The International Law Commission 1999 2009 Volume Iv Treaties Final Draft Articles And Other Materials Author Arnold Pronto Feb 2011

This book examines the career of Rufus Anderson, the central figure in the formation and implementation of missionary ideology in the middle decades of the nineteenth century. Corresponding Secretary of the American Board of Commissioners for Foreign Missions from 1832 to 1866, Anderson effectively set the terms of debate on missionary policy on both sides of the Atlantic and indeed long after his death. In telling his story, Harris also speaks to basic questions in nineteenth-century American history and in the relationship between American culture and the cultures of what later came to be known as the third world.

This is the first comprehensive account of the modern international law of treaty interpretation expressed in 1969 Vienna Convention, Articles 31-33. As stated by the anonymous referee, it is the most theoretically advanced and analytically refined work yet accomplished on this topic. The style of writing is clear and concise, and the organisation of the book meets the demands of scholars and practitioners alike.

Christine Evans assesses the right to reparation for victims of armed conflict in international law and in national practice.

This volume contains the summary records of the meetings of the fifty-second session of the Commission with the corrections requested by members of the Commission and such editorial changes as were considered necessary. The issues discussed at that session included: State responsibility; unilateral acts of States; nationality in relation to the succession of States; prevention of transboundary damage from hazardous activities; diplomatic protection; reservations to treaties and long-term programme of work of the Commission.

Prosecution of serious crimes of international concern has been few and far between before and even after the establishment of the International Criminal Court in 2002. Hope thus rests with the implementation of the international legal obligation for States to either extradite or prosecute such perpetrators among themselves or surrender them to a competent international criminal court. This obligation was considered by the United Nations International Law Commission (ILC) which submitted its final report in 2014. Kittichaisaree, Chairman of the ILC Working Group on that topic, not only provides a guide to the final report, offering an analysis of the subject and a unique summary of its drafting history, he also covers important issues left unanswered by the report, including the customary international legal status of the obligation, the role of the universal jurisdiction, immunities of State officials, and impediments to the surrender of offenders to international criminal courts. Authoritative, encyclopaedic, and essential to those in the field, The Obligation to Extradite or Prosecute also offers practical solutions as to the road ahead.

The Shared Responsibility in International Law series examines the underexplored problem of allocation of responsibilities among multiple states and other actors. The International Law Commission, in its work on state responsibility and the responsibility of international organisations, recognised that attribution of acts to one state or organisation does not exclude possible attribution of the same act to another state or organisation, but has provided limited guidance on allocation or reparation. From the new perspective of shared responsibility, this volume reviews the main principles of the law of international responsibility as laid down in the Articles on State Responsibility and the Articles on Responsibility of International Organizations, such as attribution of conduct, breach, circumstances precluding wrongfulness and reparation. It explores the potential and limitations of current international law in dealing with questions of shared responsibility in areas such as military operations and international environmental law.

Article 55 Lex specialis

"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"--

By definition, international law, once agreed upon and consented to, applies to all parties equally. It is perhaps the one area of law where cross-country comparison seems inappropriate, because all parties are governed by the same rules. However, as this book explains, states sometimes adhere to similar, and at other times, adopt different interpretations of the same international norms and standards. International legal rules are not a monolithic whole, but are the basis for ongoing contestation in which states set forth competing interpretations. International norms are interpreted and redefined by national executives, legislatures, and judiciaries. These varying and evolving interpretations can, in turn, change and impact the international rules themselves. These similarities and differences make for an important, but thus far, largely unexamined object of comparison. This is the premise for this book, and for what the editors call "comparative international law." This book achieves three objectives. The first is to show that international law is not a monolith. The second is to map the cross-country similarities and differences in international legal norms in different fields of international law, as well as their application and interpretation with regards to geographic differences. The third is to make a first and preliminary attempt to explain these differences. It is organized into three broad thematic sections, exploring: conceptual matters, domestic institutions and comparative international law, and comparing approaches across issue-areas. The chapters are authored by contributors who include leading international law and comparative law scholars with diverse backgrounds, experience, and perspectives.

