

Hague Yearbook Of International Law

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Indigenous Peoples as Subjects of International Law **Public International Law The Oxford Handbook of International Law in Asia and the Pacific** Theory of International Law
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The Political Economy of International Law Nov 04 2020

European International Law Traditions Jan 06 2021 International Law is usually considered, at least initially, to be a unitary legal order that is not subject to different national approaches. Ex definition it should be an order that transcends the national, and one that merges national perspectives into a higher understanding of law. It gains broad recognition precisely because it gives expression to a common consensus transcending national positions. The reality, however, is quite different.

Individual countries' approaches to International Law, and the meanings attached to different concepts, often diverge considerably. The result is a lack of comprehension that can ultimately lead to outright conflicts. In this book, several renowned international lawyers engage in an enquiry directed at sorting out how different European nations have contributed to the development of International Law, and how various national approaches to International Law differ. In doing so, their goal is to promote a better understanding of theory and practice in International Law.

/divChapter "What Are and to What Avail Do We Study European International Law Traditions?" is available open access under a Creative Commons Attribution 4.0 International License via link.springer.com.

Handbook of International Law Mar 20 2022 A concise account of international law by an experienced practitioner, this book explains how states and international organisations, especially the United Nations, make and use international law. The nature of international law and its fundamental concepts and principles are described. The difference and relationship between various areas of international law which are often misunderstood (such as diplomatic and state immunity, and human rights and international humanitarian law) are clearly explained. The essence of new specialist areas of international law, relating to the environment, human rights and terrorism are discussed. Aust's clear and accessible style makes the subject understandable to non-international lawyers, non-lawyers and students. Abundant references are provided to sources and other materials, including authoritative and useful websites.

International Law in the 21st Century Feb 25 2020 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.

Time, History and International Law May 22 2022 This book examines theoretical and practical issues concerning the relationship between international law, time and history. Problems relating to time and history are ever-present in the work of international lawyers, whether understood in terms of the role of historic practice in the doctrine of sources, the application of the principle of inter-temporal law in dispute settlement, or in gaining a coherent insight into the role that was played by international law in past events. But very little has been written about the various different ways in which international lawyers approach or understand the past, and it is with a view to exploring the dynamics of that engagement that this book has been compiled. In its broadest sense, it is possible to identify at least three different ways in which the relationship between international law and (its) history may be conceived. The first is that of a "history of international law" written in narrative form, and mapped out in terms of a teleology of origins, development, progress or renewal. The second is that of "history in international law" and of the role history plays in arguments about law itself (for example in the construction of customary international law). The third way of understanding that relationship is in terms of "international law in history": of understanding how international law has been engaged in the creation of a history that in some senses stands outside

the history of international law itself. The essays in this collection make clear that each type of engagement with history and international law interweaves various different types of historical narrative, pointing to the typically multi-layered nature of international lawyers' engagement with the past and its importance in shaping the present and future of international law.

International Law: A Very Short Introduction Sep 14 2021 Interest in international law has increased greatly over the past decade, largely because of its central place in discussions such as the Iraq War and Guantanamo, the World Trade Organisation, the anti-capitalist movement, the Kyoto Convention on climate change, and the apparent failure of the international system to deal with the situations in Palestine and Darfur, and the plights of refugees and illegal immigrants around the world. This Very Short Introduction explains what international law is, what its role in international society is, and how it operates. Vaughan Lowe examines what international law can and cannot do and what it is and what it isn't doing to make the world a better place. Focussing on the problems the world faces, Lowe uses terrorism, environmental change, poverty, and international violence to demonstrate the theories and practice of international law, and how the principles can be used for international co-operation.

