

Mira Burri

Hard Choices, Soft Law ,2004 Hard Choices, Soft Law John J. Kirton, M. J. Trebilcock, 2004 An important read for academics and policy makers alike Hard Choices Soft Law asserts that voluntary standards or soft law are an important supplement to international law in a number of areas This key work firstly outlines the approach taken to combining soft and hard law and trade environment and labour values in the WTO and NAFTA and in the prospective Millennium Round Then using the forestry sector a realm where formal international law remains largely absent the book provides a detailed examination of the role of soft law in action It demonstrates how soft and hard law can be combined to promote trade environmental and social cohesion in ways that also permit sustainable development The book presents a wealth of knowledge from a range of contributors familiar with the work of the G7 G8 the OECD the Biodiversity Convention and the International Environmental "soft law" Jürgen Friedrich, 2013-11-26 In international negotiations Codex Alimentarius the question of the design and the legal form of the negotiated instrument is as complex as it is often controversial Intended as a read for both practitioners and academics this book provides a comprehensive treatise of the characteristics the potential and the limits of nonbinding instruments in international environmental law and governance An extensive overview and typology of nonbinding instruments as well as several case studies from the areas of fisheries FAO hazardous substances UNEP FAO and corporate social responsibility OECD provide the material for an in depth analysis of the role of nonbinding instruments on all levels of governance The book demonstrates the potential but also highlights the limits of nonbinding instruments in the interplay with customary and treaty law e q UNCLOS WTO as bases for interinstitutional linkages and as tools to shape the behaviour of states and private actors Legitimacy challenges arising from this form of exercise of authority are then discussed in the final chapter alongside with remedies to address possible concerns Handbook on the Politics of Regulation David Levi-Faur, 2011-01-01 Political science has leap frogged law economics and sociology to become the dominant discipline contributing to regulatory studies David Levi Faur's volume taps the rich veins of regulatory scholarship that have made this the case It brings together the talented new network of politics scholars intrigued by the importance of the changing nature of state and non state regulation Their fresh insights complement important new work by established stars of the field Definitely a book to have on your shelf when in search of exciting theoretical approaches to politics John Braithwaite Australian National University Regulation in its manifold forms is the central process of contemporary governance as it seeks to blend the dynamism of market economies with responsiveness to political and normative demands for health safety environmental protection and fairness Understanding regulation s varieties vulnerabilities and virtues has become a significant focus of academic research and theory This volume provides an extraordinary survey of research in that field a survey remarkable in its comprehensiveness outstanding in the quality of the contributions by leading regulatory scholars from different nations and academic disciplines Robert A Kagan University of California Berkeley US An

authoritative collection by a range of contributors with outstanding reputations in the field Michael Moran WIM Mackenzie Professor of Government This is an extraordinarily useful one stop shop for a wide range of traditions and approaches to the political aspects of regulation David Levi Faur has assembled a fine collection that by reporting on the state of the art also shows the way ahead for a discipline that has to capture and explain dramatic changes in real world regulatory philosophies and policies Claudio Radaelli University of Exeter UK This is an unusually impressive edited volume Its contributors include the leading academic experts on government regulation from around the world Its several clearly written and informative essays address the most important topics issues and debates that have engaged students of regulatory politics I strongly recommend this volume to anyone interested in understanding the breadth and depth of contemporary scholarship on the political dimensions of regulation David Vogel University of California Berkeley US This unique Handbook offers the most up to date and comprehensive state of the art reviews of the politics of regulation It presents and discusses the core theories and concepts of regulation in response to the rise of the regulatory state and regulatory capitalism and in the context of the golden age of regulation Its ten sections include forty nine chapters covering issues as diverse and varied as theories of regulation historical perspectives on regulation regulation of old and new media risk regulation enforcement and compliance better regulation civil regulation European regulatory governance and global regulation As a whole it provides an essential point of reference for all those working on the political social and economic aspects of regulation This comprehensive resource will be of immense value to scholars and policymakers in numerous fields and disciplines including political science public policy and administration international relations regulation international law business and politics European studies regional studies and development studies International Investment Law and Soft Law Andrea K. Bjorklund, August Reinisch, 2012-01-01 This important book examines the development of soft law instruments in international investment law and the feasibility of a codification of the present state of this field of international economic law It draws together the views of international experts on the use of soft law in international law generally and in discrete fields such as WTO commercial and environmental law The book assesses whether investment law has sufficiently coalesced over the last 50 years to be codified and focuses particularly on topical issues such as most favoured nation treatment and expropriation This timely book will appeal to academics interested in the development of international law and legal theory to those working in investment law Government investment treaty negotiators and arbitration practitioners Handbook of Transnational Economic Governance Regimes Christian Tietje, Alan Brouder, 2009-10-14 Non governmental organizations transnational business associations private standard setting bodies public private partnerships and institutionalized incentive schemes now occupy a central place in the regulation and governance of transnational economic affairs alongside states and intergovernmental organizations Much of the literature on these new and emerging patterns of governance has focused on the legal political and normative implications of this rapidly evolving landscape The Handbook of Transnational Economic Governance Regimes

