

Sri Lankan Supra Past Papers

Sri Lanka, Human Rights and the United Nations **Power, Law, and Maritime Order in the South China Sea** **The Impact of Investment Treaties on Contracts between Host States and Foreign Investors** Towards Sustainable Coastal Development *Federalism and Conflict Resolution in Sri Lanka* *The Roles and Functions of Atrocity-Related United Nations Commissions of Inquiry in the International Legal Order* **Autonomy, Sovereignty, and Self-Determination** *Colombo Hilton Hotel Construction Fraud on Sri Lanka Government* **Journal of the Royal Asiatic Society of Sri Lanka** Child Labour in a Globalized World *Economic, Social, and Cultural Rights* **State-Religion Relationships and Human Rights Law** **The Collective Dimension of Freedom of Religion** **Building International Investment Law** *Responding to International Crime* **South Asian Yearbook of Trade and Development, [2007-2008]** *Competence-Competence in the Face of Illegality in Contracts and Arbitration Agreements* **The Effect of Treaties on Foreign Direct Investment** **The Transformation of Human Rights Fact-finding** Human Dignity in International Law **Sri Lanka Journal of International Law** Law and Society in East Asia **UN Convention on the Law of the Sea and the South China Sea** *Treaties and Subsequent Practice* *The Investor-State Dispute Settlement System* **Research Handbook on Human Rights and Humanitarian Law** **Compensation for Damage in International Investment Arbitration** **Globalisation, Employment and Education in Sri Lanka** *The Energy Charter Treaty: An East-West Gateway for Investment and Trade* *Enforcement of Foreign Arbitral Awards and the Public Policy Exception* **The Backlash Against Investment Arbitration** *Between the Lines of the Vienna Convention? Article 31(3)(c) VCLT and the Principle of Systemic Integration* *Valuation for Arbitration* **Protection of Foreign Investment in India and Investment Treaty Arbitration** *Routledge Handbook of Law and Religion* **Constitutions and Religion Arbitration Under International Investment Agreements** **Sri Lanka's Leagle System: Museum of Antiquities or Melting-Pot of Ideas** **Judicial Dialogue and Human Rights**

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Protection of Foreign Investment in India and Investment Treaty Arbitration Jan 26 2020 India is one of the fastest growing economies and intends to achieve the desired growth with the help of foreign investment. Recently, India terminated all the existing Bilateral Investment Treaties (BITs) and announced to renegotiate them based on the newly issued Model BIT. This book is the first comprehensive commentary and analyses of international investment law with focus on India. It offers detailed examination of India's legal position in relation to protection of foreign investment and the impact of investment treaty arbitration and related jurisprudence on the country's governance structures and regulatory framework. Additionally, it reflects upon the political and economic rationales for the policy on foreign investment. Among the matters discussed are the following: • jurisprudence of investment tribunals, with focus on cases where India was a party (White Industries v. India); • impact of the Make in India campaign and other reforms on foreign investment; • requirement of valid entry and operation of foreign investment; • prominent treatment standards such as expropriation, fair and equitable treatment, full protection and security, most favoured nation, and national treatment; • dispute resolution clauses and enforcement of investment arbitration awards; • interaction of protection of foreign investment and the Indian judiciary; and • reasons for India not joining the ICSID Convention. Given India's position as a hugely influential player in the cross-border movement of capital, with the willingness to 'change the rules' on foreign investment and investment treaty arbitration worldwide, this book will prove of immeasurable value to practitioners, legal academics, interested policy makers, multinational corporations and their counsel and others interested in international investment law and India.

Sri Lanka's Leagle System: Museum of Antiquities or Melting-Pot of Ideas Sep 23 2019

Economic, Social, and Cultural Rights Feb 18 2022 Economic, social, and cultural rights are protected by an international covenant, recently amended by the optional protocol which allows individuals to bring rights violations before a UN committee. This book addresses how successfully these rights are implemented and safeguarded worldwide, assessing the key challenges to their protection.

