

Read Online Principles Of Public International Law By Brownlie Ian 2008 Paperback Pdf For Free

Brownlie's Principles of Public International Law Brownlie's Documents on Human Rights **Principles of Public International Law** *The Reality of International Law* Change and Stability in International Law-Making *Diversity and Self-Determination in International Law* Change and Stability in International Law-making *An Index to Common Law Festschriften* *Formalism and the Sources of International Law* **Imperialism, Sovereignty and the Making of International Law** Origins of the Right of Self-Defence in International Law **Defenses in Contemporary International Criminal Law** The rights of peoples in modern international law **The Inherent Right of Self-Defence in International Law** **The Right of Individual Self-Defense in Public International Law** **International Law and the Use of Force** *Der Status von Palästina* International Law and the Environment **Conflict of Norms in Public International Law** *Universal Jurisdiction* **International Law** *The Creation of States in International Law* **The Concept of Universal Crimes in International Law** **The Normative Position of International Non-Governmental Organizations under International Law** Classical Morality in International Peremptory Criminal Law **Challenging Private Law** *Military Law Review* **Community Interests Across International Law** Private Actors as Participants in International Law **State**

Responsibility in the International Legal Order **International Law** **Global Environmental Change and International Law** An Ecological Approach to International Law *Rescuing Nationals Abroad Through Military Coercion and Intervention on Grounds of Humanity* Universal Jurisdiction in International Criminal Law *The Law of Maritime Boundary Delimitation* *State Immunity in International Law* **A Duty to Prevent Genocide** **An Equitable Framework for Humanitarian Intervention** The Law of International Watercourses

An Equitable Framework for Humanitarian Intervention Jul 24 2019 This book aims to resolve the dilemma regarding whether armed intervention as a response to gross human rights violations is ever legally justified without Security Council authorisation. Thus far, international lawyers have been caught between giving a negative answer on the basis of the UN Charter's rules ('positivists'), and a 'turn to ethics', declaring intervention legitimate on moral grounds, while eschewing legal analysis ('moralists'). In this volume, a third solution is proposed. The idea is presented that many equitable principles may qualify as 'general principles of law recognised by civilised nations' - one of the three principal sources of international law (though a category that is often overlooked) - a conclusion based upon detailed research of both national legal systems and international law. These principles, having normative force in international law, are then used to craft an equitable framework for humanitarian intervention. It is argued that the dynamics of their operation allow them to interact with the Charter and customary law in order to fill gaps in the existing legal structure and soften the rigours of strict law in certain circumstances. It is posited that many of the moralists' arguments are justified, albeit based upon firm legal principles rather than ethical theory. The equitable framework proposed is designed to provide an answer to

the question of how humanitarian intervention may be integrated into the legal realm. Certainly, this will not mean an end to controversies regarding concrete cases of humanitarian intervention. However, it will enable the framing of such controversies in legal terms, rather than as a choice between the law and morality. '...has potential to become one of the most important books in public international law of the decade, or in a generation'. Martin Scheinin, Professor of Public International Law, European University Institute, Florence

Universal Jurisdiction Mar 12 2021 "Universal jurisdiction stands for the principle that atrocities such as genocide, torture, and war crimes are so heinous and so universally abhorred that any state is entitled to prosecute these crimes in its national courts without regard to where they were committed or the nationality of the perpetrators or the victims."--Cover blurb.

The Normative Position of International Non-Governmental Organizations under International Law Nov 07 2020 Exploring contemporary juridical theories regarding the normative position of INGOs vis-à-vis the subjects of international law, this book engages in a thorough contextual-historical and interdisciplinary evaluation of the potential to generate solutions for the exercise of unregulated authority outside the state-system.

Rescuing Nationals Abroad Through Military Coercion and Intervention on Grounds of Humanity Dec 29 2019

International Law Feb 08 2021 Clearly and accessibly written, this new text provides a valuable resource for undergraduate and postgraduate students of international law and covers subjects including the history, theories and sources of international law, as well as current areas of interest such as international criminal law.

Diversity and Self-Determination in International Law May 26 2022 The emergence of new states and independence movements after the Cold War has intensified the long-standing disagreement among international lawyers over the right of self-determination, especially

the right of secession. Knop shifts the discussion from the articulation of the right to its interpretation. She argues that the practice of interpretation involves and illuminates a problem of diversity raised by the exclusion of many of the groups that self-determination most affects. Distinguishing different types of exclusion and the relationships between them reveals the deep structures, biases and stakes in the decisions and scholarship on self-determination. Knop's analysis also reveals that the leading cases have grappled with these embedded inequalities. Challenges by colonies, ethnic nations, indigenous peoples, women and others to the gender and cultural biases of international law emerge as integral to the interpretation of self-determination historically, as do attempts by judges and other institutional interpreters to meet these challenges.