expands on this scholarship by identifying describing and analysing more than 85 of the most significant actors in transnational governance The Handbook examines the origins evolution structure membership financing and strategies of key organizations and regulatory networks in almost every sphere of global economic activity and analyses their role and influence in contemporary transnational economic governance **International Anti-Corruption Norms** Cecily Rose, 2015-08-13 This book traces the creation of international anti corruption norms by states and other actors through four markedly different institutions the Organisation for Economic Co operation and Development the United Nations the Extractive Industries Transparency Initiative and the Financial Action Task Force Each of these institutions oversees an international instrument that requires states to combat corruption Yet only the United Nations oversees anti corruption norms that take the sole form of a binding multilateral treaty The OECD has by contrast fostered the development of the binding 1997 OECD Anti Bribery Convention as well as non binding recommendations and guidance associated with treaty itself In addition the revenue transparency and anti-money laundering norms developed through the Extractive Industries Transparency Initiative and the Financial Action Task Force respectively take the form of non binding instruments that have no relationship with multilateral treaties. The creation of international anti corruption norms through non binding instruments and informal institutions has the potential to privilege the interests of powerful states in ways that raise questions about the normative legitimacy of these institutions and the instruments they produce At the same time the anti corruption instruments created under the auspices of these institutions also show that non binding instruments and informal institutions carry significant advantages The non binding instruments in the anti corruption field have demonstrated a capacity to influence domestic legal systems that is comparable to if not greater than that of binding treaties With corruption and money laundering at the forefront of political debate International Anti Corruption Norms provides timely expertise on how states and international institutions grapple with these global problems So Near Yet So Far Geoffrey Hale, 2012-05-01 So Near Yet So Far provides in depth look at the multiple dimensions of Canada US relations particularly since 9 11 Based on almost 200 interviews with government policy makers opinion shapers and interest group leaders in both countries this book considers the interaction of domestic and cross border politics at several levels including political strategic trade commercial cultural psychological and institutional procedural It will appeal to practitioners scholars and citizens of both countries who want a better understanding of how the Canada US relationship works and can be made to work more effectively Balanced and fair it gets to the core issues without distorting perspectives on either side of the border International Law between Universalism and Fragmentation Isabelle Buffard, James Crawford, Alain Pellet, Stephan Wittich, 2009-02-28 This Festschrift is published on the occasion of Gerhard Hafner's 65th birthday and his retirement as a

International Law between Universalism and Fragmentation Isabelle Buffard, James Crawford, Alain Pellet, Stephan Wittich, 2009-02-28 This Festschrift is published on the occasion of Gerhard Hafner's 65th birthday and his retirement as a professor at the University of Vienna It assembles a great number of renowned friends and colleagues in international law honouring Gerhard Hafner's outstanding career as scholar diplomat legal adviser and arbitrator The diversity of areas