Sri Lanka, Human Rights and the United Nations Dec 31 2022 This book examines the engagement between the United Nations' human rights machinery and the respective governments since Sri Lanka (then Ceylon) joined the United Nations. Sri Lanka has a long and rich history of engagement with international human rights instruments. However, despite its active membership in the UN, the country's post-colonial trials and tribulations are emblematic of the limited influence the international organisation has exerted on this country in the Global South. Assessing the impact of this

international engagement on the country's human rights infrastructure and situation, the book outlines Sri Lanka's colonial and post-colonial development. It then considers the development of a domestic human rights infrastructure in the country. It also examines and analyzes Sri Lanka's engagement with the UN's treaty-based and charter-based human rights bodies, before offering conclusions concerning the impact of said engagement. The book offers an innovative approach to gauging the impact of international human rights engagement, while also taking into account the colonial and post-colonial imperatives that have partly dictated governmental behaviour. By doing so, the book seeks to combine and analyse international human rights law, post-colonial critique, studies on biopower, and critical approaches to international law. It will be a useful resource not only for scholars of international law, but also for practitioners and activists working in this area.

Article 31(3)(c) VCLT and the Principle of Systemic Integration Mar 29 2020 In Article 31(3)(c) VCLT and the Principle of Systemic Integration the author offers a detailed analysis of and innovative solutions to all the problems relating to Article 31(3)(c) VCLT and its application by international courts when interpreting treaty provisions.

Sri Lanka Journal of International Law Apr 10 2021

Arbitration Under International Investment Agreements Oct 24 2019 Investor-state arbitration is a relatively new dispute settlement mechanism that allows foreign investors the opportunity to seek redress for damages arising out of breaches of investment-related treaty obligations by the governments of host countries. Claims are submitted to independent, international arbitration tribunals, which are called upon to interpret the treaty at hand. Because of the public interest involved in these cases, the awards of these tribunals are subject to much scrutiny and debate. Thus, it has already generated hundreds of cases and created new legal disciplines, inspiring a continuous string of legal writings. This book provides a comprehensive analysis of the main issues that arise in investor-state arbitration. It accompanies the reader through the phases of such a procedure, starting with an examination of the instruments, which provide, in the overwhelming majority of the cases, the legal basis for the requests for such arbitration. It then continues with the launching of the arbitration procedure, followed by the analysis of the main jurisdictional and substantive issues that the tribunals are confronted with, and the review procedures, when there is a request for setting aside of the award. It finally looks at the post-award phase and concludes with a reflection on the role of precedent in investment arbitration. *Arbitration under International Investment Agreements: a Guide to the Key Issues* contains in one volume what everybody needs to know on this evolving topic. Calling on the most renowned experts in this field, private practitioners, academics, government and international organization officials, it describes the process in all its phases from A to Z, providing a comprehensive insight in the way investor-state arbitration works from the perspective of the main actors involved. Its analyses of all key aspects of the topic are pragmatic and reliable.

Colombo Hilton Hotel Construction Fraud on Sri Lanka Government May 24 2022 'Colombo Hilton Hotel Construction' – 'Fraud on Sri Lanka Government' – 'Sri Lanka's First Derivative Action in Law', startlingly unravels the major fraud on the Government of Sri Lanka by reputed multi-nationals, colluding with socio-politically influential, endeavouring to fraudulently 'siphon out a large scale of foreign exchange on government guarantees', which was successfully prevented through injunctions affirmed by the Supreme Court of Sri Lanka. 'On sovereign guarantees of the Government of Sri Lanka, the Colombo Hilton Hotel was to be constructed, equipped and furnished, on a 'turnkey fixed price basis' by a Japanese consortium comprising Mitsui & Co. Ltd., and Taisei Corporation, supervised and designed by Kanko Kikaku Sekkeisha Yozo Shibata & Associates, with technical assistance in planning and construction from Hilton International, United States of America, who were to operate and manage the Hotel. During construction a staged fire allegedly destroyed all plans and documents, and surreptitiously the original plans substituted, and the hotel constructed with two floors short and without the basements contrary to the original plans, based upon which Sri Lanka Government guarantees had been obtained. 'The book essentially reveals the process of litigation by one minority shareholder, single-handedly combating socio-politically powerful influential fraudulent miscreants; lucidly narratively setting out pleadings, counter-affidavits, further pleadings, interrogatories, pre-trial processes, objections, written submissions, District and Appeal Court orders, and the landmark historic judgment by the Supreme Court of Sri Lanka, demonstrating its independence in pronouncing – 'in the given circumstances the Government could not be indifferent', – resulting in the Japanese multi-nationals writing-off a colossal sum of US \$ 207 million in 1995. 'This is an invaluable and indispensable research book for both academics and professionals of law, particularly on the rights of minority shareholders in corporates, and for those interested in the combat of fraud and corruption at the highest levels in a country.

