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The Concept of Discrimination in

International Law Mar 30 2023 This book was written as a dissertation for the Doctorate of Laws, University of Amsterdam. I am most grateful, first of all, to Professor A. J. P. Tammes, who acted as Promotor. Throughout my working at this study he managed to afford at the same time guidance, inspiration, and complete freedom. I have also benefited much from the suggestions and advice of Dr. Th. e. van Boven of the Dutch Ministry of Foreign Affairs, Member of the U.N. Commission on Human Rights, who was a very helpful Co referent. In earlier stages of the work, the critical remarks by Mr. S. A. Kuipers, Dr. H. Meijers and Miss J. M. van Wouw were of great importance to me. So was the experience of participating in the program of graduate studies of the Columbia University School of Law, in 1968- 1969. I owe gratitude to the Amsterdam Law Faculty for having offered this opportunity to me. I am indebted to Miss Sinja Alma for her transforming a chaotic manuscript into a neat typescript in a most capable and patient manner; to Miss E. D. J. Jongens for her assistance in sorting out the United Nations documentation; and to Howard S. Gold (Gersono vitch), who was so kind as to correct the faults in my English. Since I went on tinkering with the text I am to blame for all linguistic errors in it. The research for this study was concluded in October, 1972.

International Law Aspects of the European Union Jan 16 2022 The debate about the relationship between international and community law usually centres on the question of which of these two 'belongs' to the other, and how 'special' community legal order is in relation to international law. In this volume, a distinguished group of Finnish and British academics and practitioners break new ground by, instead of becoming mired in these questions, clearly examining the international law aspects of the activities of the Community and the Union. In doing so, they have elucidated points of connection and possible points of conflict. The result is a thought-provoking collection of essays which examines community law through the conceptual grid of international law, and thus enriches our understanding of the workings of both.

The Structure and Process of International Law Feb 14 2022

International Law in the U.S. Supreme Court Nov 13 2021 From its earliest decisions in the 1790s, the US Supreme Court has used international law to help resolve major legal controversies. This book presents a comprehensive account of the Supreme Court's use of international law from its inception to the present day. Addressing treaties, the direct application of customary international law and the use of international law as an interpretive tool, this book examines all the cases or lines of cases in which international law has played a material role, showing how the Court's treatment of international law both changed and remained consistent over the period. Although there was substantial continuity in the Supreme Court's international law doctrine

through the end of the nineteenth century, the past century has been a time of tremendous doctrinal change. Few aspects of the Court's international law doctrine remain the same in the twenty-first century as they were two hundred years ago.

Universalising International Law Apr 18 2022 Universalising international law is one of the most urgent tasks awaiting those who wish to advance the discipline. Though all the world acknowledges its universal nature, it has long been confined in a largely monocultural mould. Indeed a tendency is sometimes discernible for international law to be compartmentalised and to function within a close cabinet of technical rules little known to those outside the ranks of specialists. This volume looks initially at some general aspects of universalisation. It thereafter adopts a universalist approach to some of the sources of international law and it deals with peace, the bedrock of international law, which likewise requires a universalist approach. It is hoped that these studies will highlight the imperative need that now exists for extending the conceptual framework of international law, thereby buttressing its moral authority and widening its appeal at a time when universal acceptance of international law is one of the most pressing demands of the international system.

The boundaries of international law May 08 2021 In the first book-length treatment of the application of feminist theories of international law, Charlesworth and Chinkin argue that the absence of women in the development of international law has produced a narrow and inadequate jurisprudence that has legitimated the unequal position of women worldwide rather than confronting it. The boundaries of international law provides a feminist perspective on the structure, processes and substance of international law, shedding new light on treaty law, the concept of statehood and the right of self-determination, the role of international institutions and the law of human rights. Concluding with a consideration of whether the inclusion of women in the jurisdiction of international war crimes tribunals represents a significant shift in the boundaries of international law, the book encourages a dramatic rethinking of the discipline of international law. With a new introduction that reflects on the profound changes in international law since the book's first publication in 2000, this provocative volume is essential reading for scholars, practitioners and students alike.

