the 25th anniversary of the Global Ecological Integrity Group (GEIG), which includes more than 250 scholars and independent researchers worldwide, from diverse disciplines, including ecology, biology, philosophy, epidemiology, public health, ecological economics, and international law. It reviews the role of ecological integrity across a number of fields through inter- and trans-disciplinary engagement on matters affecting and governing the sustainability of life for both present and future generations. These include, ethics, environmental disasters, crimes against humanity and environmental health, and how such issues can be subject to sound governance and be incorporated into international law. The book also looks forward

to new applications of the concept of ecological integrity, such as crimes that result in the exploitation of natural resources and the illegal dispossession of land.

Global Governance and International Law

International Law in the 21st Century

This innovative textbook introduces the idea of law existing, operating, and functioning beyond the Nation State. Offering a structured approach, Elaine Fahey breaks down the core aspects of theory, practice and regulation in order to examine the key conceptual and factual components of the relationship between law and global governance.

International Law and Revolution

Research Handbook on International Law and Natural Resources provides a systematic and comprehensive analysis of the role of international law in regulating the exploration and exploitation of natural resources. It illuminates interactions and tensions between international environmental law, human rights law and international economic law. It also discusses the relevance of soft law,

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international dispute settlement, as well as of various unilateral, bilateral, regional and transnational initiatives in the governance of natural resources. While the Handbook is accessible to those approaching the subject for the first time, it identifies pressing areas for further investigation that will be of interest to advanced researchers.

The Future of International Law

A systematic examination by the best writers in a variety of fields working on issues of how climate change affects society, and how social, economic, and political systems can, do, and should respond.

The Rise of China and International Law

Also available as an e-book The book argues that the decision-making processes within international organizations and other global governance bodies ought to be subjected to procedural and substantive legal constraints that are associated domestically with the requirements of the rule of law. The book explains why law international, regional, domestic, formal or soft should restrain global actors in the same way that judicial oversight is applied to domestic administrative agencies. It outlines the emerging web of global norms designed to protect the rights and

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interests of all affected individuals, to enable public deliberation, and to promote the legitimacy of the global bodies. These norms are being shaped by a growing convergence of expectations of global institutions to ensure public participation and representation, impartiality and independence of decision-makers, and accountability of decisions. The book explores these mechanisms as well as the political and social forces that are shaping their development by analysing the emerging judicial practice concerning a variety of institutions, ranging from the UN Security Council and other formal organizations to informal and private standard-setting bodies."

Veiled Power

This volume examines the role of international law in shaping and regulating transitional contexts, including the institutions, policies and procedures that have been developed to steer constitutional regime changes in countries affected by catalytic events. The book offers a new perspective on the phenomenon of conflict-related transitions, whereby societies are re-constitutionalized through a set of interim governance arrangements subject to variable degrees of internationalization. Specifically, this volume interrogates the relevance, contribution and perils of international law for this increasingly widespread phenomenon of inserting an auxiliary phase between two ages of constitutional government. It develops a more nuanced understanding of the various

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international legal discourses surrounding conflict- and political crisis-related transitional governance by studying the contextual factors that influence the transitional arrangements themselves, with a specific focus on international aspects, including norms, actors and related forms of expertise. In doing so, the book builds an important bridge between comparative constitutional law and international legal scholarship in the practical and highly dynamic terrain of transitional governance. This book will be of much interest to practitioners and students of international law, diplomacy, mediation, security studies and International Relations.

Ecological Integrity, Law and Governance

This book addresses conflicts involving different normative orders: what happens when international law prohibits behavior, but the same behavior is nonetheless morally justified or warranted? Can the actor concerned ignore international law under appeal to morality? Can soldiers escape legal liability by pointing to honor? Can accountants do so under reference to professional standards? How, in other words, does law relate to other normative orders? The assumption behind this book is that law no longer automatically claims supremacy, but that actors can pick and choose which code to follow. The novelty resides not so much in identifying conflicts, but in exploring if, when and how different orders can be used intentionally. In doing so, the book covers conflicts between legal orders and

conflicts involving law and honor, self-regulation, *lex mercatoria*, local social practices, bureaucracy, religion, professional standards and morality.