Research Handbook on Human Rights and Humanitarian Law Nov 05 2020 'This volume by Robert Kolb and Gloria Gaggioli, contributed by some of the most renowned experts in the field, devotes an impressive amount of legal analysis to the most diverse aspects of the interplay between international humanitarian law and international human rights law in situations of violence, in theory and practice. It is bound to become an indispensable tool for scholars and practitioners alike.' Marco Pedrazzi, University of Milan, Italy This fascinating Handbook explores the interplay between international human rights law and international humanitarian law, offering expert analysis on the increasingly complex issues surrounding their application in conflict areas across the world. Contributors to this volume provide a comprehensive treatment of the ongoing relationship between human rights law and humanitarian law, from the historical background and origins of the two bodies of law to their various applications today. Divided into four parts Historical Background, Common Issues, The Need for a Combined Approach, and Monitoring Mechanisms the Handbook presents a rich and varied spectrum of original research and thought from some of the brightest minds in the field. This groundbreaking volume will surely have great appeal for anyone with a professional or academic interest in human rights law and humanitarian law, from students to professors to practitioners in the field.

Federalism and Conflict Resolution in Sri Lanka Aug 27 2022 'Catherine Casey has written an excellent book that provides a lucid and comprehensive critical analysis of organizations... [It] extends in reach and relevance beyond the specific field of organization studies and the sociology of organizations to encompass broader intellectual developments that have had a significant impact on contemporary sociology and cultural studies' - Barry Smart, Professor of Sociology, University of Portsmouth 'I anticipate that it will prove to be an attractive book in organization studies, industrial sociology and general sociology. I am sure that this will be a book that will make a major impact' - Mike Reed, Professor of Organization Theory, Lancaster University In this comprehensive and scholarly book, the essential critical strands in organizational analysis are explained. It examines how central traditions have realigned in relation to the challenge of postmodernism and the new reflexive turn in organizational studies. Judicious, innovative and written with the needs of students in mind, this book offers a renewed and revitalized critical accent in

organization studies - one that focuses on existing and emerging social tendencies, contestations and struggles. It will be essential reading for senior students of organization studies and sociology.

The Energy Charter Treaty: An East-West Gateway for Investment and Trade Aug 03 2020 The Energy Charter Treaty, initiated by the 1991 European Energy Charter and completed in December 1994, is an innovative major multilateral investment and trade treaty. The book has an introduction by Ruud Lubbers who, as the Dutch Prime Minister, played the key role in initiating the Energy Charter negotiations. It brings together contributions on the energy/investment background, the geopolitical context, the Energy Charter negotiations and the relevant specific topics of the Treaty (focusing on investment and trade, but also environment, competition and transit) by the key specialists on the subject, ranging from countries such as the US (which in the end decided not to join the Treaty) to Russia and Kazakhstan, including energy and investment specialists, international investment and commercial lawyers and arbitrators. The contributors include noted international energy/economic law authorities, but also key participants and observers of the Treaty negotiations. This book is intended to provide the first authoritative analysis of the background, negotiations and content of the Energy Charter Treaty and to provide support and guidance for subsequent negotiations and the difficult challenges involved in interpretation and application of the Treaty. It will be an essential tool for anybody working with the Energy Charter Treaty. The book contains in its annex the major documents of the Treaty: The 1991 European Energy Charter, the 1994 Treaty and its relevant Protocols, Annexes, Understandings and Final Act Declarations.

Responding to International Crime Oct 17 2021 Following the wars in the former Yugoslavia and Rwanda, and the events of 11 September 2001, awareness of international crimes has come to the forefront of public consciousness. The very public responses seen in the establishment by the Security Council of the ad hoc tribunals and the international community coming together to create the International Criminal Court have done much to promote the idea that there should be no impunity for international criminals. Nevertheless, while those are incredibly significant steps in the attempt to combat international crime, there is no way due to their jurisdictional competence that such bodies could ever hope to address all the various crimes that are committed that are not confined to a single domestic jurisdiction either by reason of their nature or transborder factors. As such, the response of the international community to international crime depends as much on extraterritorial criminal jurisdiction, mutual legal assistance agreements, extradition and other means of lawful rendition. Furthermore, given the fundamental rule that a person is innocent until proven guilty and that everyone within the jurisdiction of a State is owed certain basic minimum human rights guarantees, responses to international crime cannot be without limitation. Respect for the alleged transnational fugitive offender is as important a factor in responding to international crime as preventing impunity for genocide, crimes against humanity, war crimes and gross human rights violations.