Neutrality in International Law Oct 25 2022 Neutrality is a legal relationship between a belligerent State and a State not participating in a war, namely a neutral State. The law of neutrality is a body of rules and principles that regulates the legal relations of neutrality. The law of neutrality obliges neutral States to treat all belligerent States impartially and to abstain from providing military and other assistance to belligerents. The law of neutrality is a branch of international law that developed in the nineteenth century, when international law allowed unlimited freedom of sovereign States

to resort to war. Thus, there has been much debate as to whether such a branch of law remains valid in modern international law, which generally prohibits war and the use of force by States. While there has been much debate regarding the current status of neutrality in modern international law, there is a general agreement among scholars as to the basic features of the traditional law of neutrality. Wani challenges the conventional understanding of the traditional neutrality by re-examining the historical development of the law of neutrality from the sixteenth century to 1945. The modification of the conventional understanding will provide a fundamentally new framework for discussing the current status of neutrality in modern international law. *Duality of Responsibility in International Law* Jul 22 2022 This book explores consequences arising in the field of State responsibility in relation to those arising for the individual in international criminal law, a relationship that broadly defines duality of responsibility in international law.

Careers in International Law Nov 01 2020 *Resolutions of the Institute of International Law Dealing with the Law of Nations* Aug 23 2022 New Horizons in International Law May 27 2020

International Law in the Relations of Ukraine and the Russian Federation Dec 15 2021 The monograph is the first in the Ukrainian science of international law comprehensive study of trends and problems of application of international law in the Ukrainian-Russian interstate relations throughout the period of their existence. The monograph offers an analysis of key features, issues, trends and patterns of transformation of international legal interaction between Ukraine and Russia at all historical stages and in basic spheres including the forms of their mutual influence. The author identifies features of the treaty framework and institutional mechanisms of regulation of bilateral relations. The international legal positions of Ukraine and Russia in respect of all sensitive issues of relations, starting from Crimea and ending with the problem of delimitation and demarcation of borders, are studied. The author offers an understanding of the problem of applying international law in the Ukrainian-Russian bilateral relations; gives legal qualification of the parties' actions during the interstate conflict between Russia and Ukraine in 2014-2016; summarizes the practice, outlines the drawbacks and provides recommendations regarding the refinement of Ukraine's actions in applying international legal means of responding to the Russian aggression; works out the basic principles of the international legal regulation of Ukrainian-Russian relations upon the end of the conflict and of the application of the rules of international legal responsibility. The book is intended for everyone interested in contemporary issues in international law.

Nationality Feb 02 2021

Baltic yearbook of international law Jul 10 2021 With this first volume, the Baltic Yearbook

of International Law joins the family of legal publications. The idea was born primarily in the Baltic States of Estonia, Latvia and Lithuania. Indeed, international and domestic events and other developments surrounding the Baltic States throughout their history have made a considerable impact on discussions and on the evolution of international law and international politics. Despite a clear Baltic ownership, the aim of the Baltic Yearbook of International Law is to become a forum for debate on topical questions in international law and related fields and thus to contribute to the development of thought, standard-setting and relevant practices in the world. The Baltic Yearbook of International Law is an annual publication containing studies that are relevant to Baltic affairs and beyond. The Yearbook will serve as an important source of information not available elsewhere on practices of Estonia, Latvia and Lithuania in the area of foreign relations. Book reviews will include information on books published in the Baltic States and about Baltic issues.