The International Law of Energy Feb 19 2022 The world's energy structure underpins the global environmental crisis and changing it will require regulatory change at a massive level. Energy is highly regulated in international law, but the field has never been comprehensively mapped. The legal sources on which the governance of energy is based are plentiful but they are scattered across a vast legal expanse. This book is the first single-authored study of the international law of energy as a whole. Written by a world-leading expert, it provides a comprehensive account of the international law of energy and analyses the implications of the ongoing energy transformation for international

law. The study combines conceptual and doctrinal analysis of all the main rules, processes and institutions to consider the past, present and likely future of global energy governance. Providing a solid foundation for teaching, research and practice, this book addresses both the theory and real-world policy dimension of the international law of energy.

The Future of International Law Feb 07 2021 Draws together the theoretical and practical aspects of international cooperation needs and legal responses in critical areas of international concern.

The New International Law Dec 05 2020 This volume contains revised versions of a select number of research papers presented at a conference in Oslo, Norway, entitled "The New International Law". The conference was subtitled "Polycentric Decision-making Structures and Fragmented Spheres of Law: What Implications for the New Generation of International Legal Discourse?" This subtitle signals the most important elements of the conference's main purpose which was to be a project in line with certain strands of contemporary scholarship on international law; scholarship that bases itself on certain assumptions regarding what are important and changing preconditions for the field of international law research.

State Interest and the Sources of International Law Sep 02 2020 This book addresses the disparity between positive non-treaty law and its scholarly assessment in the area of moral concepts, understood as altruistic as opposed to reciprocal legal obligations. It shows how scholars are generously willing to assert the existence of a rule of international law, thereby moving further away from actual state practice, not taking into account the factors of legal rhetoric and the core survival interests of the state in the formation of custom and general principles of law. The main argument is that such moral concepts can simply not manifest themselves as non-treaty sources of international

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

The Oxford Handbook of International Law in Asia and the Pacific Oct 23 2019 The growing economic and political significance of Asia has exposed a tension in the modern international order. Despite expanding power and influence, Asian states have played a minimal role in creating the norms and institutions of international law; today they are the least likely to be parties to international agreements or to be represented in international organizations. That is changing. There is widespread scholarly and practitioner interest in international law at present in the Asia-Pacific region, as well as developments in the practice of states. The change has been driven by threats as well as opportunities. Transnational issues such as climate change and occasional flashpoints like the territorial disputes of the South China and the East China Seas pose challenges while economic integration and the proliferation of specialized branches of law and dispute settlement mechanisms have also encouraged greater domestic implementation of international norms across Asia. These evolutions join the long-standing interest in parts of Asia

(notably South Asia) in post-colonial theory and the history of international law. The Oxford Handbook of International Law in Asia and the Pacific brings together pre-eminent and emerging specialists to analyse the approach to and influence of key states of the region, as well as whether truly 'Asian' trends can be identified and what this might mean for international order.

International Law Apr 09 2021 Clear and concise: a landmark publication in the teaching of international law from one of the world's leading international lawyers.

A Philosophy Of International Law Aug 13 2021 Why should sovereign states obey international law? In this groundbreaking study Fernando Tesón argues that an overlapping respect for human rights has created a moral common ground among the countries of the world. It is this common set of values rather than self-interest that ultimately provides legitimacy to international law. Using the tools of moral philosophy Tesón analyzes the concepts of sovereignty, intervention, and national interest; the contributions of social contact theory, game theory, and feminist theory; and the puzzles of self-determination and group rights.

The Nature of International Law Nov 28 2022 The Nature of International Law provides a comprehensive analytical account of international law within the prototype theory of concepts.

International Law in the US Legal System Mar 08 2021 International Law in the U.S. Legal System provides a wide-ranging overview of how international law intersects with the domestic legal system of the United States, and points out various unresolved issues and areas of controversy. Curtis Bradley explains the structure of the U.S. legal system and the various separation of powers and federalism considerations implicated by this structure, especially as these considerations relate to the conduct of foreign affairs. Against this backdrop, he covers all of the principal forms of international law: treaties, executive agreements, decisions and orders of international institutions,

customary international law, and jus cogens norms. He also explores a number of issues that are implicated by the intersection of U.S. law and international law, such as treaty withdrawal, foreign sovereign immunity, international human rights litigation, war powers, extradition, and extraterritoriality. This book highlights recent decisions and events relating to the topic, including various actions taken during the Trump administration, while also taking into account relevant historical materials, including materials relating to the U.S. Constitutional founding. Written by one of the most cited international law scholars in the United States, the book is a resource for lawyers, law students, legal scholars, and judges from around the world.