Autonomy, Sovereignty, and Self-Determination Jun 24 2022 Demands for "autonomy" or minority rights have given rise to conflicts, often violent, in every region of the world and under every political system. Through an analysis of contemporary international legal norms and an examination of several specific case studies—including Hong Kong, India, the transnational problems of the Kurds and Saamis, Nicaragua, Northern Ireland, Spain, Sri Lanka, and the Sudan—this book identifies a framework in which ethnic, religious, and regional conflicts can be addressed.

Constitutions and Religion Nov 25 2019 Constitutions and Religion is the first major reference work in the emerging field of comparative constitutional law and religion. It offers a nuanced array of perspectives on various models for the treatment of religion in domestic and supranational legal orders.

Power, Law, and Maritime Order in the South China Sea Nov 29 2022 Over the last few decades there has been growing recognition of the importance of a peaceful and stable South China Sea for Indo-Pacific security and development, a recognition that has been underlain, paradoxically, by the increasingly precarious situation in this body of water that straddles critical shipping lanes from the Indian to the Pacific Ocean. This book informs its readership of the most recent developments in the South China Sea with insightful and prescient analyses from both legal and international relations perspectives. It delves into the policy perspectives and deliberations of the various relevant regional and extra-regional actors in the South China Sea dispute, the exercise of international law in the context of the changing regional political landscape, and the promise and pitfalls of past, current, and potential initiatives to manage and settle the dispute. Written by some of the most well-known scholars and knowledgeable insiders in the fields South China Sea studies, the collection offers a wide array of diverse views that should help enrich the ongoing global discussion on conflict management and resolution in the South China Sea.

Towards Sustainable Coastal Development Sep 27 2022 Utilizing the coastal problems of South Asia, including sea level rise, *Towards Sustainable Coastal Development: Institutionalizing Integrated Coastal Zone Management and Coastal Climate Change Adaptation in South Asia* investigates the role of law and regional regimes in facilitating linkages between integrated coastal zone management and coastal climate change adaptation to contribute to sustainable coastal development.

Journal of the Royal Asiatic Society of Sri Lanka Apr 22 2022

Building International Investment Law Nov 17 2021 This volume celebrates the first fifty years of the International Centre for Settlement of Investment Disputes (ICSID) by presenting the landmark cases that have been decided under its auspices. These cases have addressed every aspect of investment disputes: jurisdictional thresholds; the substantive obligations found in investment treaties, contracts, and legislation; questions of general international law; and a number of novel procedural issues. Each chapter, written by an expert on the chapter's particular focus, looks at an international investment law topic through the lens of one or more of these leading cases, analyzing what the case held, how it has been applied, and its overall significance to the development of international investment law. These topics include: - applicable law; - res judicata in investor-State arbitration; - notion of investment; - investor nationality; - consent to arbitration; - substantive standards of treatment; - consequences of corruption in investor-State arbitration; - State defenses - counter-claims; - assessment of damages and cost considerations; - ICSID Arbitration Rule 41(5) objections; - mass claims, consolidation and parallel proceedings; - provisional measures; - arbitrator challenges; - transparency and amicus curiae; and - annulment. Because the law of international investment continues to grow in importance in an ever globalizing world, this book is more than a fitting way to mark the past fifty years and to welcome the next fifty years of development. It will prove both educational for practitioners new to the field and informative for seasoned investment lawyers. Moreover, the book itself is a landmark that will be of great value to professionals, scholars

and students interested in international investment law.

Valuation for Arbitration Feb 27 2020 This book provides a clear understanding of the nuts and bolts of valuation approaches for business investments, including market, income and asset-based methods. It reviews tools that arbitrators may employ to reach their final compensation assessment on a principled basis. The book and its many practical recommendations explore the decision making processes entailed in three central aspects of the arbitrator's role: and• advance planning to enhance understanding of expert valuation evidence; and• identification of and“apples-to-orangesand” miscomparisons; and and• recognition of the true comparability between the business at issue and other examples offered in the expert evidence. The presentation focuses not only on the legal standards applicable to the valuation (full or adequate compensation, reparations, restitution, actual loss, fair market value, fair or reasonably equivalent value, lost profits, etc.), but also on the informed judgment and reasonableness that must enter into the process of weighing the facts of each case and determining its aggregate significance. The book considers common valuation methods like discounted cash flows, adjusted present values, capitalized cash flows, adjusted book values and comparable sales and transactions. Additionally, it addresses means for arbitrators to assess expert valuation evidence in complex business investment disputes. andquot;Best book 2008 of the OGEMID awards!andquot;

Judicial Dialogue and Human Rights Aug 22 2019 A comprehensive analysis of the extent, method, purpose and effects of domestic and international courts' judicial dialogue on human rights.