International Law Theories Mar 25 2020 Two fish are swimming in a pond. "Do you know what?" the fish asks his friend. "No, tell me." "I was talking to a frog the other day. And he told me that we are surrounded by water!" His friend looks at him with great scepticism: "Water? What's that? Show me some water!" This book is an attempt to stir up "the water" the two fish are swimming in. It analyses the different theoretical approaches to international law and invites readers to engage with legal thinking in order to familiarize ourselves with the water all around us, of which we hardly have any perception. International lawyers and students of international law often find themselves focused on the practice of the law rather than the underlying theory. The main aim of this book is to provide interested scholars, practitioners, graduate, and postgraduate students in international law and other disciplines with an introduction to various international legal theories, their genealogies, and critique. By providing an analytical approach to international legal theory, the book encourages readers to sharpen their sensitivity to these different methodologies and to consider how the presuppositions behind each theory affect analysis, research, and practice in international law. Theories of International Law is intended to assist students, scholars, and practitioners in reflecting more generally how knowledge is formed in the field.

Legal Status of Government Merchant Ships in International Law Jun 08 2021 This book is devoted to an examination of the legal status of government merchant ships while on the high seas or in the waters of foreign states in time of peace. The object of this examination is to ascertain whether there is any rule of international law which accords such a ship a higher status than that of private merchant ships. Whether government merchant ships, unlike private ships, are entitled to certain immunities from the jurisdiction of foreign states is the question that we have set out to answer in this book. A discussion of the rules concerning the nationality of such a ship or the jurisdiction of the flag state over her does not find a place in this work. A government merchant ship may be defined as a merchant ship owned or operated by a state. Immunity

of a ship here means the exemption of a government ship from the jurisdiction of any state other than the flag state. This term also connotes the immunity of the flag state from the jurisdiction of the tribunals of foreign states in respect of proceedings connected with such a ship. Immunity of persons means the exemption of persons in the service of a government ship, or other persons on board her, from the jurisdiction of any state other than the flag state.

International Law Oct 01 2020 International Law provides a fresh, student-focused approach and European perspective on the central issues in public international law. Providing ideal coverage for short foundational courses, this engaging textbook introduces all the essential topics in a concise and manageable way. Dedicated chapters on environmental law, economic law, and human rights are included, ensuring that appropriate coverage is given to the various areas affected by international law. The core topics are fully explained in plain terms and the principles and key terminology outlined in an accessible style. Taking a critical perspective throughout, Henriksen introduces the areas of debate and builds students' confidence in understanding the complexities of the international legal system and its operation across borders. Particular emphasis is placed on the key issues in civil law jurisdictions, making this text perfectly suited for students based in mainland Europe. A range of learning features highlight the important areas of debate and encourage students to engage critically with important disputes. Central issues boxes introduce each chapter, highlighting the controversies and key principles explored; chapter summaries provide an overview for students to review their understanding of a particular topic; discussion questions encourage students to apply their knowledge to addressing specific problems within the context of the subject; and carefully selected recommended reading lists guide students' wider research and enable them to broaden and consolidate their learning. Online Resources International Law offers a range of freely available materials to support lecturers and students in their studies. These resources include: - Short podcasts introducing the core topics covered - Advice on answering the Questions for Discussion at the end of each chapter - Links to other international law resources

International Law Stories Jan 28 2023 Softbound - New, softbound print book.

Understanding International Law Jan 04 2021 This clearly written Understanding treatise is designed to explain what international law is, why it exists, and the basic subjects it covers. The law of treaties is given particular attention, chiefly because of the increasing importance of the treaty in international life. The number of treaties has mushroomed since the Second World War and many of these agreements include over 100 states as parties. Because of their number and the breadth of their coverage, treaties are thus the main form of international legislation. But since they are also contractual in character, and since many multilateral treaties allow states to place conditions on their acceptance of them, the law governing treaties is necessarily more complex than if they were the

exact equivalent of national legislation. Understanding International Law also provides introductory coverage of topics of current relevance, such as terrorism, international criminal law, use and applicability of international law in United States courts, and the law governing the use of military force. **Legal Rules and International Society** Apr 06 2021 This book provides an interdisciplinary examination of international law by addressing four critical questions: How are international legal rules distinctive? How does an investigator determine the existence of a rule of international law? Does international law really matter in international politics? and What effect could the changing nature of international relations have on international law? Using Constructivist theory, Arend argues that international law can alter the identity of states, and, consequently, have a profound impact on state behavior.

