

# **International Law in the Post-Cold War World**

Essays in memory of Li Haopel

*Edited by*  
**Sienho Yee and Wang Tieya**

Routledge Studies in International Law

# Essays In Honour Of Wang Tieya

**Tafsir Malick Ndiaye, Rüdiger  
Wolfrum, Chie Kojima**



## **Essays In Honour Of Wang Tieya:**

*Essays in Honour of Wang Tieya* Ronald St. John MacDonald, 1994-01-17 Janis **Select Proceedings of the European Society of International Law, Volume 4, 2012** Mariano J Aznar, Mary E Footer, 2016-01-28 This is the fourth in the Series of Select Proceedings of the European Society of International Law ESIL featuring the most important and interesting papers presented at the Fifth Biennial Conference on Regionalism and International Law organised by ESIL and the University of Valencia in 2012 As usual the best papers from that conference have been re written edited and drawn together by the two editors to present a perspective on what is a flourishing forum for the discussion of new ideas and scholarship on international law **Israel Yearbook on Human Rights, Volume 31 (2001)** Yoram Dinstein, Fania Domb, 2021-10-11 The Israel Yearbook on Human Rights an annual published under the auspices of the Faculty of Law of Tel Aviv University since 1971 is devoted to publishing studies by distinguished scholars in Israel and other countries on human rights in peace and war with particular emphasis on problems relevant to the State of Israel and the Jewish people The Yearbook also incorporates documentary materials relating to Israel and the Administered Areas which are not otherwise available in English including summaries of judicial decisions compilations of legislative enactments and military proclamations Volume 31 contains amongst others articles on the Laws of War after Kosovo Humanitarian Assistance in Non International Armed Conflict and a cumulative index to volumes 21 30 *UN Security Council Reform and the Right of Veto* Bardo Fassbender, 2023-12-21 This book is a timely contribution to the present discussion of a constitutional reform of the United Nations a discussion rekindled by the end of the cold War and the significant involvement of the UN in international peacemaking and peacekeeping since the Kuwait crisis Like the new debate the work focuses on the Security Council its composition and possible enlargement its decision making process and competences and its relationship with the General Assembly and the International Court of Justice Particular regard is given to the right of veto of the permanent members of the Security Council which is seen as the central and most problematic feature of the present constitution of the UN The work describes and analyzes the reform discussion as it has taken place at the UN since 1991 The different proposals made by governments NGOs and individual scholars are evaluated by applying a number of standards and concepts ensuing from a perception of the UN Charter as constitution of the international community Thus the study advances a comprehensive constitutional theory of the UN and redefines the place of the Charter in contemporary international law Modern Chinese Theologies Chloë Starr, 2024 The third volume in the series Modern Chinese Theologies expands the scope of China and Chinese theology It addresses two distinct groups scholarship by mainland Chinese academics and the writings of Chinese speaking theologians beyond China including the diasporic Sinophone worlds of East and Southeast Asia **International Governance and the Rule of Law in China under the Belt and Road Initiative** Yun Zhao, 2018-10-18 Evaluates the challenges and changes that the Belt and Road Initiative brings to China in international law and governance Chinese

(Taiwan) *Yearbook of International Law and Affairs*, Volume 27 (2009) ,2020-02-03 The Chinese Taiwan Yearbook of International Law and Affairs commenced publication in 1981 under the auspices of the Chinese Taiwan Society of International Law The Yearbook publishes on multi disciplinary topics with a focus on international and comparative law issues regarding Taiwan Mainland China and the Asia Pacific region The Yearbook is one of the foremost publications in the world concentrating on issues of greater China

**The changing rules on the use of force in international law** Tarcisio Gazzini,2022-12-20 Now available as an eBook for the first time this 2006 book from the Melland Schill series considers the main legal issues concerning the use of force by international organisations and states It assesses the achievements and failures of the United Nations collective security system and discusses the prospects ahead It also deals with the use of force by states in self defence and on other legal grounds The book discusses to what extent the rules on the use of force have evolved since the end of the Cold War in order to meet the needs of the international community It focuses in particular on the military operations directed against terrorism and weapons of mass destruction The research is developed from the standpoint of the sources of international law It rejects a static vision of the rules on the use of force including those enshrined in the UN Charter Rather it highlights the interaction between conventional and customary international law and the exposure of both sources to state practice