Enforcement of Foreign Arbitral Awards and the Public Policy Exception Jul 02 2020 The book presents arguments derived from primary sources related to international arbitration in South Asian jurisdictions, a list of the same is made available therein. The book is a research statement on the contemporary concerns within international commercial arbitration, especially related to enforcement of foreign arbitral awards. Importantly, the book through a unique methodology of interface, presents the gratuitous nature of Article 34 of the UNCITRAL Model Law when read with Article V of the New York Convention, especially the plea to the States within Article VII of the same Convention to ease the restrictions and the process of enforceability of foreign arbitral awards. The book also articulates another important and immediate need with regard to international arbitration – the delimitation of public policy exception to recognition and enforcement of foreign arbitral awards. It critiques the jurisprudence related to arbitration in jurisdictions spread across different geographic regions, thereby enabling the reader to gain an insight into their practices, apart from ensuring a comparative perspective. The book addresses the primary concern related to international arbitration – enforcement of foreign arbitral awards and the grounds for challenges articulated within the New York Convention and the UNCITRAL Model Law. It addresses these grounds, and articulates the necessity for carving the criteria for the application of public policy exception. The book will not only be a useful resource for policy makers, students and researchers interested in international commercial arbitration, and private international law, but also for practitioners working on dispute resolution in trans-jurisdictional disputes in South Asia and beyond. “...The present book is not just another book contributing to the endless list of literature already widely used in International Commercial Arbitration on public policy but, in my opinion, is unique in many respects. The distinguishing factor of this book is its regional perspective...” - Justice Deepak Verma, Former Judge of Supreme Court of India and Arbitrator “...This book addresses this core element of the success story of arbitration: enforcement and refusal to enforce and, hence, its relevance cannot be overstated...” - Csongor István Nagy, Professor of Law and Head, Department of Private International Law, University of Szeged, Hungary Detailed Forewords are available in the book and can be freely downloaded from <https://link.springer.com/book/10.1007/978-981-16-2634-0>

The Transformation of Human Rights Fact-finding Jun 12 2021 This work offers a multidisciplinary approach to the study of fact-finding, including rigorous and critical analysis of the field of practice, as well as providing a range of accounts of what actually happens. It deepens the study and practice of human rights investigations, and fosters fact-finding as a discretely studied topic, while mapping crucial transformations in the field.

The Impact of Investment Treaties on Contracts between Host States and Foreign Investors Oct 29 2022 In the field of investment treaty arbitration, the co-existence of contracts and treaties has generated an increasingly divided jurisprudence on central aspects of treaty interpretation. This book comprehensively examines the legal problems surrounding the relationship of these two instruments.

The Collective Dimension of Freedom of Religion Dec 19 2021 The right to freedom of religion or belief, as enshrined in international human rights documents, is unique in its formulation in that it provides protection for the enjoyment of the rights "in community with others". This book explores the notion of the collective dimension of freedom of religion or belief with a view to advance the protection of this right. The book considers Turkey which provides a useful test case where both the domestic legislation can be assessed against international standards, while at the same time lessons can be drawn for the improvement of the standard of international review of the protection of the collective dimension of freedom of religion or belief. The book asks two main questions: what is the scope and nature of protection afforded to the collective dimension of freedom of religion or belief in international law, and, secondly, how does the protection of the collective dimension of freedom of religion or belief in Turkey compare and contrast to international standards? In doing so it seeks to identify how the standard of international review of the collective dimension of freedom of religion can be improved.

Competence-Competence in the Face of Illegality in Contracts and Arbitration Agreements Aug 15 2021 Also available as an e-book Competence-competence and corruption have, for different reasons, been mainstays of international dispute resolution thought and practice for the longest time. In the last few years, their intersection has become increasingly important and problematic. These lectures seek to define the problem and to provide acceptable solutions where possible. They attempt to derive support from both a stringent dogmatic approach and pragmatic attention to real-life expectations and conduct. More so than in other areas of private international law, the intersection between the powers of the arbitrator and the illegality of the subject matter or the parties' conduct poses a particular challenge. That challenge is to postulate proper solutions under the law, including principles of transnational or international law, to conduct which can take on a multiplicity of appearances owing to conflicting cultural understandings of what is and is not legal in commercial life. The statement that bribery and corruption offend transnational or international public policy does not relieve the arbitrator from the burden of scrutinizing that statement doctrinally and exploring its consequences in a period of ever-increasing globalization of economic activity

and investment.

