

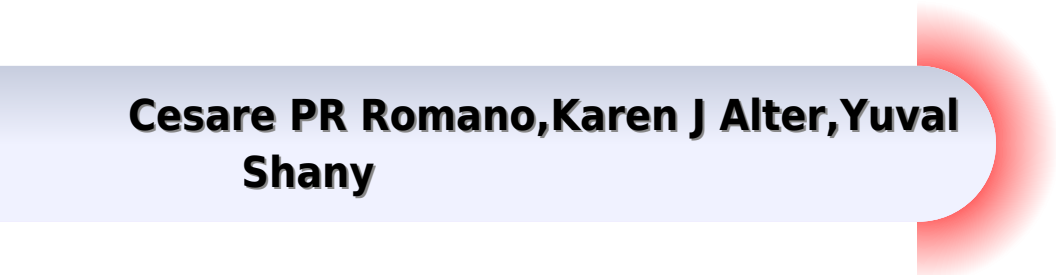
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≡ The Oxford Handbook of
**INTERNATIONAL
ADJUDICATION**

Oxford Handbook International Adjudication Handbooks

**Cesare PR Romano, Karen J Alter, Yuval
Shany**



Oxford Handbook International Adjudication Handbooks:

The Oxford Handbook of International Adjudication Cesare PR Romano, Karen J Alter, Yuval Shany, 2014-01-16 The post Cold War proliferation of international adjudicatory bodies and increase in litigation has greatly affected international law and politics A growing number of international courts and tribunals exercising jurisdiction over international crimes and sundry international disputes have become in some respects the lynchpin of the international legal system The Oxford Handbook of International Adjudication charts the transformations in international adjudication that took place astride the twentieth and twenty first century bringing together the insight of 47 prominent legal philosophical ethical political and social science scholars Overall the 40 contributions in this Handbook provide an original and comprehensive understanding of the various contemporary forms of international adjudication The Handbook is divided into six parts Part I provides an overview of the origins and evolution of international adjudicatory bodies from the nineteenth century to the present highlighting the dynamics driving the multiplication of international adjudicative bodies and their uneven expansion Part II analyses the main families of international adjudicative bodies providing a detailed study of state to state criminal human rights regional economic and administrative courts and tribunals as well as arbitral tribunals and international compensation bodies Part III lays out the theoretical approaches to international adjudication including those of law political science sociology and philosophy Part IV examines some contemporary issues in international adjudication including the behavior role and effectiveness of international judges and the political constraints that restrict their function as well as the making of international law by international courts and tribunals the relationship between international and domestic adjudicators the election and selection of judges the development of judicial ethical standards and the financing of international courts Part V examines key actors in international adjudication including international judges legal counsel international prosecutors and registrars Finally Part VI overviews select legal and procedural issues facing international adjudication such as evidence fact finding and experts jurisdiction and admissibility the role of third parties inherent powers and remedies The Handbook is an invaluable and thought provoking resource for scholars and students of international law and political science as well as for legal practitioners at international courts and tribunals

A Constitutionalist Approach to the European Convention on Human Rights

Lisa Sonnleitner, 2022-04-21 This book presents a new constitutional argument for the legitimacy of evolutive interpretation of the ECHR It constructs a model in which evolutive and static constitutional principles are balanced with each other The author argues that there are three possible interpretive approaches in time sensitive interpretations of the ECHR but that only one of them is justifiable by reference to the constitutional principles of the ECHR in every single case The ECHR s constitutional principles either require an evolutive or static interpretation or they do not establish a preference relation at all which leads to a margin of appreciation of the member states in the interpretation of the Convention The balancing model requires the determination of the weights of the competing evolutive and static

constitutional principles For this purpose the author defines weighting factors for determining the importance of evolutive or static interpretation in a concrete case

