

Economic Dimensions in International Law

Comparative
and Empirical
Perspectives



Edited by
Jagdeep S. Bhandari
and Alan O. Sykes

Economic Dimensions In International Law

SA Dillow



Economic Dimensions In International Law:

Economic Dimensions in International Law Jagdeep S. Bhandari, Alan O. Sykes, 1997 Each of the chapters was presented at a conference in the spring of 1995 sponsored by Duquesne University and George Mason University Pref **War Economies and International Law** Mark B. Taylor, 2021-07-15 This book describes how international law regulates the problems that arise where economic activity meets violent conflict The Legal Dimension in Cold-War Interactions: Some Notes from the Field Tatiana Borisova, William B. Simons, 2012-11-21 This volume offers readers a stimulating perspective on both struggles and cooperation on the Cold War's legal front and regard for its political context It covers the era of Stalinism up to the post Communist period of the 1990s and 2000s **Legal Aspects of Economic Integration in Africa** Richard Frimpong Oppong, 2011-07-07 Richard Frimpong Oppong challenges the view that effective economic integration in Africa is hindered by purely socio economic political and infrastructural problems Inspired by the comparative experiences of other regional economic communities and imbued with insights from constitutional public and private international law he argues that even if the socio economic political and infrastructural challenges were to disappear the state of existing laws would hinder any progress Using a relational framework as the fulcrum of analyses he demonstrates that in Africa's economic integration processes community state inter state and inter community legal relations have neither been carefully thought through nor situated on a solid legal framework and that attempts made to provide legal framework have been incomplete and sometimes grounded on questionable assumptions To overcome these problems and aid the economic integration agenda that is essential for Africa's long term economic growth and development the author proposes radical reforms to community and national laws **The International Economic Law Revolution and the Right to Regulate** Joel P. Trachtman, 2006 A collection of 13 previously published articles **General Principles of European Private International Law** Stefan Leible, 2016-02-22 European private international law as it stands in the Rome I II and III Regulations and the recent Succession Regulation presents manifold risks of diverging judgments despite seemingly harmonised conflict of law rules There is now a real danger in light of the rapid increase in the number of legal instruments of the European Union on conflict of laws that European private international law will become incoherent This collection of essays by twenty noted scholars in the field sheds clear light on the pivotal issues of whether a set of overarching rules a general part is required whether an EU regulation is the adequate legal instrument for such a purpose which general questions such an instrument should address and what solutions such an instrument should provide In analysing the possible emergence of general principles in European private international law over the past years the contributors discuss such issues and factors as the following the relationship between conflict of laws and recognition the room for party autonomy the concept of habitual residence adaptation when interplay between different laws leads to deadlock public policy exceptions the desirability of a general escape clause the classic topics of characterisation incidental question and renvoi and right to appeal in case of errors in the application of

foreign law Practitioners dealing with these notoriously difficult cases will welcome this in depth treatment of the issues as will interested policymakers throughout the EU Member States and at the EU level itself Scholars will discover an incomparable comparative analysis leading to expert recommendations in European private international law opening the way to an effective European framework in this area *The Oxford Handbook of International Criminal Law* Darryl Robinson, 2020-02-24 In the past twenty years international criminal law has become one of the main areas of international legal scholarship and practice Most textbooks in the field describe the evolution of international criminal tribunals the elements of the core international crimes the applicable modes of liability and defences and the role of states in prosecuting international crimes The Oxford Handbook of International Criminal Law however takes a theoretically informed and refreshingly critical look at the most controversial issues in international criminal law challenging prevailing practices orthodoxies and received wisdoms Some of the contributions to the Handbook come from scholars within the field but many come from outside of international criminal law or indeed from outside law itself The chapters are grounded in history geography philosophy and international relations The result is a Handbook that expands the discipline and should fundamentally alter how international criminal law is understood *The Hague Judgments Convention and Commonwealth Model Law* Abubakri Yekini, 2021-08-12 This book undertakes a systematic analysis of the 2019 Hague Judgments Convention the 2005 Hague Choice of Court Convention 2005 and the 2017 Commonwealth Model Law on recognition and Enforcement of Foreign Judgments from a pragmatic perspective The book builds on the concept of pragmatism in private international law within the context of recognition and enforcement of judgments It demonstrates the practical application of legal pragmatism by setting up a toolbox pragmatic goals and methods that will assist courts and policymakers in developing an effective and efficient judgments enforcement scheme at national bilateral and multilateral levels Practitioners national courts policymakers academics students and litigants will benefit from the book s comparative approach using case law from the United Kingdom and other leading Commonwealth States the United States and the Court of Justice of the European Union The book also provides interesting findings from the empirical research on the refusal of recognition and enforcement in the UK and the Commonwealth statutory registration schemes respectively *China, India and the International Economic Order* Muthucumaraswamy Sornarajah, Jiangyu Wang, 2010-08-26 With contributions by a variety of internationally distinguished scholars on international law world trade business law and development this unique examination of the roles of China and India in the new world economy adopts the perspectives of international economic law and comparative law The two countries are compared with respect to issues concerning trade and development the World Trade Organization international dispute settlement regional free trade agreements outsourcing international investment foreign investment corporate governance competition law and policy and law and development in general The findings demonstrate that though their domestic approaches to economic issues diverge China and India adopt similar stances at the international level on

many major issues recapturing images which existed during the immediate post colonial era Cooperation between China and India could provide leadership in the struggle for economic development in developing countries

