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Kjell Engelbrekt

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In Whose Name? Armin von Bogdandy, Ingo Venzke, 2014 The vast majority of all international judicial decisions have been issued since 1990 This increasing activity of international courts over the past two decades is one of the most significant developments within the international law It has repercussions on all levels of governance and has challenged received understandings of the nature and legitimacy of international courts It was previously held that international courts are simply instruments of dispute settlement whose activities are justified by the consent of the states that created them and in whose name they decide However this understanding ignores other important judicial functions underrates problems of legitimacy and prevents a full assessment of how international adjudication functions and the impact that it has demonstrably had This book proposes a public law theory of international adjudication which argues that international courts are multifunctional actors who exercise public authority and therefore require democratic legitimacy It establishes this theory on the basis of three main building blocks multifunctionality the notion of an international public authority and democracy The book aims to answer the core question of the legitimacy of international adjudication in whose name do international courts decide It lays out the specific problem of the legitimacy of international adjudication and reconstructs the common critiques of international courts It develops a concept of democracy for international courts that makes it possible to constructively show how their legitimacy is derived It argues that ultimately international courts make their decisions even if they do not know it in the name of the peoples and the citizens of the international community **Crossroads of Insolvency and Arbitration** Ishaan Madaan, Christian Campbell, 2022-06-09 Comparative Law Yearbook of International Business Volume 43A Each year a Special Issue of the Comparative Law Yearbook of International Business is published under the auspices of the Center for International Legal Studies The 2022 Special Issue addresses the intersection of arbitration and insolvency This junction has been made all the more topical and intense by the adverse effects of Covid 19 on a broad range of businesses finances and supply chains and by the still growing recourse to arbitration and other forms of alternative dispute resolution to resolve business disputes A diverse pool of contributors gives a broad range of perspectives from Europe Italy Lithuania the United Kingdom the Middle East Palestine UAE Asia India Africa Zimbabwe North America Canada and public international law on several common issues posed when one or more parties to an arbitration agreement are faced with a financial crisis or vice versa when an overindebted party is expected to resolve claims that it has or faces not in State courts but before private adjudicators This Special Issue is aimed at bringing to fore the multitude of issues that exist at the convergences of the domains a step toward better understanding the intricacies and the complexities that arise in different jurisdictions and how stakeholders react To highlight just a few of the aspects addressed the law to be applied by arbitral tribunals in regard to insolvency issues insolvency arbitrations and tax claims how the representatives of bankrupt entities may participate in international investment claims avoidance of transactions and anti suit injunctions and the uneasy but

unavoidable cohabitation of insolvency and arbitration in the Middle East and North Africa Region **Principles of Cybercrime** Jonathan Clough,2015-09-23 Digital technology has transformed the way in which we socialise and do business Proving the maxim that crime follows opportunity virtually every advance has been accompanied by a corresponding niche to be exploited for criminal purposes so called cybercrimes Whether it be fraud child pornography stalking criminal copyright infringement or attacks on computers themselves criminals will find ways to exploit new technology The challenge for all countries is to ensure their criminal laws keep pace The challenge is a global one and much can be learned from the experience of other jurisdictions Focusing on Australia Canada the UK and the USA this book provides a comprehensive analysis of the legal principles that apply to the prosecution of cybercrimes This new edition has been fully revised to take into account changes in online offending as well as new case law and legislation in this rapidly developing area of the law