Governmental Illegitimacy in International Law

The rise of China signals a new chapter in international relations. How China interacts with the international legal order--namely, how China utilizes international law to facilitate and justify its rise and how international law is relied upon to engage a rising China--has invited growing debate among academics and those in policy circles. Two recent events, the South China Sea Arbitration and the US-China trade war, have deepened tensions. This book, for the first time, provides a systematic and critical elaboration of the interplay between a rising China and international law. Several crucial questions are broached. These include: How has China adjusted its international legal policies as China's state identity changes over time, especially as it becomes a formidable power? Which methodologies has China adopted to comply with international law and, in particular, to achieve its new legal strategy of norm entrepreneurship? How does China organize its domestic institutions to engage international law in order to further its ascendance? How does China use international law at a national level (in the Chinese courts) and at an international level (for example, lawfare in international dispute settlement)? And finally, how should "Chinese exceptionalism" be understood? This book contributes significantly to the burgeoning and highly

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relevant scholarship on China and international law.

Democratic Governance and International Law

PART V CRITICAL APPROACHES.

The Law of Global Governance

Nation states have long and successfully claimed to be the proper and sovereign forum for determining a country's international economic policies. Increasingly, however, supranational and non-governmental actors are moving to the front of the stage. New forms of multilateral and global policy-making have emerged, including states and national administrations, key international organizations, international conferences, multinational enterprises, and a wide range of transnational pressure groups and NGOs that all claim their share in exercising power and influence on international and domestic policy-making. In honour of Professor Mitsuo Matsushita's intellectual contributions to the field of international economic law, this volume reflects on the current state and the future of international economic law. The book addresses a broad spectrum of themes in contemporary international economic regulations and focuses specifically on the significant areas of Professor Matsushita's scholarship, including the rise of the soft-

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law mechanism in international economic regulation, the role of the WTO and dispute settlement, and specific areas such as competition, subsidies, anti-dumping, intellectual property, and natural resources. Part one of the volume provides a comprehensive and critical analysis of the rule-based international dispute settlement mechanisms; Part two investigates the normative influences to and from WTO law; and Part three focuses on policy and law-making issues.

International Law and Transitional Governance

For more than a century, law schools have trained students to 'think like a lawyer'. In these times of legal crisis, both in legal education and in global society, what does that mean for the rest of us? In this book, thirty leading international scholars - including Louis Assier-Andrieu, Marianne Constable, Yves Dezalay, Denise Ferreira da Silva, Bryant Garth, Peter Goodrich, Duncan Kennedy, Martti Koskenniemi, Shaun McVeigh, Samuel Moyn, Annelise Riles, Charles Sabel and William Simon - examine what is distinctive about legal thought. They probe the relation between law and time, law and culture, and legal thought and legal action; the nature of current legal thought; the geography of legal thought; and the conditions for recognition of a new 'contemporary' style of law. This work will help theorists, social scientists, historians and students understand the intellectual context of legal problems, legal doctrine, and jurisprudential trends in the current conjuncture.

International Environmental Law and Governance

The state-centred 'Westphalian model' of international law has failed to protect human rights and other international public goods effectively. Most international trade, financial and environmental agreements do not even refer to human rights, consumer welfare, democratic citizen participation and transnational rule of law for the benefit of citizens. This book argues that these 'multilevel governance failures' are largely due to inadequate regulation of the 'collective action problems' in the supply of international public goods, such as inadequate legal, judicial and democratic accountability of governments vis-a-vis citizens. Rather than treating citizens as mere objects of intergovernmental economic and environmental regulation and leaving multilevel governance of international public goods to discretionary 'foreign policy', human rights and constitutional democracy call for 'civilizing' and 'constitutionalizing' international economic and environmental cooperation by stronger legal and judicial protection of citizens and their constitutional rights in international economic law. Moreover intergovernmental regulation of transnational cooperation among citizens must be justified by 'principles of justice' and 'multilevel constitutional restraints' protecting rights of citizens and their 'public reason'. The reality of 'constitutional pluralism' requires respecting legitimately diverse conceptions of human rights and democratic constitutionalism. The obvious failures in the governance of interrelated trading, financial and environmental systems must be restrained by cosmopolitan,

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constitutional conceptions of international law protecting the transnational rule of law and participatory democracy for the benefit of citizens.

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