Principles of Public International Law Aug 29 2022 "[T]he text reflects materials available by 7 July 2003"--Preface.

Military Law Review Aug 05 2020

International Law and the Use of Force Jul 16 2021 When the United Nations Charter was adopted in 1945, states established a legal 'paradigm' for regulating the recourse to armed force. In the years since then, however, significant developments have challenged the paradigm's validity, causing a 'paradigmatic shift'. *International Law and the Use of Force* traces this shift and explores its implications for contemporary international law and practice.

The Creation of States in International Law Jan 10 2021 This edition brings the treatment of statehood in the field of international law up to date. It retains a wealth of historical material and introduces new problems such as the disposition of territory in Kosovo and East Timor, claims for secession in Chechnya and Quebec and devolution in Scotland.

The rights of peoples in modern international law Oct 19 2021

Change and Stability in International Law-Making Jun 26 2022

Global Environmental Change and International Law Feb 29

2020 This is one of the few books dealing with regime theory to be written from a legal point of view. Jurgielewicz's book is part of an effort to promote interdisciplinary research on the nature of the international legal order. Her work explores the concept of international regimes within the international legal order, utilizing the policy-oriented approach to international law. The study uses examples of global environmental change as models. By examining the general international law applicable to climate change and ozone layer depletion, the author attempts to explain the original need for regime formation in these areas. Next, Jurgielewicz looks at the role of regimes within international law, focusing on their formation, maintenance, source of legal obligation, and compliance mechanisms. The book concludes that regimes are present within the international legal order and play a vital role in maintaining that order. This book will appeal to students in law schools, graduate schools, or advanced undergraduate seminars covering international relations, international legal theory, international law, and international organizations.

Conflict of Norms in Public International Law Apr 12 2021 One of the most prominent and urgent problems in international governance is how the different branches and norms of international law interact and what to do in the event of conflict. With no single 'international legislator' and a multitude of states, international organisations and tribunals making and enforcing the law, the international legal system is decentralised. This leads to a wide variety of international norms, ranging from customary international law and general principles of law, to multilateral and bilateral treaties on trade, the environment, human rights, the law of the sea, etc. Pauwelyn provides a framework on how these different norms interact, focusing on the relationship between the law of the World Trade Organisation (WTO) and other rules of international law. He also examines the hierarchy of norms within the WTO treaty. His recurring theme is how to marry trade and non-trade rules, or

economic and non-economic objectives at the international level. Universal Jurisdiction in International Criminal Law Nov 27 2019

With the sensational arrest of former Chilean dictator Augusto Pinochet in 1998, the rise to prominence of universal jurisdiction over crimes against international law seemed to be assured. The arrest of Pinochet and the ensuing proceedings before the UK courts brought universal jurisdiction into the foreground of the "fight against impunity" and the principle was read as an important complementary mechanism for international justice –one that could offer justice to victims denied an avenue by the limited jurisdiction of international criminal tribunals. Yet by the time of the International Court of Justice's Arrest Warrant judgment four years later, the picture looked much bleaker and the principle was being read as a potential tool for politically motivated trials. This book explores the debate over universal jurisdiction in international criminal law, aiming to unpack a practice in which international lawyers continue to disagree over the concept of universal jurisdiction. Using Martti Koskeniemi's work as a foil, this book exposes the argumentative techniques in operation in national and international adjudication since the 1990s. Drawing on overarching patterns within the debate, Aisling O'Sullivan argues that it is bounded by a tension between contrasting political preferences or positions, labelled as moralist ("ending impunity") and formalist ("avoiding abuse") and she reads the debate as a movement of hegemonic and counter-hegemonic positions that struggle for hegemonic control. However, she draws out how these positions (moralist/formalist) merge into one another and this produces a tendency towards a "middle" position that continues to prefer a particular preference (moralist or formalist). Aisling O'Sullivan then traces the transformation towards this tendency that reflects an internal split among international lawyers between building a utopia ("court of humanity") and recognizing its impossibility of being realized.

Private Actors as Participants in International Law Jun 02 2020 This book examines the status of private actors as subjects of law under the rules of the international law of the sea. Providing a methodology for the notion of a single legal personality, it provides a clear understanding of membership in international law in order to establish to what extent private actors can be rights-holders or duty-bearers. It does this by taking a theoretical perspective which allows the reader to interpret their relevance in international law. This unique and innovative work makes a significant contribution to the current scholarly debates on private actors in international law.

