

**Max Planck Yearbook
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United Nations Law
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**Editors
Jonathan A. Symeonis
Rüdiger Wolfrum**



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**Ana Gemma López Martín, José Antonio
Perea Unceta**

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Max Planck Yearbook of United Nations Law Jochen Abraham Frowein, Rüdiger Wolfrum, 1997-09-01 Blaskif , **The United Nations** Franz Cede, Lilly Sucharipa-Behrmann, 2001-02-01 The political changes in the world have profoundly altered the United Nations This new book is one of the first to describe the structure of the world organization in the present context of international relations The United Nations Law and Practice is a no nonsense book concise informative and up to date In their respective careers as diplomats or academics all authors combine vast practical and theoretical experience in dealing with the UN **Jurisprudence of the PCIJ and of the ICJ on Interim Measures of Protection** Ewa Sałkiewicz-Munnerlyn, 2021-10-13 This book deals with all the cases that came before the Permanent Court of International Justice PCIJ from 1922 to 1946 as well as those that were heard by its successor the International Court of Justice ICJ from 1946 to 2020 in which interim measures of protection were either indicated or refused The monograph shows how cases in which injunctive relief was sought were handled and how the PCIJ and the ICJ have undergone certain reforms over the years The new approach taken by the author is to present all the matters brought before both the PCIJ and ICJ in full and to present the new requirements on the part of the ICJ that have been formulated in recent years The book is aimed at law students lecturers and those working in the field of international law Ewa Sa kiewicz Munnerlyn was a Polish diplomat working for the Ministry of Foreign Affairs from 1991 to 2018 She was appointed charge d affaires at the Polish Embassy to the Holy See from 1993 1994 after which she served as the Polish consul at the Consular Division of the Polish Embassy in Washington D C from 1995 1999 She then held the position of Human Rights Officer of the OSCE in Macedonia Skopje and Ohrid and Bosnia and Hercegovina Pale in Republika Srbska from 2001 2005 and has also several times worked as a short term observer of the OSCE during parliamentary and presidential elections in Ukraine Russia Moldova and Belarus She attained a Ph D at the Jagiellonian University in Krakow Poland and a post graduate diploma at the Institut des Hautes Etudes Internationales in Geneva Switzerland **The Legacy of the Wimbledon Case** ,2025-02-03 The book addresses the impact of the first judgment of the World Court on the development of international law and its continuing relevance The contributions to this book discuss the legal issues decided by the PCIJ in the Wimbledon case In the Wimbledon judgment the Court referred to the problems that are still important both for procedural and substantive international law and which attract the attention of states courts and the academia today These include state sovereignty sources of international law interpretation of legal rights and obligations following from treaties and custom objective regimes self contained regimes neutrality in armed conflicts the status of international waterways as well as the issues of jurisdiction such as third party participation in international adjudication or locus standi for the protection of community interests **International Law for Humankind** Antônio Augusto Cançado Trindade, 2020-03-17 Fully updated and covering the new challenges and dangers which have emerged since publication of the previous edition the new 3rd Edition of International Law for Humankind builds

on the revised and adapted text of a General Course on Public International Law delivered by the Author at The Hague Academy of International Law Professor Canado Trindade develops his Leitmotiv of identification of a corpus juris increasingly oriented to the fulfillment of the needs and aspirations of human beings of peoples and of humankind as a whole With the overcoming of the purely inter State dimension of the discipline of the past international legal personality has expanded so as to encompass nowadays besides States and international organizations also peoples individuals and humankind as subjects of International Law The growing consciousness of the need to pursue universally shared values has brought about a fundamental change in the outlook of International Law in the last decades drawing closer attention to its foundations and parallel to its formal sources to its material source the universal juridical conscience He examines the conceptual constructions of this new International Law and identifies basic considerations of humanity permeating its whole corpus juris disclosing the current processes of its humanization and universalization Finally he addresses the construction of the international rule of law acknowledging the need and quest for international compulsory jurisdiction in the move towards a new jus gentium the International Law for humankind

Max Planck Yearbook of United Nations Law Jochen Frowein, 1998-02-13 *The Experiences of International Organizations* Jean d'Aspremont, 2023-11-03 This groundbreaking book uses the idea of experience to investigate the various ways in which international organizations are understood by judges legal practitioners legal researchers legal theorists and thinkers of global governance