Regionalism in International Law Oct 13 2021 International Law: Aspects of Regionalism evaluates regionalism in its various relationships and forms with respect to international law, as well as the importance and duties of international law in respect to the establishment and functioning of various forms of regional groups. A great deal of attention has been paid to regionalism from the global, political, economic, security aspects, but a complex evaluation of the impact it has had on international law, and vice versa, is still lacking. The main purpose of this volume is to eliminate this gap and present the latest state of knowledge on the topic. This text will be of interest both to students at an advanced level, academics, and reflective practitioners. It addresses the topics with regard to international law and regionalism and will be of interest to academics dealing with legal aspects of current regionalism and for the specialized courses in the faculties of law, as well as anyone studying diplomacy and international studies, international relations, regional integration law, EU law, international law, and international relations.

Interpretation in International Law Mar 06 2021 The relevance of interpretation to the academic study and professional practice of international law is self-evident. As new insights on the practice and process of interpretation abound in other disciplines, international law and international lawyers have largely remained wedded to a rule-based approach, focusing almost exclusively on the Vienna Convention on the Law of Treaties. Such an approach neglects interpretation as a distinct and admittedly broader field of theoretical inquiry. Interpretation in International Law brings together established and emerging international legal scholars to interrogate interpretation as a central concept in international law. The edited collection is creatively structured around the metaphor of the game, which captures and illuminates all the constituent elements of an act of interpretation. The object of the game of interpretation is to persuade one's audience that your own interpretation of the law is the correct one. The rules of play are known and complied with by the players, even though which cards to play is left to the skills and strategies of the individual players. There is also a meta-discourse about the game of

interpretation 'playing the game of game-playing' which involves reflection about the nature of the game, its underlying stakes, and who gets to decide by what rules one should play. Through a series of diverse contributions, Interpretation in International Law reveals interpretation as an inescapable feature of all areas of international law. It will be of interest and utility to all international lawyers whose work touches upon theoretical or practical aspects of interpretation.

The Nature of International Law Jan 22 2020

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

Parry and Grant Encyclopaedic Dictionary of International Law Jun 28 2020 For nearly thirty-five years, the international legal community has relied on one ambitious yet humble volume as a starting point for legal questions. This classic red volume is a one-of-a-kind reference tool that brings together both terminology and pertinent descriptive information on international law. This book will also be available online as an e-reference on the Oxford University Press Digital Reference Shelf. Now in its third edition, The Parry and Grant Encyclopaedic Dictionary of International Law is completely updated and expanded to include increased coverage in growing areas of international law including diplomatic law, criminal law, human rights, and more. Over 2,500 entries (over a 20% increase in content from the previous edition) provides the reader with copious references for further research including cases, treaties, journal articles, and websites. Its alphabetically arranged entries allow the reader to form a deeper understanding than a mere definition could supply and offer concise but substantial information on such essentials of international law as: Legal terms as used in international law Significant doctrines Prominent cases, decisions and arbitration Important incidents Judicial and literary figures Treaties and conventions Organizations and institutions Acronyms

Essential Texts in International Law Mar 18 2022 Essential Texts in International Law draws together the most important documents needed for the study of international law in a uniquely handy, user-friendly format. Unlike most other texts of this nature, the documents are organised according to subject matter for ease of reference: United Nations and International Peace and Security; State Transactions; State Immunity; State Responsibility; Diplomatic Relations; Economic Relations; Land, Sea, Air and Space; Human Rights; the Environment; and International Criminal Law. Each document has been allocated a unique number, which facilitates navigation for use in the classroom, and is complemented by a detailed subject index. Key features: - Concise but authoritative selection of the essential texts makes this focussed and user-friendly - Intuitive organisation of documents by subject - Unique reference number for each document facilitates navigation - Small, handy reference format for carrying to class

How to Do Things with International Law Sep 23 2022 A runner-up for the 2018 Chadwick Alger Prize, International Studies Association's

International Organization Section, this provocative reassessment of the rule of law in world politics examines how and why governments use and manipulate international law in foreign policy.