International Law Mar 31 2020 Clearly and accessibly written, this new text provides a valuable resource for undergraduate and postgraduate students of international law and covers subjects including the history, theories and sources of international law, as well as current areas of interest such as international criminal law.

Brownlie's Principles of Public International Law Oct 31 2022 Serving as a single volume introduction to the field as a whole, this ninth edition of Brownlie's Principles of International Law seeks to present international law as a system that is based on, and helps structure, relations among states and other entities at the international level.

Defenses in Contemporary International Criminal Law Nov 19 2021 The Second Edition of "Defenses in Contemporary International Criminal Law" ventures farther into this uneasy territory than any previous work, offering a meticulous analysis of the case law in the post World War II Military Tribunals and the ad hoc tribunals for Rwanda and the Former Yugoslavia, with particular attention to the defenses developed, their rationales, and their origins in various municipal systems. It analyzes the defense provisions in the charters and statutes underlying these tribunals and the new International Criminal Court, while examining the first judgment in this field rendered by the Special Court for Sierra Leone, on June 20, 2007. The conceptual reach of this work includes

not only the defenses recognized in the field's jurisprudence and scholarship (superior orders, duress, self-defense, insanity, necessity, mistake of law and fact, immunity of States), but also presents a strong case for the incorporation of genetic and neurobiological data into the functioning of certain defenses. Procedural mechanisms to invoke these defenses are also addressed.

Community Interests Across International Law Jul 04 2020 This book explores the extent to which contemporary international law expects states to take into account the interests of others - namely third states or their citizens - when they form and implement their policies, negotiate agreements, and generally conduct their relations with other states. It systematically considers the various manifestations of what has been described as 'community interests' in many areas regulated by international law and observes how the law has evolved from a legal system based on more or less specific consent and aimed at promoting particular interests of states, to one that is more generally oriented towards collectively protecting common interests and values. Through essays by experts in the field, this book explores topics such as the sources of international law and the institutional aspects of developing the law and covers a range of areas within the law.

A Duty to Prevent Genocide Aug 24 2019 This perceptive book analyzes the scope of the duty to prevent genocide of China, France, Russia, the UK, and the US in light of the due diligence standard under conventional, customary, and peremptory international law. It expounds the positive obligations of these five states to act both within and without the Security Council context to prevent or suppress an imminent or ongoing genocide.

The Inherent Right of Self-Defence in International Law Sep 17 2021 Determining the earliest point in time at which international law authorises a state to exercise its inherent right of self-defence is an issue which has been debated, but unsatisfactorily reasoned, by scholars and states since the 1960's. Yet it remains arguably the

most pressing question of law that faces the international community. This book unravels the legal and factual complications which have obscured the answer to this question. In contrast to most other works, it takes an historic approach by tracing the evolution of the rights, rules and principles of international law which have governed the use of force by states since the 16th century. Its emphasis on self-defence provides the reader with a new and complete understanding of how and why the international legal framework limits defensive force to repelling an imminent threat or use of offensive force which is directed at the territory of a state. Taking an historic approach enables this book to resurrect an understanding of the human defensive instinct which has guided the formation of the international law of self-defence. It also explains the true legal nature and scope of the inherent right of self-defence, of anticipatory self-defence and provides a definition of the legal commencement of an armed attack for the purpose of Article 51 of the Charter. Finally, the reader will receive a unique source of research materials and analysis of state practice and of scholarly works concerning self-defence and the use of force since the 16th century, which is suitable for all readers of international law around the world.

Der Status von Palästina Jun 14 2021

Change and Stability in International Law-making Apr 24 2022

Based on the proceedings of two international colloquia held at the European University Institute, Florence.