**WTO Jurisprudence** Wenwei Guan,2020-06-04 This book offers a critical examination of the jurisprudence of the World Trade Organization WTO as an emancipatory international social contract on trade The book suggests that the WTO is an international organization built and operating on member states attribution of authority through consent with legislative administrative and adjudicative functions three functions in one triune personality With a solid constitutional continuity building on GATT experiences the WTO has successfully made governments accountable to foreign individuals in various capacities either as traders of goods providers of services or holders of intellectual property rights within the global marketplace With a triune personality the WTO operates within the reign of state primacy the force ultimately for the benefits of individuals the ends in the global marketplace and gains a soul of its own in the institutional evolution the means of the global trading regime Although the tripartite dynamics between states international institutions and individuals in the global marketplace are unprecedentedly complex the WTO s ends of benefiting individuals in the global marketplace has no end Beyond the critical analysis of WTO s decision making by consensus the book critically examines GATT s common intention treaty interpretation Antidumping s NME methodology TRIPS public health concerns and IP competition trade policy dynamics A unified WTO jurisprudence looking at the WTO as an international social contract on trade is therefore proposed to allow a fresh look at the force the means and the ends of the constitutional evolution of the global trading regime

*Foreign Investment, Human Rights and the Environment* Shyami Fernando Puvimanasinghe,2007 Events like the Bhopal disaster the sale of products harmful to human health and safety and child labour especially in resource scarce settings raise fundamental issues of human dignity and ecological integrity From a legal perspective and in

the context of Foreign Direct Investment by Transnational Corporations in developing countries they highlight the lacuna of a holistic international legal framework and its implementation This book embodies a critique of the complex web of public international law principles on economics human rights and the environment and their convergence or lack thereof related regional South Asian and domestic Sri Lankan legal arrangements interventions of states and non state actors towards just equitable and sustainable development It is a quest for a middle path in the multidisciplinary landscape of international law development and North South power dynamics globalization of free trade and investment and of social and environmental interests and salient aspects of the philosophical socio economic and legal fabric of South Asia viewed against the evolving controversial and elastic sphere of international relations and law where consensus has hitherto been an elusive dream

**Equity and Equitable Principles in the World Trade Organization** Anastasios Gourgourinis, 2015-07-24 This book analyses whether and how equity and equitable principles can be employed as juridical tools in the legal reasoning of judges and lawyers in World Trade Organization WTO disputes where there is interaction between norms derived from the multilateral trade regime and other international legal regimes Bringing the literature on equity and equitable principles in international law up to date this book tackles several legal problems which have emerged in WTO dispute settlement practice as well as engaging with the concept of the fragmentation of international law The book provides an original argument about the role and significance of equity and equitable principles in the debate over fragmentation by providing a coherent methodology for addressing conflicts and overlaps between WTO and non WTO norms in the context of Dispute Settlement Body proceedings

*Implementing International Humanitarian Law* Yusuf Aksar, 2004 This book examines the international humanitarian law rules and their application by the ad hoc tribunals with regard to the substantive laws of the International Criminal Tribunals for the Former Yugoslavia ICTY and Rwanda ICTR

**The United Nations System** Nigel D. White, 2002 Focusing on the legal rather than political aspects of the United Nations White international organizations U of Nottingham evaluates the goals purposes and values of the UN system analyzes the institutional machinery created to fulfill those purposes examines the implementation of the organization's goals and comments on the UNOs effectiveness in the key areas of security justice human rights the environment and economic development White intends this academic text to provide a useful basis from which to consider the long term effects of recent dramatic world events and the responses of the international community Annotation copyrighted by Book News Inc Portland OR

Law of the Sea, Environmental Law and Settlement of Disputes Tafsir Malick Ndiaye, Rüdiger Wolfrum, Chie Kojima, 2007 This volume covers a variety of topics in the fields of the law of the sea and the protection of the environment The particular focus of the volume is on the role and function of judicial quasi judicial and administrative institutions in the prevention and settlement of disputes in both of these areas This includes an overview and insightful analysis of the cases of the International Tribunal for the Law of the Sea during its first decade Further substantive issues range from the allocation of shared marine resources maritime boundary

delimitation and issues of maritime security to the prevention of marine pollution as well as a coverage of the compliance and enforcement mechanisms of international environmental law The views from both scholars and practitioners perspectives presented in this volume will offer readers a number of outstanding intellectual synergies to reflect on the development of international law It can provide both scholars and policy makers alike with new insights on how to address pressing problems in international law including ideas for improved institutional design The work has been compiled in honour of Thomas A Mensah and comprises 59 essays from leading scholars and practitioners in international law      **Towards the**