International Law and Sustainable Development: Past Achievements and Future Challenges is a collection of essays that cover some of the most important contemporary issues in contemporary law relating to sustainable development, the utilization of natural resources, and the protection of theenvironment. Written by well-known experts on these topics who include judges of the International Court of Justice and the International Tribunal for the Law of the Sea; legal advisers from international organizations such as the World Bank, the International Maritime Organization, and the Food andAgriculture Organization; and practitioners of international law, as well as some of the leading scholars writing on international environmental law and related subjects this book covers many of the major legal developments that have taken place since the United Nations Conference on EnvironmentalDevelopment held in Rio de Janeiro in 1992.The contributors bring new perspectives on sustainable development as a legal principle, the role of the International Law Commission in codifying international environmental law, the protection of the marine environment following the entry into force of the 1982 UN Convention of the Law of the Sea,and the revolution in international fisheries law. The editors have ensured that the book covers a wide range of topics from Antarctica to small whales and the book will be of particular interest to those teaching or practising law of the sea and international environmental law.

Created by the Journal of International Law and Politics at New York University, the Guide to Foreign and International Legal Citations is the most comprehensive source for international citations rules. Including 45 country citation systems, as well as citation rules for international

organizations, tribunals, and treaties, the updated Second Edition offers updated and expanded coverage. The only reference that focuses entirely on international citation, Guide to Foreign and International Legal Citation, Second Edition, features: manageable length, convenient Wire-O binding, and easy-to-use page format logical three-part organization: Country Citation Guides Citation Guides for International Organizations Citation Guides for International and Regional Tribunals a Country Profile for each listing followed by its Citation Guide examples that reflect acceptable variability of citation in practice

Responsibility to Protect: Research, bibliography, background. Supplementary volume to the Report of the International Commission on Intervention and State Sovereignty

The International Space Law: United Nations Instruments as it represents the most comprehensive and up-to-date volume of instruments that have been developed, promoted and strengthened under the auspices of the United Nations. These instruments constitute the principal body of international space law and will continue to provide, further into the twenty-first century, an effective framework for the expanding and increasingly complex tasks aimed at the exploration and use of outer space for peaceful purposes. May they continue to support humankind's space activities throughout the years to come.

Decisions of the International Law Commission during its fiftieth session (1998) as regards the following topics: State responsibility; unilateral acts of States; nationality in relation to the succession of States; prevention of transboundary damage from hazardous activities; diplomatic protection; reservations to treaties and long-term programme of work of the Commission.

Dinah Shelton provides a comprehensive treatment of remedies for human rights violations reviews the jurisprudence of international tribunals on these violations. The text provides a theoretical framework and a practical guide for lawyers, judges, and academics interested in human rights law.

In this consultation paper, the Law Commission sets out the case for reducing the scope for criminal law to be used in regulated fields such as farming, food safety, banking and retail sales. Criminal sanctions should only be used to tackle serious wrongdoing and it is out of proportion for regulators to rely wholly on the criminal law to punish and deter activities that are merely 'risky', unless the risk involved is a serious one. There has been a steep increase in the number of criminal offences created since the late 1980s to penalise risk-taking. The areas regulated cover a wide range of risk-posing activities, and involve millions of people and thousands of businesses. By turning to civil penalties for minor breaches, regulators could reduce costs to themselves and the criminal justice system by £11 million a year. In some cases, criminal prosecution can cost almost twice what the courts obtain in fines. The paper proposes that: (i) regulatory authorities should make more use of cost-effective, efficient and fairer civil measures to govern standards of behaviour; (ii) a set of common principles should be established to help agencies consider when and how to use the criminal law to tackle serious wrongdoing, and (iii) existing low-level criminal offences should be repealed where civil penalties could be as effective. Where criminal offences are created in regulatory contexts, they should require proof of fault elements such

as intention, knowledge, or a failure to take steps to avoid harm being done or serious risks posed.

Explores the role of the International Court of Justice in the re-convergence of international law. The book contends that the court's jurisprudence is transforming traditional concepts such as sovereignty, rights and jurisdiction and in so doing is leading a trend towards the reunification of international law.

