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SHEARMAN & STERLING

Law Commission Report 1996

Olympia Bekou



Law Commission Report 1996:

Guarantees of Non-Repetition in International Human Rights Law and Transitional Justice Nita

Shala,2024-06-07 This book examines the understudied yet increasingly applied concept of Guarantees of Non Repetition under international human rights law and transitional justice Guarantees of Non Repetition GNRs are measures taken to ensure that human rights abuses do not recur They are especially crucial in post war contexts marked by severe and systematic violations However although they are increasingly invoked GNRs are not well understood and they have so far received only limited theoretical and practical analysis Tracing their development to the influence of international human rights law this book considers what GNRs are how and why they have come about and how GNRs are implemented Through an explication of the history law and jurisprudence of GNR s in regional mechanisms in Latin America Europe and Asia as well as in international bodies the book maintains the increasing importance and as yet unfulfilled potential of this legal obligation in transitional justice settings This first book to analyse the development of GNRs and their application will appeal to scholars in the areas of law and transitional justice public policy and socio legal studies as well as lawyers and policy makers working in post conflict situations

The Crime of Aggression under the Rome Statute of the International Criminal Court Carrie McDougall,2013-04-18 This guide to the crime of aggression provisions under the Rome Statute of the International Criminal Court ICC offers an exhaustive and sophisticated legal analysis of the crime s definition as well as the jurisdictional provisions governing the ICC s exercise of jurisdiction over the crime A range of practical issues likely to arise in prosecutions of the crime of aggression before the ICC are canvassed as is the issue of the domestic prosecution of the crime It also offers an insight into the geopolitical significance of the crime of aggression and the activation of the ICC s ability to exercise its jurisdiction over the crime The author s intimate involvement in the crime s negotiations combined with extensive scholarly reflection on the criminalisation of inter State uses of armed force makes this highly relevant to all academics and practitioners interested in the crime of aggression

War Torn Environment Karen Hulme,2004 This book analyses the issues surrounding the protection of the environment in times of armed conflict and to pose questions as to its adequacy and efficacy But the focus is not simply upon the interpretation of the legal provisions in isolation instead the analysis establishes a benchmark standard of environmental harm against which the adequacy and efficacy of the legal provisions can be measured

The International Law Commission's Articles on State Responsibility United Nations. International Law Commission,James Crawford,2002 In 2001 the International Law Commission completed its work on State responsibility begun 40 years previously The Articles on Responsibility of States for Internationally Wrongful Acts marks a major step in the codification and progressive development of international law comparable in significance to the Vienna Convention on the Law of Treaties The Articles cover such topics as attributing conduct to the State defining when there has been a breach of international law and the excuses or justifications for breaches reparation for injustices the invocation of

responsibility especially standing of States in the public interest and the rules relating to countermeasures The Articles develop basic concepts of international law in particular peremptory norms and obligations to the international community as a whole They signal definitively how international law has moved away from a purely bilateral conception of responsibility to accommodate categories of general public interest human rights the environment etc Economic Sanctions K.

Alexander,2009-04-28 Economic sanctions are increasingly important instruments of regulatory and foreign policy This book provides a detailed study of the post 9 11 financial sanctions programmes in the US and Europe examining the key regulatory and legal issues that confront businesses and related liability issues for third parties and individuals **The Vegetative**

State Bryan Jennett,2002-02-28 A survey of the medical ethical and legal issues that surround this controversial topic

Due Diligence in the International Legal Order Heike Krieger,Anne Peters,Leonhard Kreuzer,2020-12-03 Due diligence is a prominent concept in international law frequently referred to in arbitral awards court decisions and in scholarly discussions on state responsibility However until now the specific normative content and systemic relation of due diligence to rules and principles of international law has largely remained unexplored The present book provides a comprehensive analysis of the content scope and function of due diligence across various areas of international law including international environmental law international peace and security law and international economic law Sector by sector contributors explore the diverse interactions between due diligence and area specific substantive and procedural rules as well as general principles of international law This book exposes the promises and limits of due diligence for enhancing accountability and compliance It identifies the rise of due diligence as both a driver and signal of change in the international legal order towards risk management and proceduralisation The Oxford Handbook of Terrorism Erica Chenoweth,Richard English,Andreas