Stability And Change in the Law of the Sea Alex G. Oude Elferink, 2005 This work looks at topics which can contribute to an understanding of how the Convention has been adapted to newly arising issues and how further adaptation may be achieved in the future without a readjustment of the basic legal framework contained in the Convention

International Organizations and the Idea of Autonomy Richard Collins, Nigel D. White, 2011-04-20 International Organizations and the Idea of Autonomy is an exploratory text looking at the idea of intergovernmental organizations as autonomous international actors In the context of concerns over the accountability of powerful international actors exercising increasing levels of legal and political authority in areas as diverse as education health financial markets and international security the book comes at a crucial time Including contributions from leading scholars in the fields of international law politics and governance it addresses themes of institutional autonomy in international law and governance from a range of theoretical and subject specific contexts The collection looks internally at aspects of the institutional law of international organizations and the workings of specific regimes and institutions as well as externally at the proliferation of autonomous organizations in the international legal order as a whole Although primarily a legal text the book takes a broad thematic and inter disciplinary approach In this respect International Organizations and the Idea of Autonomy offers an excellent resource for both practitioners and students undertaking courses of advanced study in international law the law of international organizations global governance as well as aspects of international relations and organization

Human Rights and the Food Sovereignty Movement Priscilla

Claeys,2015-01-09 Our global food system is undergoing rapid change Since the global food crisis of 2007 2008 a range of new issues have come to public attention such as land grabbing food prices volatility agrofuels and climate change Peasant social movements are trying to respond to these challenges by organizing from the local to the global to demand food sovereignty As the transnational agrarian movement La Via Campesina celebrates its 20th anniversary this book takes stock of the movement s achievements and reflects on challenges for the future It provides an in depth analysis of the movement s vision and strategies and shows how it has contributed not only to the emergence of an alternative development paradigm but also of an alternative conception of human rights The book assesses efforts to achieve the international recognition of new human rights for peasants at the international level namely the right to food sovereignty and peasants rights It explores why La Via Campesina was successful in mobilizing a human rights discourse in its struggle against neoliberalism and also the limitations and potential pitfalls of using the human rights framework The book shows that to inject subversive potential in their rights based claims rural social activists developed an alternative conception of rights that is more plural less statist less individualistic and more multi cultural than dominant conceptions of human rights Further they deployed a combination of institutional from above and extrainstitutional from below strategies to demand new rights and reinforce grassroots mobilization through rights

Secession and Statehood Ana Gemma López Martín,José Antonio Perea Unceta,2021-09-08 This book analyses the complex phenomenon of secession as a form of creation of States from the perspective of international law As opposed to other approaches based on the analysis of the political foundation of the secessionist processes or on the construction of a legal basis that justifies the existing practice the aim is to provide an explanation of secession as a practice covered neither by the legal regime of the United Nations for the self determination of colonial peoples nor by the regulations and guidelines relating to the human rights of minorities and indigenous populations both in the UN and in regional organisations Organization of American States Council of Europe or African Union It is stated that secession is a practice that does not comply with international peremptory norms such as those that prohibit going against the territorial integrity of the States the use of force or intervention in the internal affairs of other States Even being aware of the inevitable consequences of the effective creation of States and other de facto entities on trade relations communications and the rights of individuals among other matters secession is a practice that should lead to an obligation of nonrecognition by States and by international organisations As an example of this practice the secessionist process in Catalonia since 2014 is explained and studied

Use and Misuse of New Technologies Elena Carpanelli,Nicole Lazzerini,2019-05-14 The ever increasing use of technology is challenging the current status of the law bringing about new problems and questions The book addresses this trend from the perspective of International law and European Union law and is divided into three main thematic sections The first section focuses on the legal implications of the use of technology either for law enforcement purposes or in the context of military activities and examines how this use adds a new dimension to perennial issues such as the uneasy balance between

security concerns and the protection of individual rights and defining the exact scope of certain State obligations. In so doing it takes into account a range of current and potential scenarios at the international, regional and domestic level including the use of killer robots, databases, drones and technology in general to patrol borders, exchange information on criminal suspects, maintain public order, target suspected terrorists and conduct military activities. In turn, the second section examines the role of institutional and non-institutional actors in establishing substantive normative standards for the use of high tech applications. In this respect it focuses both on the role that European courts have played so far and on how other actors' initiatives can contribute to the construction of a new legal framework for technology related activities. Lastly, the third section has a two fold focus: the first part investigates how the increasing reliance on technology is affecting traditional rules on international responsibility and is challenging in particular the attribution of wrongful conduct to States and international organizations. The second part addresses issues of jurisdiction and justiciability. Given the scope of its coverage, this timely book addresses an important lacuna in the current legal scholarship, exploring some of the most recent applications of technology and the legal issues arising as a result. Readers will gain novel insights into the challenges posed to International law and European law by the growing reliance on technology, taking into account both its uses and misuses.