The Right of Individual Self-Defense in Public International

Law Aug 17 2021 The book examines in detail one of the most controversial topic in current international law, namely the scope and extent of the right of individual self-defense. The book carefully traces the paths which have been followed in the developing legal debate on self-defense. The author uses numerous case-studies of incidents involving the use of force in alleged self-defense (such as the Entebbe Incident 1976, the Nicaragua Case 1986 or the Israeli-

Lebanese conflict of 2006) which have formed the central point of scholarly debate. The author's conclusions are based not only on thorough analysis of academic discussions but also of the practice of States and international bodies, especially of the United Nations Organization. At the outset of the book the author reviews the historical context and the customary evolution of the right of self-defense. Reference is made to the famous Caroline Case of 1837, which set the necessary conditions of lawful exercise of self-defense. Next, the author examines the concept and legal nature of self-defense, carefully assessing the customary conditions of necessity, proportionality and immediacy derived from the Caroline Case. As the occurrence of an "armed attack" is a *conditio sine qua non* of lawful invocation of self-defense, several modalities of an armed attack are attentively evaluated such as its constituent elements, beginning or scale. The author explores, whether reactions to acts of international terrorism committed by a non-State may be based on the right of self-defense. In times of global terrorist networks it is highly desirable to attach special attention to use of force in self-defense as a remedy against serious acts of terrorism. Thorough analysis of State practice is shown on several examples from recent history - the U.S. air raid on Libya in 1986 and on Baghdad in 1993 and relatively recent air strikes on Sudan and Afghanistan in 1998. Reference is also made to the most striking example - the Al-Qaeda attack on the United States in 2001. The validity of claims of anticipatory/preventive self-defense is examined on a theoretical level and then applied to the specific details of the Israeli air strike on the Osiraq Nuclear Reactor in 1981. The two main approaches to preventive self-defense - "restrictive" and "traditional" - are then discussed in detail. Brief analysis is also devoted to the nature of the so-called - pre-emptive - self-defense indicating its current position under international law.

State Immunity in International Law Sep 25 2019 The immunity or exemption enjoyed by States from legal proceedings before foreign

national courts is a crucial area of international law. On the basis of an exhaustive analysis of judicial decisions, international treaties, national legislation, government statements, deliberations in international organisations as well as scholarly opinion, Xiaodong Yang traces the historical development of the relevant doctrine and practice, critically analyses the rationale for restrictive immunity and closely inspects such important exceptions to immunity as commercial transactions, contracts of employment, tortious liability, separate entities, the enforcement of judgments, waiver of immunity and the interplay between State immunity and human rights. The book draws a full picture of the law of State immunity as it currently stands and endeavours to provide useful information and guidance for practitioners, academics and students alike.

Origins of the Right of Self-Defence in International Law Dec 21

2021 This book defines the right of self-defence as understood in and before 1945 and offers a possible better alternative for interpreting the significance of the precondition provided for in the Article 51 of the United Nations Charter.

Imperialism, Sovereignty and the Making of International Law

Jan 22 2022 Examines the relationship between imperialism and international law.

The Concept of Universal Crimes in International Law Dec 09

2020 This groundbreaking study seeks to clarify the concept of universal crimes in international law. It provides a new framework for understanding important features of this complex field of law concerned with the most serious crimes. Central issues include the following: What are the relevant crimes that may give rise to direct criminal liability under international law? Are they currently limited to certain core international crimes? Why should certain crimes be included whereas other serious offences should not? Should specific legal bases be considered more compelling than others for selection of crimes? Terje Einarsen (1960) is a judge at the Gulating High Court. He holds a Ph.D. (Doctor Juris) from the University of

Bergen and a masters degree (LL.M.) from Harvard Law School.

An Index to Common Law Festschriften Mar 24 2022 This is the first ever index of contributions to common law Festschriften and fills a serious bibliographic gap in the literature of the common law. The German word Festschrift is now the universally accepted term in the academy for a published collection of legal essays written by several authors to honour a distinguished jurist or to mark a significant legal event. The number of Festschriften honouring common lawyers has increased enormously in the last thirty years. Until now, the numerous scholarly contributions to these volumes have not been adequately indexed. This Index fills that bibliographic gap. The entries included in this work refer to some 296 common law Festschriften indexed by author, subject keyword, editor, title, honorand and date. It therefore includes over 5,000 chapter entries. In addition, there are more than a thousand entries of English language contributions to predominantly foreign language, non-common law legal Festschriften from Germany, Austria, Switzerland, Denmark, Finland, Iceland, Norway and Sweden.

International Law and the Environment May 14 2021 This work contributes to the study of "international environmental law", addressing its development over three time periods: the traditional period, the modern era, and the post-modern period. It challenges the reader to think about the subject and its development within a broader framework.

An Ecological Approach to International Law Jan 28 2020 An Ecological Approach to International Law shows that international environmental law is fundamentally flawed and not equipped to meet global challenges. The book examines international legal responses to global climate change by analysing key concepts such as the doctrine of state sovereignty, the law on state responsibility, environmental rights and common heritage of mankind.