Repetition and International Law Aug 11 2021 Acts of repetition abound in international law. Security Council Resolutions typically start by recalling, recollecting, recognising or reaffirming previous resolutions. Expert committees present restatements of international law. Students and staff extensively rehearse fictitious cases in presentations for moot court competitions. Customary law exists by virtue of repeated behaviour and restatements about the existence of rules. When sources of international law are deployed, historically contingent events are turned into manifestations of pre-given and repeatable categories. This book studies the workings of repetition across six discourses and practices in international law. It links acts of repetition to similar practices in religion, theatre, film and commerce. Building on the dialectics of repetition as set out by Søren Kierkegaard, it examines how repetition in international law is used to connect concrete practices to something that is bound to remain absent, unspeakable or unimaginable.

The Acquisition and Government of Backward Territory in International Law Feb 26 2023 Cases concerning British colonization of Australia and theory of territorium nullius briefly discussed.

The Right to Development in International Law Jul 30 2020 The Right to Development in International Law rigorously explores the right to development (RTD) from the perspectives of international law as well as the constitutionally guaranteed fundamental rights and the Islamic concept of social justice in Pakistan. The volume draws on a wide range of relevant sources to analyse the legal status of international cooperation in contemporary international law, before exploring the domestic application of the right to development looking at the example of Pakistan, a country that is undergoing radical transformation in terms of its internal governance structures and the challenges it faces for enforcing the rule of law. Of particular importance is the examination of the RTD and Shari'ah law in Pakistan which adds a new perspective to the RTD debate and enriches the discussion about human rights and Shari'ah across the world. Through focusing on Pakistan the book links international perspectives and the international human rights framework with the domestic constitutional apparatus for enforcing the RTD within that jurisdiction. In doing so, Khurshid Iqbal argues that the RTD may be promoted through existing constitutional mechanisms if fundamental rights are widely interpreted by the superior courts, effectively implemented by the lower courts and if Shari'ah law is progressively interpreted in public interest. Iqbal's work will appeal to researchers, professionals and students in the fields of law, human rights, development, international law, South Asian Studies, Islamic law and international development studies.

Time, History and International Law Apr 30 2023 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 and the Social Sciences Dec 23 2019 Interdisciplinary study of international law and the social sciences - examines the foundations of international law, the significance of the social sciences therefor, law in international relations, reciprocity, sanctions, the evolution of legal norms, international procedures, etc., and covers regulatory problems in respect of air space and outer space control, communications, minority groups, aliens, forced migration and evaluates the utility of social science materials for the teaching and practice of international law. References.

The Concept of an International Organization in International Law May 20 2022 This book asks what the legal definition of an international organization is by examining how they create particular legal systems that derive from international law, and analysing the systems of governance in these organizations.

The International Law of Energy Apr 26 2020 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.

Third Parties in International Law Jun 20 2022

This title explores the role of third parties in international legal contexts.--

Is International Law International? Dec 27 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. *Public International Law* Aug 30 2020 *Public International Law* offers Australian students a comprehensive and accessible introduction to international law. Covering the fundamental topics of international law - including treaties,

use of force and dispute settlement - this text also discusses specialised branches such as humanitarian law, criminal law and environmental law.

A Treatise on International Law Nov 25 2022 **International Law and the European Union**

Feb 23 2020 *International Law and the European Union* addresses the public international law issues that arise from the European Union's international action.

Customary International Law Dec 03 2020 This book sets out to articulate a comprehensive theory of customary international law that can effectively resolve the conceptual and practical enigmas surrounding it. It takes a multidisciplinary approach and draws insights from international law, legal theory, political science, and game theory. It is anchored in a sophisticated ethical framework and explores the interrelationships between customary international law and ethics.

The Formation and Identification of Rules of Customary International Law in International Investment Law Sep 11 2021 Patrick Dumberry provides a comprehensive analysis of the rules of customary international law in the field of international investment law.