**Conceptualisation of Maritime Delimitation** Nuno Marques Antunes, 2022-05-16 This new monograph on maritime delimitation by Dr Nuno Antunes is based on a thesis submitted for the degree of Doctor of Philosophy at the University of Durham The work is one of legal political and technical analysis of an aspect of the law of the sea that is of current interest in all regions of the world      **La Promotion de la Justice, Des Droits de L'homme Et Du Règlement Des Conflits Par Le**

**Droit International** Marcelo Gustavo Kohen, 2007 This Liber Amicorum is published at the occasion of Judge Lucius Caflisch's retirement from a distinguished teaching career at the Graduate Institute of International Studies of Geneva where he served as Professor of International Law for more than three decades and where he has also held the position of Director It was written by his colleagues and friends from the European Court of Human Rights from universities all around the world from the Swiss Foreign Affairs Ministry and many other national and international institutions The Liber Amicorum Lucius Caflisch covers different fields in which Judge Caflisch has excelled in his various capacities as scholar representative of Switzerland in international conferences legal adviser of the Swiss Foreign Affairs Ministry counsel registrar arbitrator and judge This collective work is divided into three main sections The first section examines questions concerning human rights and international humanitarian law The second section is devoted to the international law of spaces including matters regarding the law of the sea international waterways Antarctica and boundary and territorial issues The third section addresses issues related to the peaceful settlement of disputes both generally and with regard to any particular means of settlement The contributions are in both English and French      *Diversity and Self-Determination in International Law* Karen

Knop, 2002-04-18 The emergence of new states and independence movements after the Cold War has intensified the long standing disagreement among international lawyers over the right of self determination especially the right of secession Knop shifts the discussion from the articulation of the right to its interpretation She argues that the practice of interpretation involves and illuminates a problem of diversity raised by the exclusion of many of the groups that self determination most affects Distinguishing different types of exclusion and the relationships between them reveals the deep structures biases and stakes in the decisions and scholarship on self determination Knop's analysis also reveals that the leading cases have grappled with these embedded inequalities Challenges by colonies ethnic nations indigenous peoples women and others to the gender and cultural biases of international law emerge as integral to the interpretation of self determination historically

as do attempts by judges and other institutional interpreters to meet these challenges      Statehood and the Law of Self-Determination D. Rai\*c,2002-09-25 Although most international lawyers assumed that the distribution of the land surface of the earth between States was more or less final after the end of decolonization recent practice has disproved this assumption Eritrea separated from Ethiopia and new States were created out of the former Soviet Union the former Yugoslavia and the former Czechoslovakia There is no reason to believe that these events form the end of the creation of new States Numerous communities within existing States claim a right to full separate statehood on the basis of their entitlement to an alleged right to self determination However in most cases the international community rejected such claims to statehood even if the territorial entity satisfied the traditional criteria for statehood On the other hand in other cases including some of those mentioned above the international community acknowledged the statehood of entities which clearly failed to meet these criteria In the light of the above mentioned developments this book examines the modern law of statehood and in particular the role of the law of self determination in the process of the formation of States in international law The study shows that the law of statehood has changed considerably since the establishment of the United Nations It is argued that the law of self determination is particularly relevant for explaining the international community's position regarding the general recognition or the general denial of statehood of different territorial entities under contemporary international law      *Boundaries of Discourse in the International Court of Justice* Michelle L. Burgis,2009 How can Third World experiences of colonialism and statehood be expressed within the confines of the International Court of Justice How has the discourse of international law developed to reflect postcolonial realities of universal statehood In a close and critical reading of four territorial disputes spanning the Arab World Burgis explores the extent to which international law can be used to speak for and speak to non European experiences of authority over territory The book draws on recent critical international legal scholarship to question the ability of contemporary international adjudication to address Third World grievances from the past A comparative analysis of the cases suggests that international law remains a discourse only capable of capturing a limited range of non European experiences during and after colonialism      *Economic Sanctions and International Law* Matthew Happold,Paul Eden,2016-10-20 In recent years sanctions have become an increasingly popular tool of foreign policy not only at the multilateral level at the UN but also regionally the EU in particular and unilaterally The nature of the measures imposed has also changed from comprehensive sanctions regimes discredited since Iraq in the 1990s to targeted or smart sanctions directed at specific individuals or entities through asset freezes and travel bans or prohibiting particular activities arms embargoes and export bans Bringing together scholars government and private practitioners *Economic Sanctions and International Law* provides an overview of recent developments and an analysis of the problems that they have engendered Chapters examine the contemporary practice of the various actors and the legality or otherwise of their activities Issues considered include the human rights of persons targeted and the mechanisms established to challenge

their listing as well as in cases of sanctions imposed by regional organisations and individual states the rights of third States and their nationals The book will be of interest to scholars and practitioners of international law and politics



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