Yearbook of International Organizations 2014-2015, Volumes 1a & 1b (Set) Union of International
Associations, 2014-06-16 Volume 1 A and B covers international organizations throughout the world comprising their aims
activities and events Imposing Standards Martin Hearson, 2021-06-15 In Imposing Standards Martin Hearson shifts the
focus of political rhetoric regarding international tax rules from tax havens and the Global North to the damaging impact of
this regime on the Global South Even when not exploited by tax dodgers international tax standards place severe limits on
the ability of developing countries to tax businesses denying the Global South access to much needed revenue The
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days of early independence to the present day Based on interviews with treaty negotiators policymakers and lobbyists as well as observation at intergovernmental meetings archival research and fieldwork in Africa and Asia Imposing Standards shows that capacity constraints and imperfect negotiation strategies in developing countries were exploited by capital exporting states shielding multinationals from taxation and depriving nations in the Global South of revenue they both need and deserve Thanks to generous funding from the Gates Foundation the ebook editions of this book are available as Open Access volumes from Cornell Open cornellpress cornell edu cornell open and other repositories **Norm Contestation** Betcy Jose, 2017-12-02 This Brief uses the theory of norm contestation as a model for understanding variation in norm related behavior in international relations While most typical approaches to understanding norms view norms as stable structures and actor responses to them as unquestioned in a global political climate where departures from expected behavior may occur a more nuanced model is needed By using a norm contestation framework that highlights norm fluidity and actor agency this book expands the discussion providing insight into divergent interpretations of norm violation and compliance and the dynamic nature of norms The first two chapters introduce the norm contestation model explain how it contributes to the literature on norm violations and discuss the reasons for the cases discussed Chapters Three and Four provide detailed case studies of the mechanisms of norm contestation as they apply to the civilian immunity and non intervention norms Chapter Five concludes by reconnecting the norm contestation model to the case studies and describing how it can be applied to norms other than those regulating armed conflict It also discusses policy implications and avenues for future research As such this book will appeal to students and researchers working broadly on issues related to international relations theory armed conflict security studies humanitarianism human rights international law and global governance It will also be of interest to policy makers and practitioners interested in influencing the normative behavior of actors in diverse Defence Diplomacy in the Long War Patrick Blannin, 2017-08-28 One of the most dominant security issues of the arenas twenty first century has been the US led battle against transnational terrorism the aptly named Long War Over the past fifteen years the Long War has been examined using multiple perspectives However one central mechanism is missing in current Long War analyses defence diplomacy Defence diplomacy enhances the diplomatic and security capacity of a state providing the only link between executive office and the ministries of foreign affairs and defence two vital institutions in the Long War Using a case study of US defence diplomacy in Afghanistan from 2001 to 2014 the paper argues simply that the practice of defence diplomacy far outweighs current theories on what it is how it works and why it matters The paper aims to generate a more nuanced understanding of defence diplomacy as well as identify it as a key component of the US CT COIN strategy to achieve their Long War policy objectives The European Monetary Union Helmut Siekmann, 2021-12-23 This book provides a commentary on the law of the EU related to the Monetary Union It contains a comprehensive analysis of all provisions of the Statute of the European System of Central Banks ESCB and the European Central Bank ECB In addition the

book also analyses all provisions of the Treaties themselves which regulate the ESCB and the ECB This analysis is supplemented by commentaries on other Protocols which contain relevant rules for the Monetary Union In essence all relevant statutory rules governing the euro and its key monetary authority the European Central Bank are unfolded and explained in one volume This gives the book a unique position in the legal literature on the law of the EU With contributions by renowned academics and practitioners this book is an expanded and updated translation of the 2013 German commentary EWU Kommentar zu Europ ischen W hrungsunion Mohr Siebeck and is an invaluable resource for practitioners and academics alike who are looking for a provision by provision commentary on the laws governing the European Monetary International Security Studies Peter Hough, Andrew Moran, Bruce Pilbeam, 2025-08-11 Fully revised to incorporate recent developments this third edition of International Security Studies provides students with a comprehensive and accessible textbook on security with a particular emphasis on the use of case studies to illustrate theoretical debates In addition to presenting the major theoretical perspectives the book examines a range of important and controversial topics in covering both traditional military and non military security issues such as nuclear proliferation humanitarian intervention food security and environmental security Unlike most standard textbooks the volume also offers a wide range of case studies including chapters on the US China the Middle East Russia East Africa and the Arctic providing detailed analyses of important global security issues and the application of theoretical debates to major contemporary issues The 36 chapters contain pedagogical features such as textboxes summary points and recommended further reading and are divided into five thematic sections Conceptual and theoretical Military security Non military security Institutions and security Case studies This textbook will be essential reading for all students of security studies and highly recommended for students of critical security studies human security peace and conflict studies foreign policy and International Relations in general