The Roles and Functions of Atrocity-Related United Nations Commissions of Inquiry in the International Legal Order Jul 26 2022 In *The Roles and Functions of Atrocity-Related United Nations Commissions of Inquiry in the International Legal Order*, Catherine Harwood explores how United Nations inquiries navigate considerations of principle and pragmatism to discern their identity in the international legal order.

State-Religion Relationships and Human Rights Law Jan 20 2022 This book presents a human rights-based assessment of the various modes of state religion identification and of the various forms of state practice that characterize these different state religion models. This book makes a case for the recognition of a state duty to remain impartial with respect to religion or belief in all regards so as to comply with people's fundamental right to be governed, at all times, in a religiously neutral manner. As this book demonstrates through the various case studies there is increasing interest and concern at the manner in which questions concerning the enjoyment of the right to the freedom of religion or belief bear upon key questions concerning the governance of democratic society. Issues raised involve matters concerning employment, education, expression, association and, more generally, the interface between religion and political life. The existing literature often traces these concerns back to the need to consider the place of religion in contemporary society but leaves matters there. Another body of academic literature explores the theoretical dimensions of that relationship but fails to connect it to the practice of states in order to test out the propositions which are the product of these reflections. The great virtue of this work is that it seeks to unite these various enterprises and engages head on with the challenges which this produces. The aim is to demonstrate and illustrate the key contention: that there is an emergent right to religiously neutral governance, and that this is incompatible with the continuation of systems which offer preference to particular forms of belief system religious or otherwise. A chief virtue of this book is that it works through the consequences of this claim in a fearless fashion, posing challenges for those states which continue to use their legal frameworks to offer support (directly or indirectly) for historical, dominant or favoured forms of religion or belief. It challenges received assumptions and, by driving the logic of contemporary human rights thinking to the foundations of state-religion relationships performs a valuable service for those engaging with this most difficult and timely of questions. Malcolm D. Evans, Professor of Public International Law, University of Bristol
Routledge Handbook of Law and Religion Dec 27 2019 The field of law and religion studies has undergone a profound transformation over the last thirty years, looking beyond traditional relationships between State and religious communities to include rights of religious liberty and the role of religion in the public space. This handbook features new, specially commissioned papers by a range of eminent scholars that offer a comprehensive overview of the field of law and religion. The book takes on an interdisciplinary approach, drawing from anthropology, sociology, theology and political science in order to explore how laws and court decisions concerning religion contribute to the shape of the public space. Key themes within the book include: Religions symbols in the public space; Religion and security; Freedom of religion and cultural rights; Defamation and hate speech; Gender, religion and law; This advanced level reference work is essential reading for students, researchers and scholars of law and religion, as well as policy makers in the field.

Law and Society in East Asia Mar 10 2021 The massive and complex process of change in East Asia over recent decades has brought about a transformation in the nature of law and legal institutions in the region. Whilst the process of change has to some degree mimicked western models of law and legal change, there have been significant differences in approach due to the different social foundations of East Asian societies. The more obvious of these has been the variety of ways in which rule of law ideas have been adopted in many East Asian countries where the role of the state is more dominant when compared with Western models. This volume brings together a selection of the most important writings on East Asia of researchers in recent years, and shows the broad range of questions which researchers have been addressing about the effect of law reform and legal change in societies dominated by traditional values and political forces, and at a time of massive economic change.

Compensation for Damage in International Investment Arbitration Oct 05 2020 This book is the first to combine a legal and an economic approach to the violation of international investment law and the evaluation of their financial consequences. It is intended for arbitrators, lawyers, legal experts and financial experts. It will also be useful for academics who study this issue, which crosses disciplinary lines. The cross-disciplinary approach proposed by Mikael Ouaniche and Stéphane Prigent in this original work reflects the dual nature of the debates that irrigate the practice of State-investor arbitration, through a rigorous analysis of arbitral case law. As Laurent Jaeger, President of the French Arbitration Committee, who prefaced the book, says: "Lawyers and arbitrators will be able to improve their understanding of economic and financial valuation methods; experts will be able to improve their understanding of the underlying legal mechanisms. [...] It took all the experience and talent of Mikael Ouaniche and Stéphane Prigent to marry law, economics and finance so harmoniously".