Private International Law and Global Governance Horatia Muir Watt, Diego P. Fernández Arroyo, 2014-12-18 Contemporary debates about the changing nature of law engage theories of legal pluralism political economy social systems international relations or regime theory global constitutionalism and public international law Such debates reveal a variety of emerging responses to distributional issues which arise beyond the Western welfare state and new conceptions of private transnational authority However private international law tends to stand aloof claiming process based neutrality or the apolitical nature of private law technique and refusing to recognize frontiers beyond those of the nation state As a result the discipline is paradoxically ill equipped to deal with the most significant cross border legal difficulties from immigration to private financial regulation which might have been expected to fall within its remit Contributing little to the governance of transnational non state power it is largely complicit in its unhampered expansion This is all the more a paradox given that the new thinking from other fields which seek to fill the void theories of legal pluralism peer networks transnational substantive rules privatized dispute resolution and regime collision have long been part of the daily fare of the conflict of laws The crucial issue now is whether private international law can or indeed should survive as a discipline This volume lays the foundations for a critical approach to private international law in the global era While the governance of global issues such as health climate and finance clearly implicates the law and particularly international law its private law dimension is generally invisible This book develops the idea that the liberal divide between public and private international law has enabled the unregulated expansion of transnational private power in these various fields It explores the potential of private international law to reassert a significant governance function in respect of new forms of authority beyond the state To do so it must shed a number of assumptions entrenched in the culture of the nation state but this will permit the discipline to expand its potential to confront major issues in global governance

Research Handbook on International Law and Social Rights Christina Binder, Jane A. Hofbauer, Flávia Piovesan, Amaya Úbeda de Torres, 2020-08-28 This comprehensive Research Handbook offers a comparative overview of the history nature and current status of social rights at the universal and regional level Tracing their evolution from rather modest beginnings to becoming the category of rights responding most accurately to the 21st century's policy objectives of poverty eradication and equitable resource allocation this Research Handbook assesses the mechanisms used to enhance the implementation and enforcement of social rights

The HCCH 2019 Judgments Convention Matthias Weller, João Ribeiro-Bidaoui, Moritz Brinkmann, Nina Dethloff, 2023-05-18 This book analyses comments and further develops on the most important instrument of the Hague Conference on Private International Law HCCH the HCCH 2019 Judgments Convention The HCCH Convention the product of decades of work will have a transformative effect on global judicial cooperation in civil matters This book explores its mechanics i.e. the legal

cornerstones of the new Convention Part I its prospects in leading regions of the world Part II and offers an overview and comment on its outlook Part III Drawing on contributions from world leading experts this magisterial and ambitious work will become the reference work for law makers judges lawyers and scholars in the field of private international law The Regulation of International Trade, Volume 1 Petros C. Mavroidis, 2016-02-19 A detailed examination of the GATT regime for international trade discussing the negotiating record policy background economic rationale and case law The General Agreement on Tariffs and Trade GATT was created alongside other towering achievements of the post World War II era including the United Nations the World Bank and the International Monetary Fund GATT the first successful agreement to generate multilateral trade liberalization became the principal institution to administer international trade for the next six decades In this book Petros Mavroidis offers detailed examination of the GATT regime for international trade discussing the negotiating record policy background economic rationale and case law Mavroidis offers a substantive first chapter that provides a detailed historical background to GATT that stretches from the 1927 World Economic Conference through Bretton Woods and the Atlantic Charter Each of the following chapters examines the disciplines agreed to their negotiating record their economic rationale and subsequent practice Mavroidis focuses on cases that have influenced the prevailing understanding of the norm as well as on literature that has contributed to its interpretation and the final outcome In particular he examines quantitative restrictions and tariffs the most favored nation clause MFN the cornerstone of the GATT edifice preferential trade agreements and special treatment for products originating in developing countries domestic instruments and exceptions to the obligations assumed under GATT This book's companion volume examines World Trade Organization WTO agreements regulating trade in goods **The Regulation of International Trade** M. J.