Strengthening the Rule of Law through the UN Security Council Jeremy Farrall, Hilary Charlesworth, 2016-04-14

The UN Security Council formally acknowledged an obligation to promote justice and the rule of law in 2003. This volume examines the extent to which the Council has honoured this commitment when exercising its powers under the UN Charter to maintain international peace and security. It discusses both how the concept of the rule of law regulates or influences Security Council activity and how the Council has in turn shaped the notion of the rule of law. It explores in particular how this relationship has affected the Security Council's three most prominent tools for the maintenance of international peace and security: peacekeeping, sanctions and force. In doing so, this volume identifies strategies for better promotion of the rule of law by the Security Council. This book will be of interest to scholars and students of international law, international relations, international development and peacekeeping.

Accountability of Peace Support Operations M.C. Zwanenburg, 2005-05-01

Quis custodiet ipsos custodios? In other words, who guards the guardians? At a time when the mandate of many peace support operations includes halting violations of international humanitarian law by third parties, there is still a lack of clarity concerning accountability of peace support operations themselves. This book addresses that accountability, focusing on peace support operations under the command and control of the United Nations and the North Atlantic Treaty Organization. It is concerned with the accountability of international organizations as well as troops contributing and member states, but not of individuals. Drawing on existing and emerging doctrines of international law, including the law of state responsibility, the law of responsibility of international organizations, international institutional law and international humanitarian law, and on the basis of state practice, this book makes a strong plea for improving mechanisms to implement the accountability of peace

support operations under international humanitarian law The Paul Reuter Prize 2006 was awarded to Marten Zwanenburg for this book

Advancing the Method and Practice of Transnational Law Julien Chaisse, Oana Stefan, 2023-09-21 This book adopts a transnational methodology to reflect on the legalisation of international economic relations A Liber Amicorum for Professor Francis Snyder it outlines the ways in which legal scholarship has taken his legacy further in relation to the concept of transnational law the law in context method and the evolution of sustainability law The lens is both theoretical and practical delving into international investment law financial monetary law free trade agreements indigenous rights and food law and covering case studies from EU law WTO law American law Chinese law and Indonesian law The chapters explore how Snyder's ideas have advanced legal research and determined change in regulation impacting trade relationships worldwide Part I of the book gives an overview of the actors the norms and the processes of transnational economic law discussing sites of governance legal pluralism and soft law Part II takes stock of the law in context research method looking not only at the way in which it can be refined and used by academics but also at the practical implications of such a method to improve regulatory settings and promote social and policy goals including the emerging generation of FTAs such as TPP TTIP and RCEP Part III focuses on sustainability law assessing Francis Snyder's contribution to systemic changes and reforms in China and the Asia Pacific region The book is a must have for any academic or practitioner interested in an up to date account of the recent developments in transnational trade law research United Nations Juridical Yearbook United Nations, 2007

Private Actors as Participants in International Law Armando Rocha, 2021-08-26 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

The International Law of the Sea Yoshifumi Tanaka, 2015-04-16 A systematic examination of all topics in law of the sea courses fully updated to include contemporary issues

Solidarity and Community Interests R. Wolfrum, 2021-12-28 Solidarity and community interest may appear to be purely abstract notions But in fact they may form the basis of a more flexible approach to international lawmaking than traditional formulas of legally binding commitments Through an empirical analysis of existing and emerging public international law this book traces these concepts in existing regimes and investigates the impact they have had and will continue to have on the progressive development of specific international regimes particularly those serving the protection of the environment and of human rights It discusses how through these two regimes these concepts have changed the international normative order and explores the challenges such changes have created for implementation and enforcement One such challenge is the lack of an adequate dispute settlement regime and the book closes with some

practical suggestions for an appropriate mechanism

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