International Law as a Profession May 10 2021 This collection of self-reflective essays explores the relations between international legal professions and their respective understandings of international law.

The Changing Practices of International Law Dec 29 2022 Countering mainstream theories, this book focuses on the expanding institutionalisation of international law.

International Law and its Others Dec 17 2021 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 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.

Philosophy and International Law Apr 21 2022 Offers an accessible discussion of conceptual and moral questions on international law and advances the debate on many of these topics.

Is International Law International? Jul 24 2022 This book takes the reader on a sweeping tour of the international legal field to reveal some of the patterns of difference, dominance, and disruption that belie international law's claim to universality. Pulling back the curtain on the "divisible college of international lawyers," Anthea Roberts shows how international lawyers in different states, regions, and geopolitical groupings are often subject to distinct incoming influences and outgoing spheres of influence in ways that reflect and reinforce differences in how they understand and approach international law. These divisions manifest themselves in contemporary controversies, such as debates about Crimea and the South China Sea. Not all approaches to international law are created equal, however. Using case studies and visual representations, the author demonstrates how actors and materials from some states and groups have come to dominate certain transnational flows and forums in ways that make them disproportionately influential in constructing the "international." This point holds true for Western actors, materials, and approaches in general, and for Anglo-American (and sometimes French) ones in particular. However, these patterns are set for disruption. As the world moves past an era of Western dominance and toward greater multipolarity, it is imperative for international lawyers to understand the perspectives and approaches of those coming from diverse backgrounds. By taking readers on a comparative tour of different international law academies and textbooks, the author encourages them to see the world through the eyes of others -- an essential skill in this fast changing world of shifting power dynamics and rising

nationalism.

Principles of International Law Oct 27 2022 Kelsen, Hans. Principles of International Law. New York: Rinehart & Company, Inc. [1952]. xvii, 461 pp. Reprinted 2003 by The Lawbook Exchange, Ltd. ISBN 1-58477-325-1. Cloth. \$85. * Upon his retirement from the faculty of University of California at Berkeley in 1952, noted legal philosopher and political scientist Hans Kelsen [1881-1973] produced arguably this his most important work, "... a systematic study of the most important aspects of international law, including international delicts and sanctions, reprisals, the spheres of validity and the essential function of international law, creation and application of international law and national law." Nicoletta Bersier Ladavac, "Hans Kelsen (1881 - 1973) Biographical Note and Bibliography," European Journal of International Law Vol. 9 (1998) No. 2.

The United States and International Law May 30 2020 The United States spearheaded the creation of many international organizations and treaties after World War II and maintains a strong record of compliance across several issue areas, yet it also refuses to ratify major international conventions like the UN Convention on the Law of the Sea and the Convention on the Elimination of All Forms of Discrimination Against Women. Why does the U.S. often seem to support international law in one way while neglecting or even violating it in another? *The United States and International Law: Paradoxes of Support across Contemporary Issues* analyzes the seemingly inconsistent U.S. relationship with international law by identifying five types of state support for international law: leadership, consent, internalization, compliance, and enforcement. Each follows different logics and entails unique costs and incentives. Accordingly, the fact that a state engages in one form of support does not presuppose that it will do so across the board. This volume examines how and why the U.S. has engaged in each form of support across twelve issue areas that are central to 20th- and 21st-

century U.S. foreign policy: conquest, world courts, war, nuclear proliferation, trade, human rights, war crimes, torture, targeted killing, maritime law, the environment, and cybersecurity. In addition to offering rich substantive discussions of U.S. foreign policy, their findings reveal patterns across the U.S. relationship with international law that shed light on behavior that often seems paradoxical at best, hypocritical at worst. The results help us understand why the United States engages with international law as it does, the legacies of the Trump administration, and what we should expect from the United States under the Biden administration and beyond.