The Reality of International Law Jul 28 2022 Written to honour Professor Brownlie on his retirement, this collection of essays, all

written by former students of his demonstrate the influence he had on international law as both a teacher and a practitioner over a 40 year period.

Formalism and the Sources of International Law Feb 20 2022 As a result of the growing prominence of international organizations and non-binding instruments there is increasing controversy as to how to delineate the boundaries of international law. This book advocates a return to a more formal way of determining what is and isn't international law, and suggests ways in which this formalism can be modernized

The Law of Maritime Boundary Delimitation Oct 26 2019 This volume presents an analysis of the maritime boundary delimitations of the Russian Federation. The focus of this analysis is the relationship between state practice and the rules of public international law applicable to the delimitation of maritime zones between neighboring states.

Challenging Private Law Sep 05 2020 Lord Sumption has been one of the most influential judges of his generation. This book critically reflects on the important and controversial issues raised by his jurisprudence. Using Lord Sumption's judgments and extra-judicial lectures as a starting point, the book contains a selection of essays that consider 'where next' in relation to topics such as: - contract variation, damages and penalties; - economic loss and personal injury in tort law; - knowing receipt and proprietary restitution; - illegality in private law; - agency and attribution; - piercing the corporate veil; - foreign law in the English courts. The book covers a broad range of areas in private law including contract, tort, unjust enrichment, equity, company and commercial law, as well as private international law and civil procedure.

The Law of International Watercourses Jun 22 2019 The Law of International Watercourses is an authoritative guide to the rules of international law governing the navigational and non-navigational uses of international rivers, lakes, and groundwater. The continued

growth of the world's population places increasing demands on Earth's finite supplies of fresh water. Because two or more States share many of the world's most important drainage basins - including the Danube, the Ganges, the Indus, the Jordan, the Mekong, the Nile, the Rhine and the Tigris-Euphrates - competition for increasingly scarce fresh water resources will only increase. Agreements between the States sharing international watercourses are negotiated, and disputes over shared water are resolved, against the backdrop of the rules of international law governing the use of this precious resource. The basic legal rules governing the use of shared freshwater for purposes other than navigation are reflected in the 1997 UN Convention on the Law of the Non-Navigational Uses of International Watercourses. This book devotes a chapter to the 1997 Convention but also examines the factual and legal context in which the Convention should be understood, considers the more important rules of the Convention in some depth, and discusses specific issues that could not be addressed in a framework instrument of that kind. The book reviews the major cases and controversies concerning international watercourses as a background against which to consider the basic substantive and procedural rights and obligations of States in the field. The third edition covers the implications of the 1997 Convention coming into force in August 2014, and the compatibility of the 1997 and 1992 Conventions. This edition also updates the entire book, adds new material to many of the chapters, and adds a number of new case studies, including *Pulp Millson the River Uruguay (Argentina v. Uruguay)* and *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*, amongst others.

Classical Morality in International Peremptory Criminal Law Oct 07

2020 This book begins with the belief that, if a moral principle cannot be identified in the language of the law, if law is not underpinned by a moral understanding of the norm, if the moral accusation is not attached to the violations of certain indispensable

norms of the law, then we are violating the peremptory character of the universality of the moral law. The book vicariously objects to any dispute for the advantage of the impunity of those who have cruelly contravened the corpus juris of international peremptory criminal law. What justifies the law in recognizing certain principles as peremptory derives from the highest genetic merit for the international human community as a whole. Here, the term 'peremptory', for classical morality, is seen to encompass love for the spirit of truth, for the strength of equality of arms and for the reaffirmation of the value of the essence of man where its infringements violate the indispensable universal rights of nature. This is regardless of whether its perpetrators are Western or non-Western.

Brownlie's Documents on Human Rights Sep 29 2022 'Basic Documents on Human Rights' provides a collection of key documents and covers all elements of the subject. It is an account of the most important instruments adopted by the UN, its agencies, regional organizations and other actors.

State Responsibility in the International Legal Order May 02 2020 State responsibility in international law is considered one of the cornerstones of the field. For a long time it remained the exclusive responsibility system due to the primacy of States as subjects of international law. Its unique position has nonetheless been challenged by several developments both within and outside the international legal order, such as the rise of alternative responsibility ideas and practices, as well as globalization and its consequences. This book adopts a critical and holistic approach to the law of State responsibility and analyzes the functionality of the general rules of State responsibility in a changed international landscape characterized by the fragmentation of responsibility. It is argued that State responsibility is not equally relevant across the broad spectrum of international obligations, and that alternative constructions of responsibility, namely international criminal law

and international liability, have increased in standing.

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