Neutrality and Vulnerable States Nasir Andisha,2020-10-08 This book offers a timely and concise academic and historical background to the concept and practice of neutrality a relatively new phenomenon in foreign and security policy It approaches two key questions under what circumstances can permanent neutrality be applied and what are the main ingredients of success and the causes of failure in applying permanent neutrality By evaluating comparing and contrasting the two successful European case studies of Austria and Switzerland and the two challenging Asian case studies of Afghanistan and Laos the author creates a new framework of analysis to explore the feasibility of reframing adopting and applying a policy of neutrality and jump start debates on the feasibility of the idea of new neutrality He opens the debate by asking whether as neutrality successfully functioned as a conflict resolution tool during the Cold War a reframed and adopted version of neutrality could also serve the needs of the twenty first century world order This is an insightful book for all scholars students and policymakers workingin international relations security studies the history of neutrality and Afghanistan studies Research Handbook on International Taxation Yariv Brauner, 2020-12-25 Capturing the core

challenges faced by the international tax regime this timely Research Handbook assesses the impacts of these challenges on a range of stakeholders evaluating various paths to reform at a time when international tax policy is a topic high on Indonesia's Foreign Policy and Grand Strategy in the 21st Century Vibhanshu Shekhar, 2018-03-14 This book examines the changes in Indonesian foreign policy during the 21st century as it seeks to position itself as a great power in the Indo Pacific region The rise of 21st century Indonesia is becoming a permanent fixture in both the domestic and global discourses Though there has been an increasing level of discussion on Indonesia's emerging power status there has been little discussion on how the country is debating and signalling its new found status This book combines the insights of both neo classical realism and social identity theory to discuss a reset in an emerging Indonesia s foreign policy during the 21st century while emphasizing domestic drivers and constraints of its international behaviour There are three key organizing components of the book emerging power status signalling and the Indo Pacific region The Indo Pacific region constitutes a spatial framing of the book the emerging power provides an analytical category to explain Indonesia's changing international status and status signalling explains multiple facets of international behaviour through which the country is projecting its new status Though leaders are adding different styles and characteristics to the rising Indonesia narrative there are a few unmistakable overarching trends that highlight an increasing correlation between the country's rising power and growing ambition in international behaviour This book is built around four key signalling strategies of Indonesia as an emerging power expanded regional canvas power projection leadership projection and quest for great power parity They represent Indonesia's growing desire for a status consistent behaviour its response to the prevailing strategic uncertainty in the Indo Pacific region and its attempt to advance its strategic interests This book will be of much interest to students of South East Asian politics strategic studies international diplomacy security studies and IR in general

High-Table Diplomacy Kjell Engelbrekt,2016-06-10 The proliferation of minilateral summits is reshaping how international security problems are addressed yet these summits remain a poorly understood phenomenon In this groundbreaking work Kjell Engelbrekt contrasts the most important minilateral summits the G7 formerly G8 and G20 with the older and more formal UN Security Council to assess where the diplomacy of international security is taking place and whether these institutions complement or compete with each other Engelbrekt's research in primary source documents of the G7 G8 G20 and UN Security Council provides unique insight into how these institutions deliberate on three policy areas conflict management counterterrorism cooperation and climate change mitigation Relatively informal and flexible GX diplomacy invites more countries to take a seat at the table and allows nontraditional security threats to be placed on the agenda Engelbrekt concludes however that there is a continuing need for institutions like the UN to address traditional security problems High Table Diplomacy will provoke discussion and further research on the role of minilateral summits among scholars of international relations security studies and international organizations