selected for this Festschrift reflects the generalist approach of Gerhard Hafner towards international law Among the topics on which his contribution was particularly influential are the fragmentation of international law the law of State immunity and international criminal law which feature prominently in the Festschrift Other areas covered are the theory of international law including sources basic principles of international law codification of international law subjects of international law international dispute settlement the law of the sea and international environmental law human rights and humanitarian law and the law of the European Union Non-State Actors, Soft Law and Protective Regimes Cecilia M. Bailliet, 2012-08-09 By offering critical perspectives of normative developments within international law this volume of essays unites academics from various disciplines to address concerns regarding the interpretation and application of international law in context The authors present common challenges within international criminal law human rights environmental law and trade law and point to unintended risks and consequences in particular for vulnerable interests such as women and the environment Omissions within normative or institutional frameworks are highlighted and the importance of addressing accountability of state and non state actors for violations or regressions of minimum protection guarantees is underscored Overall it advocates harmonisation over fragmentation pursuant to the aspiration of asserting the interests of our collective humanity without necessarily advocating an international constitutional order Corporate Law, Codes of Conduct and Workers' Rights Vanisha Sukdeo, 2019-06-13 This book critically explores how increased regulation and governance of corporations can be used to help improve the rights of workers amidst an era of union decline The book posits that soft law techniques such as codes of conduct are more effective in protecting workers than hard law i e domestic regulation It starts by analysing the transnational regulation of corporations and codes of conduct and then puts forward a model code of conduct that can be used by corporations to help increase the protection of workers Through this model s use of a monitoring scheme shareholders activists and NGOs put pressure on the corporation to reform itself and enact a code which has obligations flowing both ways between the corporation and its employees The book then looks at the expansions of fiduciary duties and changes to corporate governance including Benefit Corporations and how they can be used to increase the rights of workers It then discusses changes to standard union contracts before concluding with an assessment of the best way forward for workers rights By providing a new contribution to the current dialogue on corporate social responsibility and codes of conduct this book will be a valuable resource for academics working on labour employment and business law as well Designing Public Policies Department of Political Science Michael Howlett, Michael as corporate lawyers Howlett, 2010-12-17 This textbook provides a concise and accessible introduction to the principles and elements of policy design in contemporary governance Howlett seeks to examine in detail the range of substantive and procedural policy instruments that together comprise the toolbox from which governments select specific tools expected to resolve policy problems Guiding students through the study of the instruments used by governments in carrying out their tasks adapting to

and altering their environments this book Discusses several current trends in instrument use often linked to factors such as globalization and the increasingly networked nature of modern society Considers the principles behind the selection and use of specific types of instruments in contemporary government Evaluates in detail the merits demerits and rationales for the use of specific organization regulatory financial and information based tools and the trends visible in their use Addresses the issues of instrument mixes and their re design in a discussion of the future research agenda of policy design Providing a comprehensive overview of this essential component of modern governance and featuring helpful definitions of key concepts and further reading this book is essential reading for all students of public policy administration and management

Research Handbook on Transnational Environmental Law Veerle Heyvaert, Leslie-Anne Duvic-Paoli, 2020-11-27 This illuminating Research Handbook offers a detailed overview and critical discussion of the key themes and perspectives that characterize the burgeoning research area of transnational environmental law Varied perspectives from leading and emerging scholars are brought together to deliver methodological and conceptual frameworks for future research whilst providing an original view on this emerging field of law Protecting Civilians in Refugee Camps Maja Janmyr, 2013-11-28 Rather than serving as civilian and humanitarian safe havens refugee camps are notorious for their insecurity Due to the host state s inability or unwillingness to provide protection camps are often administered by the United Nations High Commissioner for Refugees UNHCR and its implementing partners When a violation occurs in these situations to which actors shall responsibility be allocated Through an analysis of the International Law Commission's work on international responsibility Maja Janmyr argues that the primary responsibility of states does not exclude the responsibilities of other actors Using the example of Uganda Janmyr questions the general assumption that unable and unwilling is the same as unable or unwilling and argues for the necessity of distinguishing between these two scenarios Doing so leads to different conclusions in terms of responsibility for the state and therefore for UNHCR and its implementing partners Courts and Comparative Law Mads Andenas, Duncan Fairgrieve, 2015-07-30 While the role of comparative law in the courts was previously only an exception foreign sources are now increasingly becoming a source of law in regular use in supreme and constitutional courts There is considerable variation between the practices of courts and the role of comparative law and methods remain controversial In the US the issue has been one of intense public debate and it is still one of the major dividing issues in the discussion about the role of the courts Contributing to the existing discussion of the use of comparative law in the courts this book provides an inclusive coherent and practical analysis of the relevant law and jurisprudence in comparative law in the courts It examines the consequences for court procedures and the form of judgments as well as how foreign sources are drawn upon in private international law European law administrative law and constitutional law as well as before general courts The book also includes case studies of comparative law used in particular spheres of the law such as tort law and consumer law Written by practising judges and lawyers as well as leading academics this book serves as a