The impact of the African Charter and the Maputo Protocol in selected African states Kounkinè Augustin Somé, Polycarp Ngufor Forkum, Armand Tanoh, Meskerem Geset Techane, Satang Nabaneh, Michael Gyan Nyarko, Saoyo Tabitha Griffith, Paul Ogendi, Sizakele Hlatshwayo, Sarai Chisala-Tempelhoff, Seun Solomon Bakare, Roopanand Mahadew, Augustine Sorie Marrah, Ofentse Motlhasedi, Linette du Toit, Dumsani Dlamini, Grace Kamugisha Kazoba, Charles Mmbando, Agaba Daphine Kabagambe, Tarisai Mutangi, 2016-07-13 The year 2016 was declared by the African Union as the African Year of Human Rights with Particular Focus on the Rights of Women to commemorate and celebrate significant milestones in the realisation of human rights on the African continent The year marks the 35th anniversary of the adoption of the African Charter on Human and Peoples Rights African Charter 30th year since coming into force of the African Charter and 10 years since the inauguration of the African Court on Human and Peoples Rights Since its adoption the African Charter has been supplemented by the Protocol on the Rights of Women in Africa Maputo Protocol All AU member states with the exception of new comer South Sudan are state parties to the African Charter and 36 of them have accepted the Maputo Protocol This book assesses the impact and effectiveness of the African Charter and the Maputo Protocol in 17 African countries namely Burkina Faso Cameroon C te d Ivoire Ethiopia Gambia Ghana Kenya Lesotho Malawi Mauritius Nigeria Sierra Leone South Africa Swaziland Tanzania Uganda and Zimbabwe The book is the result of research conducted by selected alumni of the Centre for Human Rights LLM in Human Rights and Democratisation in Africa programme

End of Immunity Chile Eboe-Osuji, 2024-10-15 Russia s invasion of Ukraine in 2022 has shown the world the critical importance of whether and how to punish heads of state heads of government and sundry strong men when accused of crimes of aggression genocide war crimes and other crimes against humanity In End of Immunity former President of the International Criminal Court Chile Eboe Osuji probes the history and theory of the concept of immunity for heads of state underscoring tribunal achievements pointing out gaps in the existing framework of accountability and the hypocrisies that produced them and offering workable solutions to the loopholes that government leaders still use to escape consequences today Eboe Osuji traces the development of international law from the pre World War I era that left wars of aggression as the prerogative of sovereigns able to wage them through the peacetime conferences of the Hague at the turn of the 20th century the momentous Article 227 of the Versailles Peace Treaty of 1919 which communicated the resolve of the Allies and Associated Powers to prosecute German Emperor and King of Prussia Kaiser Wilhelm II before an international tribunal how the legal norms applied in the post WWII Nuremberg trial transformed the norms of modern international law how 1990 s Africa breathed new life into arguments against immunity for heads of state and how modern day Russia flouts those laws with Putin s war of aggression on Ukraine Going as far back as the Middle Ages and the ancient doctrine of the divine right of kings and concluding with a fresh new proposal for the ways in which international law can be shored up to

prosecute those leaders who wage wars of aggression Eboe Osuji investigates the journey of international law's rejection of immunity for anyone including heads of state in particular when they are suspected or accused of atrocities that international law has proscribed as crimes The result is the definitive account of a profoundly vital principle for international relations and global humanity

The Oxford Handbook of International Arbitration Thomas Schultz, Federico Ortino, 2020-09-11 This Handbook brings together many of the key scholars and leading practitioners in international arbitration to present and examine cutting edge knowledge in the field Innovative in its breadth of coverage chapter topics range from the practicalities of how arbitration works to big picture discussions of the actors involved and the values that underpin it The book includes critical analysis of some of international arbitrations most controversial aspects whilst providing a nuanced account overall that allows readers to draw their own informed conclusions The book is divided into six parts after an introduction discussing the formation of knowledge in the field Part I provides an overview of the key legal notions needed to understand how international arbitration technically works such as the relation between arbitration and law the power of arbitral tribunals to make decisions the appointment of arbitrators and the role of public policy Part II focuses on key actors in international arbitration such as arbitrators parties choosing arbitrators and civil society Part III examines the central values at stake in the field including efficiency legal certainty and constitutional ideals Part IV discusses intellectual paradigms structuring the thinking in and about international arbitration such as the idea of autonomous transnational legal orders and conflicts of law Part V presents the empirical evidence we currently have about the operations and effects of both commercial and investment arbitration Finally Part VI provides different disciplinary perspectives on international arbitration including historical sociological literary economic and psychological accounts

