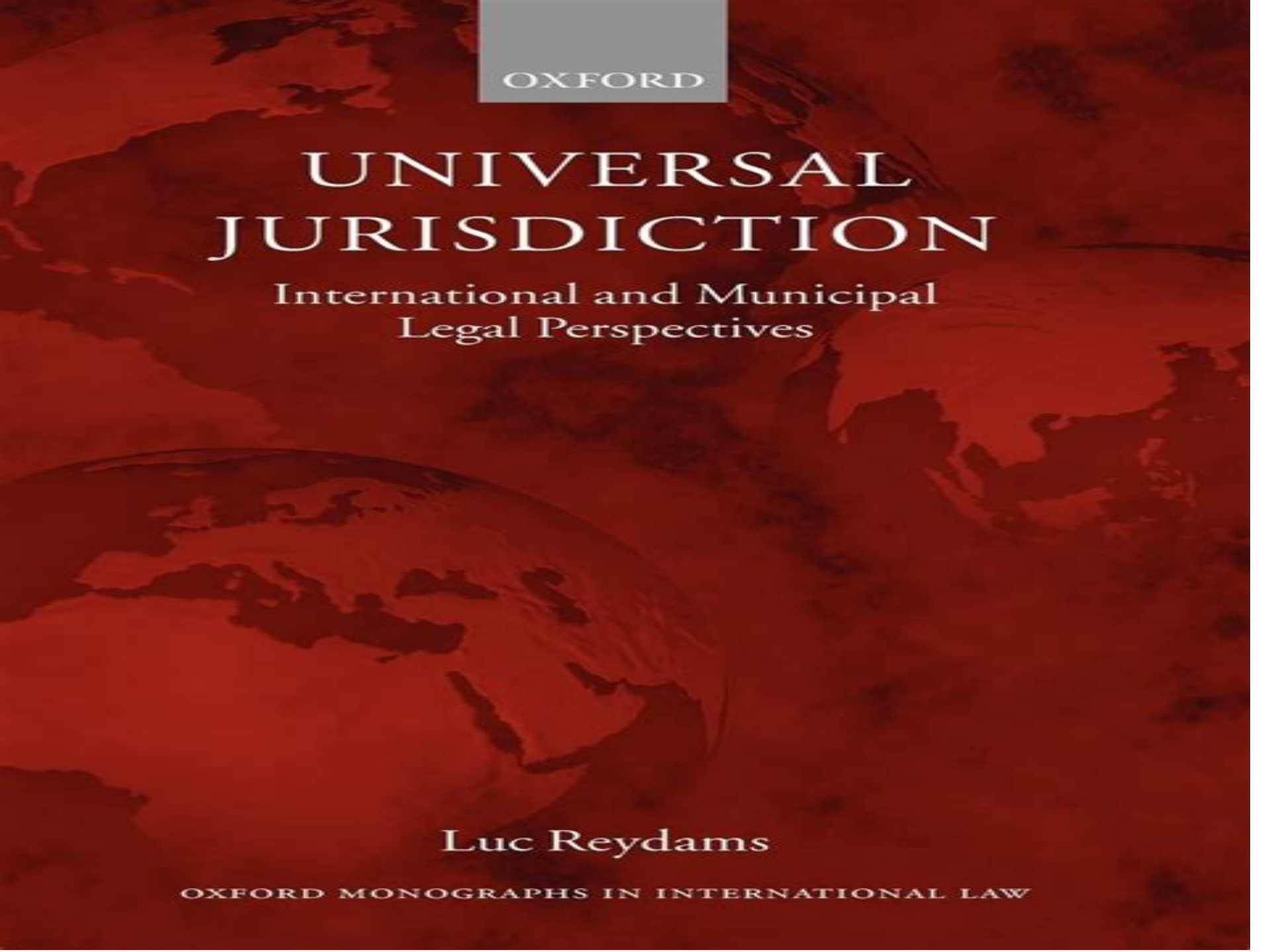




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Universal Jurisdiction International And Municipal Legal Perspectives Oxford Monographs In International Law:

Universal Jurisdiction Luc Reydam's, 2003 *Irresolvable Norm Conflicts in International Law* Valentin Jentner, 2017

Many are familiar with the concept of a moral dilemma a situation where a person faces a choice between two mutually exclusive actions This book considers whether situations of this kind could and should exist within the sphere of international law The Global Prosecution of Core Crimes under International Law Christopher Soler, 2019-09-18 This book deals with the prosecution of core crimes and constitutes the first comprehensive analysis of the horizontal and vertical systems of enforcement of international criminal law and of their inter relationship It provides a global jurisprudential exposition in assessing the grounds for refusal of surrender to the International Criminal Court and of extradition to another State It also offers insights into legal perspectives which improve the prevailing enforcement regimes of various models of criminal justice including hybrid criminal tribunals special criminal courts judicial panels and partnerships and other budding sui generis judicial and or prosecutorial institutions The book espouses a human rights law oriented critique to the enforcement of domestic regional and international criminal justice and is aimed at legal practitioners prosecutors defence lawyers magistrates and judges jurists criminal justice experts penologists legal researchers human rights activists and law students Christopher Soler lectures Maltese criminal law international criminal law and public international law at the University of Malta He obtained his Ph D from the University of Amsterdam in The Netherlands **Jurisdiction in International Law** Cedric Ryngaert, 2015-04-16 This fully updated second edition of *Jurisdiction in International Law* examines the international law of jurisdiction focusing on the areas of law where jurisdiction is most contentious criminal antitrust securities discovery and international humanitarian and human rights law Since F A Mann's work in the 1980s no analytical overview has been attempted of this crucial topic in international law prescribing the admissible geographical reach of a State's laws This new edition includes new material on personal jurisdiction in the U S extraterritorial applications of human rights treaties discussions on cyberspace the Morrison case *Jurisdiction in International Law* has been updated covering developments in sanction and tax laws and includes further exploration on transnational tort litigation and universal civil jurisdiction The need for such an overview has grown more pressing in recent years as the traditional framework of the law of jurisdiction grounded in the principles of sovereignty and territoriality has been undermined by piecemeal developments Antitrust jurisdiction is heading in new directions influenced by law and economics approaches new EC rules are reshaping jurisdiction in securities law the U S is arguably overreaching in the field of corporate governance law and the universality principle has gained ground in European criminal law and U S tort law Such developments have given rise to conflicts over competency that struggle to be resolved within traditional jurisdiction theory This study proposes an innovative approach that departs from the classical solutions and advocates a general principle of international subsidiary jurisdiction Under the new proposed rule States would be entitled and at times even obliged to exercise subsidiary jurisdiction over internationally