The Backlash Against Investment Arbitration May 31 2020 "This book, the outgrowth of a conference organized by the editors at Harvard Law School on April 19, 2008, aims to uncover the drivers behind the backlash against the current international investment regime."--Library of Congress Online Catalog.

UN Convention on the Law of the Sea and the South China Sea Feb 06 2021 Research on The United Nations Convention on the Law of the Sea (UNCLOS) is a valuable addition to understanding the political situation in the potentially volatile South China Sea region. This book covers topics such as baselines, historic title and rights, due regard and abuse of rights, peaceful use of the ocean, navigation regimes, marine scientific research, intelligence gathering, the UNCLOS dispute settlement system and regional common heritage. In search of varying viewpoints, the authors in this book come from multiple countries, including the Philippines, Australia, Ireland, Mainland China and Taiwan, the United States, and Indonesia, Singapore, UK and Germany. Ongoing events, such as the recent waves made by China in the East China Sea and increasing tensions between the South East Asian countries over the use of South China Sea, make this book especially pertinent.

Child Labour in a Globalized World Mar 22 2022 This volume examines the legal dimension of the ILO's action in the field of Child Labour. The authors investigate the implementation of the relevant legal instruments and assess the effectiveness of the ILO supervisory system. All relevant instruments are considered while particular attention is given to Convention 182 on the elimination

of the worst forms of child labour. *Child Labour in a Globalized World* describes the ILO's activities concerning the eradication of child labour whilst assessing and evaluating the effectiveness of the relevant legal framework and functioning of the supervisory system. This book contextualizes the issue of the eradication of the worst forms of child labour in the recent doctrinal debate on the nature of labour standards and the transformation of the ILO. This important work will be a valuable resource for academics, researchers and policy-makers with an interest in labour law, international law, and children's rights.

Treaties and Subsequent Practice Jan 08 2021 Under the relevant rules of international law, treaties are interpreted in accordance with the ordinary meaning of the language they use, their object and purpose, and the intention of the drafters, but also in light of the subsequent practice of its parties. This subsequent practice can shed light on articles whose meaning is ambiguous and subsequent agreement can even alter the meaning of treaty provisions. At a time when many of the most important international treaties are more than fifty years old, subsequent practice plays an increasingly important role in their interpretation. *Treaties and Subsequent Practice* discusses the role and relevance of this subsequent practice in the process of dynamic treaty interpretation. The book provides a comprehensive treatment of this topic by eminent commentators, combining contributions which focus on practical cases with chapters examining the theoretical underpinnings of treaty interpretation. The concept of subsequent practice is situated in the more general context of treaty law and international law, looking at different cases and doctrinal questions to assess its policy dimensions. The book addresses the question of whether subsequent practice plays a more or less significant role in different areas of international law, and whether it can be employed as a partial substitute for formal treaty amendments. It also includes two previously unpublished reports issued by the International Law Commission's Study Group on this topic.

Globalisation, Employment and Education in Sri Lanka Sep 03 2020 Since the late 1970s, Sri Lanka has undergone a socio-economic transformation, from protectionism towards economic liberalisation and increasing integration into the world economy. Through a systematic comparison of these periods of economic change (1956–1977, and 1977 to the present), Angela W. Little and Siri T. Hettige examine the impact of this transformation on education, youth employment and equality of opportunity in Sri Lanka. The book charts Sri Lanka's shift from a predominantly agricultural economy to one dominated by services and manufacturing, a reduction in unemployment, rising educational and occupational levels, expectations and achievements, and a reduction in poverty. In turn, it reveals a growing role for the private sector and foreign interests in post-secondary education and a modest growth in private education at the primary and secondary levels, as well as widening social disparities in access to qualifications, training and skills. The Sri Lankan experience of, and engagement with, globalisation has been tempered by a long-running ethnic conflict that hindered economic and social development and diverted considerable public funds into defence and war. Now that the war is 'won', the challenge is how to invest in human resource development and the fulfilment of the expectations of youth from all ethnic and social groups. This challenge requires serious policy analysis, the generation of more state revenues, the reallocation of existing public resources, and a political commitment to the winning of a sustainable peace and stability. This book makes an important contribution to the broader international literature on the implications of globalisation for education policy and practice, and to the interaction of exogenous and endogenous forces for educational change. It deals with the tension between the high social demand for education and the growing demand for specialised skills in a changing economy. As such, it has a wide interdisciplinary appeal across education policy and politics, Asian education, South Asian society, youth policy, sociology of education, political economy of social change, and globalisation.