central reference point concerning the role of comparative law before the courts **Crime and Regulation** Fiona Haines, 2017-11-30 This volume brings together key articles in the burgeoning field of regulation The collection is interdisciplinary in keeping with study of regulation itself yet the book arranges and explores these articles to make the bewildering array of issues and concepts that comprise the study of regulation comprehensible to a criminological audience It will be of interest to all scholars and students of criminology and criminal justice as well as those concerned with reducing **Systemic Implications of Transatlantic Regulatory Cooperation and** the crimes and harms of the powerful **Competition** Simon J. Evenett, Robert Mitchell Stern, 2011 Drawing on the best legal economic and political science expertise from both sides of the Atlantic as well as on the knowledge of officials and private practitioners with experience in both industrialized and developing countries this book assesses the systemic global implications of transatlantic regulatory cooperation and competition **Public Service Broadcasting 3.0** Mira Burri, 2015-06-05 The digital media environment is characterized by an abundance and diversity of content a multiplicity of platforms new modes of content production distribution and access and changed patterns of consumer and business behaviour This has challenged the traditional model of public service broadcasting PSB in diverse ways This book explores whether and how PSB should adapt to reflect the conditions of the digital media space so that it can effectively and efficiently continue to serve its public mandate Drawing on literature on media governance in media and communication science public international law as well as discussions on cyberlaw Mira Burri maps and critically analyses existing policy and scholarly debates on PSB transformation She challenges some of conventional rationales for reform identifies new ones as well as exposes the limitations placed upon existing and future policy solutions by global media governance arrangements especially in the fields of trade copyright and Internet governance The book goes on to advance a future oriented model of Public Service Media which is capable of matching an environment of technological and of governance complexity As a work that explores how public interest objectives can be pursued efficiently and sustainably in the digital media ecology this book will be of great interest and use to students and researchers in media law information technology law and broadcast media studies as well as to policy makers Health Diplomacy Ilona Kickbusch, Graham Lister, Michaela Told, Nick Drager, 2012-12-09 The world's problems are indeed world problems social and environmental crises global trade and politics and major epidemics are making public health a pressing global concern From this constantly changing scenario global health diplomacy has evolved at the intersection of public health international relations law economics and management a new discipline with transformative potential Global Health Diplomacy situates this concept firmly within the human rights dialogue and provides a solid framework for understanding global health issues and their negotiation This up to the minute guide sets out defining principles and the current agenda of the field and examines key relationships such as between trade and health diplomacy and between global health and environmental issues The processes of global governance are detailed as the UN WHO and other multinational

actors work to address health inequalities among the world's peoples And to ensure maximum usefulness the text includes plentiful examples discussion questions reading lists and a glossary Featured topics include The legal basis of global health agreements and negotiations Global public goods as a foundation for global health diplomacy Global health a human security perspective Health issues and foreign policy at the UN National strategies for global health South south cooperation and other new models of development A volume of immediate utility with a potent vision for the future Global Health Diplomacy is an essential text for public health experts and diplomats as well as schools of public health and international affairs The Yearbook of European Environmental Law Thijs Etty,Han Somsen,2008-09-04 The Yearbook of European Environmental Law is a joint venture between leading academics practitioners and Community officials Academics and students will find a wealth of information in the stimulating and clearly written articles The well structured and reliable Annual Survey is specifically designed to provide easy access to the very latest developments in environmental law at the European level Separate parts of the Yearbook are devoted to important policy documents and reviews of books

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