relevant situations in the interest of the international community if the State having primary jurisdiction fails to assume its responsibility *The Decolonization of International Law* Matthew Craven, 2007 Against the backdrop of decolonisation and the territorial adjustments of the 1990s the issue of state succession continues to be a complex focal point for public international law This book reassesses the foundations of the law of succession assessing the attempts and failures to achieve a codified body of law **Communicating Conflict: A Multidisciplinary Perspective** , 2019-01-04 This volume was first published by Inter Disciplinary Press in 2014 Using contexts ranging from personal interactions to topical international events this eBook provides a snapshot of the myriad of challenges that conflict and communication present us with **Amnesty, Human Rights and Political Transitions** Louise Mallinder, 2008-09-10 Amnesty laws are political tools used since ancient times by states wishing to quell dissent introduce reforms or achieve peaceful relationships with their enemies In recent years they have become contentious due to a perception that they violate international law particularly the rights of victims and contribute to further violence This view is disputed by political negotiators who often argue that amnesty is a necessary price to pay in order to achieve a stable peaceful and equitable system of government This book aims to investigate whether an amnesty necessarily entails a violation of a state's international obligations or whether an amnesty accompanied by alternative justice mechanisms can in fact contribute positively to both peace and justice This study began by constructing an extensive Amnesty Law Database that contains information on 506 amnesty processes in 130 countries introduced since the Second World War The database and chapter structure were designed to correspond with the key aspects of an amnesty why it was introduced who benefited from its protection which crimes it covered and whether it was conditional In assessing conditional amnesties related transitional justice processes such as selective prosecutions truth commissions community based justice mechanisms lustration and reparations programmes were considered Subsequently the jurisprudence relating to amnesty from national courts international tribunals and courts in third states was addressed The information gathered revealed considerable disparity in state practice relating to amnesties with some aiming to provide victims with a remedy and others seeking to create complete impunity for perpetrators To date few legal trends relating to amnesty laws are emerging although it appears that amnesties offering blanket unconditional immunity for state agents have declined Overall amnesties have increased in popularity since the 1990s and consequently rather than trying to dissuade states from using this tool of transitional justice this book argues that international actors should instead work to limit the more negative forms of amnesty by encouraging states to make them conditional and to introduce complementary programmes to repair the harm and prevent a repetition of the crimes David Dyzenhaus This is one of the best accounts in the truth and reconciliation literature I've read and certainly the best piece of work on amnesty I've seen Diane Orentlicher Ms Mallinder's ambitious project provides the kind of empirical treatment that those of us who have worked on the issue of amnesties in international law have long awaited I have no doubt that her book will be a much valued and widely cited

resource [International Human Rights and Islamic Law](#) Mashood A. Baderin, 2003-09-11 This volume examines the important question of whether or not international human rights and Islamic law are compatible It asks whether Muslim States can comply with international human rights law whilst adhering to Islamic law The traditional arguments on this subject are examined and responded to from both international human rights and Islamic legal perspectives The volume engages international human rights law in theoretical dialogue with Islamic law facilitating an evaluation of the human rights policy of modern Muslim States International Human Rights and Islamic Law formulates a synthesis between these two extremes and argues that although there are differences of scope and application there is no fundamental incompatibility between these two bodies of law Baderin argues that their differences could be better addressed if the concept of human rights were positively established from within the themes of Islamic law rather than by imposing it upon Islamic law as an alien concept Each article of the International Covenant on Civil and Political Rights and the International Covenant on Economic Social and Cultural Rights as well as relevant articles of the Convention on the Elimination of All Forms of Discrimination against Women are analysed in the light of Islamic law The volume concludes that it is possible to harmonise the differences between international human rights law and Islamic law through the adoption of the margin of appreciation doctrine by international human rights treaty bodies and the utilization of the Islamic law doctrines of maq sid al shar ah the overall objective of Shar ah and maslahah welfare by Muslim States in their interpretation and application of Islamic law respectively Baderin asserts that Islamic law can serve as an important vehicle for the guarantee and enforcement of international human rights law in the Muslim world and the volume concludes with recommendations to that effect **The Fair and Equitable Treatment Standard in the International Law of Foreign Investment** Ioana Tudor, 2008 This text analyses the conventional and customary framework of the fair and equitable treatment clauses commonly found in bilateral investment treaties BITs and charts how these clauses have become norms of customary international law [The Way Things Aren't: Deconstructing 'Reality' to Facilitate Communication](#) John Backman, Malgorzata Wojczik, 2019-05-15 In a world of continual conflict rethinking the way we communicate with other cultures religions or nations is of paramount importance Standing in the way is the unconscious assumption that our own views reflect the way things are an assumption both inefficient and harmful The Way Things Aren t Deconstructing Reality to Facilitate Communication explores communication as a meeting point between different perceptions of reality presenting how our assumptions and convictions hinder effective communication with those who are different from us Featuring case examples from Somalia Romania and other regions the chapters describe how authorities and the media often create reality to relegate some people cultures languages or religions to the wrong side of the tracks Featuring scholars and practitioners from many disciplines this discussion challenges readers with the idea that in order to remain open for new perspectives we must be aware that things are not always the way things are

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