"Seventy Years of the International Law Commission: Drawing a Balance for the Future> brings together voices from academia and practice to celebrate and critically evaluate the work of the United Nations International Law Commission (ILC) over the past seventy years. The edited volume draws on the events commemorating the seventieth anniversary of the Commission, which took place in New York and Geneva in May and July 2018. At a time when multilateral law-making has become increasingly challenging, the edited volume appraises the role of one the most important driving forces behind the codification of international law and discusses the ILC's future contribution to the development of international law"--

This book contains the work of the United Nations International Law Commission (ILC) during the period 1999-2009, brining up to date the three-volume series on the work of the Commission edited by Sir Arthur Watts. Each text is accompanied by an introduction, a concise description of the negotiation process and a carefully selected bibliography.

This is the first of a three volume set, the publication of which will mark the fiftieth anniversary of the International Law Commission, the UN body principally responsible for the codification and development of international law. Together, the three volumes will collect the full texts of the Commission's final draft Articles and Commentaries, and other final reports, on all the topics on which it has completed work during its first fifty years, up to and including 1998. They will also contain the texts of all the treaties which have been concluded on the basis of the Commission's draft Articles.

This is a study of the principal negotiating processes and law-making tools through which contemporary international law is made. It does not seek to give an account of the traditional - and untraditional - sources and theories of international law, but rather to identify the processes, participants and instruments employed in the making of international law. It accordingly examines some of the mechanisms and procedures whereby new rules of law are created or old rules are amended or abrogated. It concentrates on the UN, other international organisations, diplomatic conferences, codification bodies, NGOs, and courts. Every society perceives the need to differentiate between its legal norms and other norms controlling social, economic and political behaviour. But unlike domestic legal systems where this distinction is typically determined by constitutional provisions, the decentralised nature of the international legal system makes this a complex and contested issue. Moreover, contemporary international law is often the product of a subtle and evolving interplay of law-making instruments, both binding and non-binding, and of customary law and general principles. Only in this broader context can the significance of so-called 'soft law' and multilateral treaties be fully appreciated. An important question posed by any examination of international law-making structures is the extent to which we can or should make judgments about their legitimacy and coherence, and if so in what terms. Put simply, a law-making process perceived to be illegitimate or incoherent is more likely to be an ineffective process. From this perspective, the assumption of law-making power by the UN Security Council offers unique advantages of speed and universality, but it also poses a particular challenge to the development of a more open and participatory process

observable in other international law-making bodies.
Drawing upon his inspirational role, this book is a testament to the enduring contributions he has made to international law and international human rights law and policy by colleagues he has mentored, worked or collaborated with, or simply inspired.
International human rights law is founded on the premise that all persons, by virtue of their essential humanity, should enjoy all human rights. Exceptional distinctions, for example between citizens and non-citizens, can be made only if they serve a legitimate State objective and are proportional to the achievement of the objective. Non-citizens can include: migrants, refugees and asylum seekers, victims of trafficking, foreign students, temporary visitors and stateless people. This publication looks at the diverse sources of international law and emerging international standards protecting the rights of non-citizens, including international conventions and reports by UN and treaty bodies
This handbook brings together the work of 25 leading human rights scholars from all over the world, covering a broad range of human rights topics.
This Festschrift is published on the occasion of Gerhard Hafner’s 65th birthday and his retirement as a professor at the University of Vienna. It assembles a great number of renowned friends and colleagues in international law honouring Gerhard Hafner’s outstanding career as scholar, diplomat, legal adviser and arbitrator. The diversity of areas selected for this Festschrift reflects the generalist approach of Gerhard Hafner towards international law. Among the topics on which his contribution was particularly influential are the fragmentation of international law, the law of State immunity and international criminal law, which feature prominently in the Festschrift. Other areas covered are the theory of international law (including sources), basic principles of international law, codification of international law, subjects of international law, international dispute settlement, the law of the sea and international environmental law, human rights and humanitarian law and the law of the European Union.
With a Foreword by Dame Rosalyn Higgins, this book offers useful insights into topical areas of international law and the interaction of law and diplomacy, as exemplified by the Cyprus Problem on which the author has particular expertise.
Whilst the concept of jus cogens has grown increasingly more important in public international law, lawyers remain hugely divided both over what precisely confers a jus cogens status on a norm, and what this conferral implies in terms of legal consequences. In this ground-breaking book, Ulf Linderfalk clearly and succinctly explores the reasons for this divide in order to facilitate more rational and productive future discourse.
Yearbook of the International Law Commission 1999UN
A comprehensive study of secession from an international law perspective.
Copyright: 11de6005ffb486a4f8880aa930408457