Gofas,Stathis N. Kalyvas,2019-03-14 The Oxford Handbook of Terrorism systematically integrates the substantial body of scholarship on terrorism and counterterrorism before and after 9 11 In doing so it introduces scholars and practitioners to state of the art approaches methods and issues in studying and teaching these vital phenomena This Handbook goes further than most existing collections by giving structure and direction to the fast growing but somewhat disjointed field of terrorism studies The volume locates terrorism within the wider spectrum of political violence instead of engaging in the widespread tendency towards treating terrorism as an exceptional act Moreover the volume makes a case for studying terrorism within its socio historical context Finally the volume addresses the critique that the study of terrorism suffers from lack of theory by reviewing and extending the theoretical insights contributed by several fields including political science political economy history sociology anthropology criminology law geography and psychology In doing so the volume showcases the analytical advancements and reflects on the challenges that remain since the emergence of the field in the early 1970s *The*

International Criminal Court Olympia Bekou,2017-11-28 The creation of the International Criminal Court ICC in 1998 represented an important step in the international effort to repress genocide war crimes and crimes against humanity As

there has been enormous scholarly discussion of the ICC it is difficult and time consuming to obtain the best writing on the subject This volume collects the foremost analyses of each part of the ICC to form a convenient reference tool for all those wishing to understand perhaps the most important legal development of the past two decades **The International Criminal Court and National Courts** Nidal Nabil Jurdi,2016-03-03 This book analyzes the position of the ICC in relation to national court systems The research illustrates that what seemed to be a straight forward relationship between the ICC and national courts under the complementarity mechanism proves to be much more complex in practice Using the referrals of Uganda and Darfur the book demonstrates ways in which it might be possible to prosecute for crimes currently not prosecuted by the ICC and brings to light possible solutions to overcome the gaps in law and practice in the jurisdictional relation between the ICC and national systems It will be of value to academics students and policy makers working in the area of international law international organizations and human rights **The Law Commission Thirty-first Annual Report 1996** Great Britain. Law Commission,1997 **Constructing the Powers of International Institutions** Viljam Engström,2012-05-16 The book illustrates the function of legal doctrines in a discourse on the extent of powers of international institutions and questions whether a move to a constitutional vocabulary can transcend the dichotomy at the heart of diverging constructions of powers **The Poor Had No Lawyers** Andy Wightman,2011-08-01 In this updated edition of his utterly magnificent social history the Scottish parliamentarian examines the privatization of Scotland s common land Sunday Herald UK As an author activist and politician Andy Wightman has made a career of fighting for Scottish land reform In this provocative and influential book Wightman offers a revealing analysis of how and why landowners got their hands on the millions of acres that were once held in common He also tells the untold story of how the Scottish legal and political establishment appropriated land through legal fixes Throughout Wightman poses some provocative questions Have attempts to redistribute power made any difference What are the implications of the debt fueled housing bubble the Smith Commission and the new Scottish Government s proposals on land reform Can we get our common good land back For all those with an interest in urban and rural land in Scotland this edition of The Poor Had No Lawyers updated with new statistics provides a fascinating analysis of one the most important political questions in Scotland **Crimes against Humanity** M. Cherif Bassiouni,2011-04-25 This book traces the evolution of crimes against humanity CAH and their application from the end of World War I to the present day in terms of both historic legal analysis and subject matter content The first part of the book addresses general issues pertaining to the categorization of CAH in normative jurisprudential and doctrinal terms This is followed by an analysis of the specific contents of CAH describing its historic phases going through international criminal tribunals mixed model tribunals and the International Criminal Court The book examines the general parts and defenses of the crime along with the history and jurisprudence of both international and national prosecutions For the first time a list of all countries that have enacted national legislation specifically directed at CAH is collected along with