South Asian Yearbook of Trade and Development, [2007-2008] Sep 15 2021 A comprehensive collection of research papers, this annual from the Centre for Trade Development New Delhi discusses the debates on development impacts of trade through rigorous policy research and analysis. Reflecting South Asian perspectives on multilateral and regional trade negotiations, this yearbook examines the challenges the region, and especially India, is facing as it grows economically. This invaluable volume provides policy suggestions for trade negotiators and gives policy makers, as well as business and civil society groups, an opportunity to reflect on the potential of South Asia.

The Effect of Treaties on Foreign Direct Investment Jul 14 2021 Over the past twenty years, foreign direct investments have spurred widespread liberalization of the foreign direct investment (FDI) regulatory framework. By opening up to foreign investors and encouraging FDI, which could result in increased capital and market access, many countries have improved the operational conditions for foreign affiliates and strengthened standards of treatment and protection. By assuring investors that their investment will be legally protected with closed bilateral investment treaties (BITs) and double taxation treaties (DTTs), this in turn creates greater interest in FDI.

The Investor-State Dispute Settlement System Dec 07 2020 Investor-State disputes are increasing and damage awards are often significant. It is thus no surprise that the investor-State dispute settlement (ISDS) system has come under scrutiny. Perceptions have arisen that ISDS is inconsistent, lacks transparency, and is simply unfair. This book delves into the ongoing worldwide debate and discussions regarding the ISDS system. Drawing contributors from around the world, the authors provide insights on critical topics and address the key question facing the ISDS system and the international community it serves: Should the present ISDS system be reformed, replaced, or simply remain as is? The contributors represent points of view ranging from academia to practice to governmental entities, addressing such topics as: the possible consequences of wholesale replacement or elimination of the current ISDS system; mediation as an alternative to resolve ISDS disputes; the creation of a multinational investment court or appellate review mechanism; lack of an early dismissal mechanism to eliminate meritless claims; issues regarding arbitrators, including their appointment and ethical obligations; how investors may retain their right to pursue claims for violations of investment protection following termination of an agreement; a State's right to assert a counterclaim against an investor-claimant; the role of ISDS in promoting and protecting renewable energy production; the liability of State-controlled entities; the effects and implications of third-party funding; the duty to mitigate damages in the light of excessive damages awards; and improvements and issues relating to post-award enforcement, duration, and cost of ISDS. This book considers the ongoing deliberations and reform measures proposed by UNCITRAL's Working Group III and provides insights into how several geographic regions and economic cooperation areas have sought to address the question of reform of the ISDS system, including the European Union, the Middle East, and the new United States-Mexico-Canada Agreement. With its much-needed and deeply informed balancing of investor and State rights and duties, this book will be welcomed by all who practise in the ISDS field, including arbitrators, State governments and non-governmental

organizations, regional economic organizations, and international investors.

Human Dignity in International Law May 12 2021 A theoretical, historical and juridical exegesis of human dignity in international law over two centuries.

Between the Lines of the Vienna Convention? Apr 30 2020 The 1969 Vienna Convention on the Law of Treaties makes no express reference to many of the most common canons and interpretative principles derived from international jurisprudence over many years. This volume represents the first modern, freestanding analysis of such canons and principles, their role in treaty interpretation and their relationship with the Vienna Convention regime. A top-flight roster of respected scholars and practitioners of public international law offers an in-depth examination of, among other things: • the origins of canons and interpretive principles; • their utility and limits in treaty interpretation; and • the application of numerous individual canons and interpretive principles, including *effet utile*, *expressio unius*, *lex specialis*, *eiusdem generis*, *in dubio mitius*, *in pari materia*, *ex abundante cautela*, the principles of contemporaneity and evolutive interpretation, and more. Extensive analysis of case law and scholarship provides insightful interpretive guidance across virtually every subfield of public international law. With its valuable insights into when the application of particular canons or principles of interpretation is most likely to be appropriate and persuasive, the volume will be of great value to lawyers representing parties (whether states, corporations or individuals) before international dispute resolution bodies, as well as to judges and arbitrators, legal officials at ministries of foreign affairs, and scholars of public international law.