The Participation of Victims

in International Criminal Proceedings Alessandra Cuppini, 2022-09-30 This book argues that the expressivist justice model provides a meaningful foundation for the participation of victims in international criminal proceedings Traditional criminal justice theories have tended to marginalise the role afforded to victims while informing the criminal procedures utilised by international criminal courts As a result giving content to shaping and enhancing victims participatory rights have been some of the most debated issues in international criminal justice. This book contributes to this debate by advancing expressivism which has the capacity to create a historical narrative of gross human rights violations as a core of international criminal justice able to provide a worthwhile basis for the participation of victims in proceedings and clarifying the scope and content of their participatory rights The work provides an in depth discussion on issues related to victims participatory rights from the perspective of international human rights law victimology and the philosophical foundation of international criminal justice The book will be a valuable resource for researchers academics and policymakers working in the areas of international criminal justice international human rights law transitional justice and conflict studies The Financial Review Commercial and Financial Chronicle Bankers Gazette, Commercial Times, Railway Monitor and Insurance Journal .1908 .1908 Feminist Engagement with International Criminal Law Eithne Dowds, 2020-01-23 This work introduces and further develops the feminist strategy of norm transfer the proposal that feminist informed standards created at the level of international criminal law make their way into domestic contexts Situating this strategy within the complementarity regime of the International Criminal Court ICC it is argued that there is an opportunity for dialogue and debate around the contested aspects of international norms as opposed to uncritical acceptance. The book uses the crime of rape as a case study and offers a new perspective on one of the most contentious debates within international and domestic criminal legal feminism the relationship between consent and coercion in the definition of rape In analysing the ICC definition of rape it is argued that the omission of consent as an explicit element is flawed Arguing that the definition is in need of revision to explicitly include a context sensitive notion of consent the book goes further setting out draft legislative amendments to the ICC Elements of Crimes definition of rape and its Rules of Procedure and Evidence Turning its attention to the domestic landscape the book drafts amendments to the United Kingdom UK Sexual Offences Act 2003 and to the Youth Justice and Criminal Evidence Act 1999 thereby showing how the revised version of the ICC definition can be applied in context of the UK Protection of Civilians and Individual Accountability Lenneke Sprik, 2019-08-13 This book explores the question of whether peacekeeping commanders can be held accountable for a failure to protect the civilian population in the mission area This requires an assessment of whether peacekeeping commanders have an obligation to act against such serious crimes being committed under domestic and international law The work uses the cases of the Dutch and Belgian peacekeeping commanders in Srebrenica and Kigali as examples but it also places the analysis into the context of contemporary peacekeeping operations It unfolds two main arguments First it provides a critical note to the contextual interpretation given to international law in

relation to peacekeeping It is argued that establishing a specific paradigm for peacekeeping operations with clear rules of interpretation and benchmark criteria would benefit peacekeeping and international law by making the contextual interpretation of international law redundant Second it is held that alternative options to the existing forms of criminal responsibility for military commanders should be considered possibly focusing more clearly on failing to fulfil a norm of protection that is specific to peacekeeping and distinct from protective obligations under international human rights law and international humanitarian law

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Table of Contents Minternational Jan 2014 Paper

- 1. Understanding the eBook Minternational Jan 2014 Paper
 - The Rise of Digital Reading Minternational Jan 2014 Paper
 - Advantages of eBooks Over Traditional Books
- 2. Identifying Minternational Jan 2014 Paper
 - Exploring Different Genres
 - o Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
- 3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Minternational Jan 2014 Paper
 - User-Friendly Interface
- 4. Exploring eBook Recommendations from Minternational Jan 2014 Paper
 - Personalized Recommendations
 - Minternational Jan 2014 Paper User Reviews and Ratings
 - Minternational Jan 2014 Paper and Bestseller Lists
- 5. Accessing Minternational Jan 2014 Paper Free and Paid eBooks
 - Minternational Jan 2014 Paper Public Domain eBooks
 - Minternational Jan 2014 Paper eBook Subscription Services
 - Minternational Jan 2014 Paper Budget-Friendly Options

- 6. Navigating Minternational Jan 2014 Paper eBook Formats
 - o ePub, PDF, MOBI, and More
 - Minternational Jan 2014 Paper Compatibility with Devices
 - Minternational Jan 2014 Paper Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - o Adjustable Fonts and Text Sizes of Minternational Jan 2014 Paper
 - Highlighting and Note-Taking Minternational Jan 2014 Paper
 - Interactive Elements Minternational Jan 2014 Paper
- 8. Staying Engaged with Minternational Jan 2014 Paper
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Minternational Jan 2014 Paper
- 9. Balancing eBooks and Physical Books Minternational Jan 2014 Paper
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Minternational Jan 2014 Paper
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Minternational Jan 2014 Paper
 - Setting Reading Goals Minternational Jan 2014 Paper
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Minternational Jan 2014 Paper
 - Fact-Checking eBook Content of Minternational Jan 2014 Paper
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements

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