Judicial Reputation Nuno Garoupa, Tom Ginsburg, 2015-11-20 Judges are society's elders and experts our masters and mediators We depend on them to dispense justice with integrity deliberation and efficiency Yet judges as Alexander Hamilton famously noted lack the power of the purse or the sword They must rely almost entirely on their reputations to secure compliance with their decisions obtain resources and maintain their political influence In *Judicial Reputation* Nuno Garoupa and Tom Ginsburg explain how reputation is not only an essential quality of the judiciary as a whole but also of individual judges Perceptions of judicial systems around the world range from widespread admiration to utter contempt and as judges participate within these institutions some earn respect while others are scorned *Judicial Reputation* explores how judges respond to the reputational incentives provided by the different audiences they interact with lawyers politicians the media and the public itself and how institutional structures mediate these interactions The judicial structure is best understood not through the lens of legal culture or tradition but through the economics of information and reputation Transcending those conventional lenses Garoupa and Ginsburg employ their long standing research on the latter to examine the fascinating effects that governmental interactions multicourt systems extrajudicial work and the international rule of law movement have had on the reputations of

judges in this era **Global Finance in the 21st Century** Steve Kourabas, 2021-09-28 Global Finance in the 21st Century Stability and Sustainability in a Fragmenting World explains finance and its regulation after the global financial crisis The book introduces non finance scholars into the wider debate regarding the conduct and regulation of finance to encourage broader discussion on important societal issues that relate to finance The book also explores the ineffectiveness of the current approach to global prudential governance and places this discussion within the more expansive context of global governance and nationalism in the twenty first century The book argues that fragmentation and the growing trend of promoting informality and voluntarism has facilitated a return to nationalism as a primary form of global governance that acts contrary to post crisis reforms that seek to promote stability and sustainability in the conduct of finance As a remedy Kourabas suggests that we need more not less of what we have traditionally conceived as international law treaties and treaty based international organisations In the field of finance this means not only pursuing financial liberalisation through free trade and investment treaties but also the inclusion of provisions in these treaties that promotes systemic financial stability and sustainable development objectives Of interest to legal and non legal academics and students legal professionals and policy makers this book offers a nuanced defence of international law as an approach to global governance in finance and beyond as well as reform of international law to meet the needs of twenty first century society **Expert Laws of War**

Anton O. Petrov, 2020-06-26 Over recent decades international humanitarian law has been shaped by the omnipresence of so called expert manuals Astute and engaging this discerning book provides a comprehensive account of these black letter rules and commentaries produced by private expert groups and demonstrates why the general acceptance of these expert manuals is largely unjustified The author innovatively links interdisciplinary insights to the needs of military lawyers in practice showing the pitfalls of relying on private manuals as arguable restatements and interpretations of the law as it is **The**

Oxford Handbook of Legal Studies Peter Cane, Mark V. Tushnet, 2003 This volume in the prestigious series of Oxford Handbooks provides a widely accessible overview of legal scholarship at the start of the 21st century Through 43 essays by leading legal scholars based in the USA the UK Australia New Zealand Canada and Germany it offers original and interpretative accounts of the nature themes and trends of research and writing about all areas of the law **A Common**

Law of International Adjudication Chester Brown, 2007 Brown offers an examination of the jurisprudence of a range of international courts and tribunals relating to issues of procedure and remedies and assessment whether there are emerging commonalities regarding these issues which could make up a unified law of international adjudication **Law Books in**

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Pimsleur,1976 **Books in Print** ,1979 *Books in Series, 1876-1949* R.R. Bowker Company,1982 Indian Books in
Print ,2003

Oxford Handbook International Adjudication Handbooks Book Review: Unveiling the Magic of Language

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