all of the national prosecutions that have occurred under national legislation up to 2010 Institutionalizing State Responsibility Vincent-Joël Proulx, 2016-05-05 Since the 9 11 attacks international organizations have become actively engaged in devising counterterrorism strategies and frameworks This monograph examines the role UN organs can play in implementing the law of State responsibility in global security contexts using transnational terrorism as its principal case study The institutional mechanisms utilized by the UN in implementing State responsibility are assessed in detail shedding light on how the ICJ the General Assembly and the Security Council contribute to the implementation of State responsibility in the context of global security By acknowledging the Security Council s role as a post 9 11 legislator this book argues that the Council can play an important and sometimes determinant role in implementing a State s legal responsibility for failing to prevent terrorism both inside and outside the Chapter VII framework Featuring a discussion of the more controversial consequences flowing from State responsibility this monograph also explores the prospect of injured States adopting forcible measures against responsible States for their failures to prevent terrorism The book investigates whether self defence and other forcible reactions envisaged both inside and outside the Council can be reconciled with State responsibility principles

Report of the Law Commission for the Year Ended ... New Zealand. Law Commission, 2004 **The IMF, the World Bank Group and the Question of Human Rights** Bahram Ghazi, 2021-10-25 The IMF The World Bank Group and the Question of Human Rights explores various issues facing international financial institutions and their obligations to adhere to human rights norms Bahram Ghazi gets to the heart of the most important issues facing the global community today namely how to reconcile globalization and the activities of the World Bank and the IMF with the implementation of international human rights rules His comprehensive work explains the relation between economy finance and investments and their impact on the human rights situation Using an interdisciplinary approach the author incorporates historical political economic financial and institutional dimensions into his analysis The IMF The World Bank Group and the Question of Human Rights is the fourth volume to be published in Transnational s International Law and Development series edited by Raj Bhala Published under the Transnational Publishers imprint *The International Criminal Court* Roy S. K. Lee, 1999-09-06 Law Roy S Lee **State Succession to International Responsibility** Patrick Dumberry, 2007-07-30 The break up of the Soviet Union Yugoslavia and Czechoslovakia and the unification of Germany in the 1990s marked the dramatic return to center stage in international law of the issue of State succession This book deals with one particularly controversial aspect of State succession that until now has not received much attention the question of State succession to international responsibility In State Succession to International Responsibility the international lawyer and scholar Patrick Dumberry addresses the question critical for our times whether or not a new State may be held responsible for wrongful acts committed before its independence by the predecessor State He also considers the reverse situation whether or not a new State may claim reparations for wrongful acts committed before its independence by third parties and which affected the predecessor State

or one of its nationals State Succession to International Responsibility contains the most comprehensive analysis ever published of doctrine and State practice related to these questions It is the first attempt to examine systematically State conduct both historical and modern with a view to identifying the factors and circumstances under which rights and obligations of a predecessor State may be transferred to a new State Winner 2008 ASIL Certificate of Merit for High Technical Craftsmanship And Utility To Practicing Lawyers And Scholars *Cyber law in Bangladesh* Mohammad Ershadul Karim, 2020-03-20 Derived from the renowned multi volume International Encyclopaedia of Laws this practical guide to cyber law the law affecting information and communication technology ICT in Bangladesh covers every aspect of the subject including intellectual property rights in the ICT sector relevant competition rules drafting and negotiating ICT related contracts electronic transactions privacy issues and computer crime Lawyers who handle transnational matters will appreciate the detailed explanation of specific characteristics of practice and procedure Following a general introduction the book assembles its information and guidance in seven main areas of practice the regulatory framework of the electronic communications market software protection legal protection of databases or chips and other intellectual property matters contracts with regard to software licensing and network services with special attention to case law in this area rules with regard to electronic evidence regulation of electronic signatures electronic banking and electronic commerce specific laws and regulations with respect to the liability of network operators and service providers and related product liability protection of individual persons in the context of the processing of personal data and confidentiality and the application of substantive criminal law in the area of ICT Its succinct yet scholarly nature as well as the practical quality of the information it provides make this book a valuable time saving tool for business and legal professionals alike Lawyers representing parties with interests in Bangladesh will welcome this very useful guide and academics and researchers will appreciate its value in the study of comparative law in this relatively new and challenging field

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