Trebilcock, Robert Howse, Antonia Eliason, 2013 This book introduces the rules and institutions that govern international trade The authors draw their analysis on aspects of the subject from classic and contemporary literature on trade and political economy *The International Criminal Responsibility of War's Funders and Profiteers* Nina H. B. Jørgensen, 2020-09-17 This book is concerned with the commercial exploitation of armed conflict it is about money war atrocities and economic actors about the connections between them and about responsibility It aims to clarify the legal framework that defines these connections and gives rise to criminal or in some instances civil responsibility referring both to mechanisms for international criminal justice such as the International Criminal Court and domestic systems It considers which economic actors among individuals businesses governments and States should be held accountable and before which forum Additionally it addresses the question of how to recover illegally acquired profits and redirect them to benefit the victims of war The chapters shine a critical light on the options provided by a network of laws to ensure that the great industrialists of our time who find economic opportunities in the war ravaged lives of others are unable to pursue those opportunities with impunity

International Trade in Telecommunications Ronald A. Cass, John R. Haring, 1998 The authors consider whether any

special circumstances justify departure from free trade in telecommunications equipment

Constitutionalism and Transnational Governance Failures, 2024-03-11 This book explores strategies for limiting transnational market failures governance failures and constitutional failures impeding protection of the universally agreed sustainable development goals like climate change mitigation and access to justice and transnational rule of law Can multilevel democratic and judicial protection of fundamental rights and public goods across frontiers be extended through plurilateral agreements Can transnational economic and environmental constitutionalism be reconciled with constitutional pluralism and with democratic constitutionalism depending on individual and democratic consent of free and equal citizens Will judicial challenges e g of EU carbon border adjustment measures and countermeasures lead to further disruption of UN and WTO law This innovative book provides convincing analyses by leading practitioners and academics of multilevel governance of transnational public goods It advocates the need for stronger involvement of civil society and democratic institutions It shows why constitutionalism and constitutional economics offer appropriate methodologies for limiting market failures government failures and constitutional failures It thereby offers a glimpse of much needed optimism Karl Ernst Brauner former Deputy Director General of the World Trade Organization WTO *Law, Ethics and Society: Historical and Contemporary Perspectives* Craig Paterson, Stephan U. Breu, 2019-02-27 This collection reflects the result of interactive academic work initiated by Johann Heinrich Pestalozzi University Inc Miami Florida during the academic year 2018 and also the scholarly work of academics supporting our University The authors include international academics from the United States of America Great Britain Croatia Bosnia Herzegovina Switzerland Austria Serbia and Macedonia Table of Contents About the Authors Craig Paterson Contextualism Darko Beki Triangle Concept of Unification Demilitarization Neutralisation of Korea An Outline Orlando Mardner Economic Dimensions of Armed Groups Stephan U Breu The Challenge of Educating Refugee Children to Avoid Creating Tomorrow s Extremists Hatid a Beri a Historical Context of Military Interventionism Parvis Hanson The Future of Globalization Help or Hurt the World s Poor Joseph P Garske Common Law Craig Paterson The Societas Civilitas Hate Speech Elmar Kuhn Education as the Key for a Global Society in Peace Manish Sharma Global Ecology Paul Borrow Longain Law of Heraldic Arms Craig Paterson William Tyndale s Publication of The New Testament in the English Vernacular Milka Ristova Stephan U Breu Blockchains Zoran R Vitorovic Preventive Diplomacy as a Key for the Reduction of Asymmetric Conflicts Stephan U Breu International Law Under Attack by Geostategic Tensions Between Leading Nations

Conflict of Laws in the People's Republic of China Zheng Sophia Tang, Yongping Xiao, Zhengxin Huo, 2016-07-27 The area of conflict of laws in China has undergone fundamental development in the past three decades and the most recent changes in the 2010s regarding both jurisdiction and choice of law rules mark the establishment of a modern Chinese conflicts system Jointly written by three professors from both China and the UK this book provides the most up to date and comprehensive analysis of Chinese conflict of laws in civil and commercial matters covering jurisdiction choice of law procedure judgment

and awards recognition and enforcement and interregional conflicts in China

Handbook of International Relations

Walter Carlsnaes, Thomas Risse-Kappen, Thomas Risse, Beth A Simmons, 2002-03-13 NEW IN PAPERBACK FEBRUARY 2005

The most systematic and wide ranging survey of the multi faceted field of International Relations yet produced It is sure to become a standard reference work and teaching text and is unlikely to be superseded at any time in the near future It should be considered as essential reading International Affairs The Handbook of International Relations published 2002 in hardback quickly established itself as the benchmark volume providing a state of the art review and indispensable guide to the study of international relations It is now released in paperback in order to be accessible to students in classroom use Divided into three parts the volume reviews both the historical philosophical analytical and normative roots to the discipline and the key contemporary topics of research and debate today The first part introduces the major approaches within the field and unpacks many of the on going debates within the discipline including those between rationalist and constructivist approaches The second part moves on to explore the key concepts and contextual factors important to the subject from concepts like the state and power to international and transnational actors debates around globalization and contending feminist perspectives The final part reviews a number of the key substantive issues in international relations and is designed to complement the analytical tools and perspectives presented in Parts I and II Examples of the many topics included are foreign policy war and peace security nationalism and ethnicity finance trade development the environment and human rights

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