The Law of Treaties Jan 26 2020 Permeating all facets of public international law, the modern law of treaties is a fundamental aspect of governance in the 'democratized' world. In this contemporary introduction, Robert Kolb provides a refreshing study that is both legally analytical and practical. Written in a highly readable style, the book explores the key topics through concise chapters, which are organized into two parts. The first of these gives a structured overview of the law of treaties along with practical examples. The second provides a critical engagement with the underlying issues and discusses the multi-dimensional problems raised by legal regulations, explored through specific case studies. *The Law of Treaties: An Introduction* will provide valuable insights to scholars and practitioners in the areas of international law, international affairs and international relations. Its clear structure and concise style mean it will also be highly accessible to students.

Public International Law Nov 23 2019 The second edition of this concise and well-loved textbook has been enhanced and developed while continuing to offer a fresh and accessible approach to international law, providing students with a uniquely holistic understanding of the field. Starting with the legal principles that underpin each strand of international law, and putting this into a real-life context, this textbook builds an understanding of how the international legal system operates

and where it is heading. It guides readers through the theoretical foundations and development of international law norms, while also explaining clearly how the law works in practice. Key Features: Further reading and discussion topics for each chapter A focus on legal theory and how it intersects with the practice of international law A new chapter providing an extensive and up-to-date explanation of the specialised areas of international law An integrated and contextual examination of the political and extra-legal dimensions of the international legal system The latest treaties, case studies and analysis, including critical current issues such as the COVID-19 pandemic and global health, and climate change Taking into account the burgeoning literature, cases and legislative developments in public international law in the decade since its first publication, this edition offers new tools to help students embed their understanding, as well as new material on specialised areas of international law. This book is the perfect companion for students to learn international law in context, and for practitioners who want a firm theoretical foundation on which to base their practice.

Events: The Force of International Law Aug 25 2022 Events: The Force of International Law presents an analysis of international law, centred upon those historical and recent events in which international law has exerted, or acquired, its force. From Spanish colonization and the Peace of Westphalia, through the release of Nelson Mandela and the Rwandan genocide, and to recent international trade negotiations and the 'torture memos', each chapter in this book focuses on a specific international legal event. Short and accessible to the non-specialist reader, these chapters consider what forces are put into play when international law is invoked, as it is so frequently today, by lawyers, laypeople, or leaders. At the same time, they also reflect on what is entailed in naming these 'events' of international law and how international law grapples with their disruptive potential. Engaging economic, military, cultural, political, philosophical and technical fields, Events: The Force

of International Law will be of interest to international lawyers and scholars of international relations, legal history, diplomatic history, war and/or peace studies, and legal theory. It is also intended to be read and appreciated by anyone familiar with appeals to international law from the general media, and curious about the limits and possibilities occasioned, or the forces mobilised, by that appeal.

[Africa and the Development of International Law](#) Jun 30 2020 In Africa. The new states and the United Nations. Modern.

[Comparative International Law](#) Aug 21 2019 "The chapters of this volume were presented at the twenty-seventh and twenty-eighth Sokol Colloquia on Private International Law, held at the University of Virginia School of Law in September 2014 and September 2015." -- Acknowledgments, p. [xi].

International Law and History Jul 12 2021 The first contemporary historiography of international law and an essential methodological guide for researching international legal history.

The Sources of International Law Jun 11 2021 Because of its unique nature, the sources of international law are not always easy to identify and interpret. This book provides an ideal introduction to these sources for anyone needing to better understand where international law comes from. As well as looking at treaties and custom, the book will look at more modern and controversial sources.

[A Digest of International Law...](#) Nov 16 2021

[Elements of International Law](#) Oct 03 2020

Elements of International Law Apr 28 2020

Chapters on the Principles of International Law Jan 18 2022

International Law and the European Union Sep 26 2022 International Law and the European Union addresses the public international law issues that arise from the European Union's international action.

Peoples and International Law Oct 15 2021 Peoples and International Law is a detailed survey of the law of self-determination with a focus on the concept of nations and peoples. It engages with different aspects of this law with particular emphasis on the drafting and implementation of international instruments. The second edition includes new coverage of the Declaration on the Rights of Indigenous Peoples and the African and Arab charters. It considers recent practice by the Human Rights Committee, Committee on Economic, Social and Cultural Rights and African Commission on Human and Peoples' Rights dealing with the emerging political, economic and environmental aspects of the right. The book looks at the interaction of international law, nationalism and liberalism in theories of nationhood and self-determination, as well as, the historical development of the right and the decisions of international bodies. Lastly, it examines practice in this area, including new developments in remedial independence and international territorial administration.

International Law and Transitional Governance Aug 01 2020 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 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.

A Chinese Theory of International Law Jun 23 2022 This book analyzes China's attitude to international law based on historical experiences and documents, and provides an explanation of China's approaches to international legal issues. It also establishes several elements for a possible framework of Chinese theory on international law. The book offers researchers, university students and practitioners valuable insights into how China views international law and why it does so in the way it does.

Theory of International Law Sep 21 2019 The 1970s promised important readjustments in relations among the great powers, perhaps a reconstituted Europe and Asia, as well as a possible new role for "third world" countries. National attitudes toward the law of nations both shaped and reflected developments of this nature. As a great power, the Soviet Union was a principal actor in what transpired, but until now there has been no systematic exposition in the English language of how Soviet jurists regarded the world legal order. The present volume, published in Moscow in 1970, is the most profound and comprehensive study of international legal theory yet produced by a Soviet

jurist. Its author, who holds the Chair of International Law at Moscow State University and for many years was the legal adviser to the USSR Ministry of Foreign Affairs, is widely credited with elaborating the juridical underpinnings of peaceful coexistence in the USSR from the mid-1950s. This book, earlier versions of which have appeared in Eastern and Western Europe, contains the fullest statement of his views. Tunkin traces the development and shaping of international law since 1917, the processes of forming and modifying international legal rules, and the nature of state responsibility under the law of nations. Of special interest to the general reader and specialist in international affairs will be Tunkin's extensive discussion of the interaction among international law, foreign policy, and diplomacy; of the legal nature of international organizations; of the principal factors at work in international politics; and of the nature of legal ties among socialist countries. The latter has been a special concern following the Czechoslovak events of 1968 and the adoption of a comprehensive program for economic integration among socialist states. For this American edition, Tunkin has brought his book up to date and Dr. Butler has supplied an introduction, a translation note, a list of the author's publications, and a glossary of Russian international legal terms.

Due Diligence in International Law Mar 28 2020 Due Diligence in International Law is the first ever international law monograph on the missing link between state responsibility and international liability that is the international law principle of due diligence, ensuring international cooperation, cybersecurity and preventing significant transboundary harm.

Indigenous Peoples as Subjects of International Law Dec 25 2019 For more than 500 years, Indigenous laws have been disregarded. Many appeals for their recognition under international law have been made, but have thus far failed - mainly because international law was itself shaped by colonialism. How, this volume asks, might international law be reconstructed, so that it is liberated

from its colonial origins? With contributions from critical legal theory, international law, politics, philosophy and Indigenous history, this volume pursues a cross-disciplinary analysis of the international legal exclusion of Indigenous Peoples, and of its relationship to global injustice. Beyond the issue of Indigenous Peoples' rights, however, this analysis is set within the broader context of sustainability; arguing that Indigenous laws, philosophy and knowledge are not only legally valid, but offer an essential approach to questions of ecological justice and the co-existence of all life on earth.