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Dealing with Bribery and Corruption in International Commercial Arbitration Emmanuel Obiora Igbokwe,2023-01-10 International Arbitration Law Library Volume 65 International commercial arbitration is by no means free from bribery and corruption Although a plethora of legal scholarship clearly affirms this contention a thorough study on the particularly important question of the authority and duty of international commercial arbitrators to investigate a suspicion or indication of bribery or corruption sua sponte that is on their own initiative has been surprisingly lacking This important book fills this gap inter alia by locating sua sponte authority in the position of arbitral tribunals in establishing the facts of a case and ascertaining and applying the applicable normative standards In addition to providing a comprehensive examination of how the issue of bribery and corruption is dealt with in contemporary international commercial arbitration the book also highlights the role of arbitrators in global efforts to combat transnational commercial bribery and corruption Among others the following critical issues are thoroughly investigated arbitrability of issues of public interests intermediary contracts role of arbitrators in the fact finding process party autonomy versus overriding mandatory rules iura novit curia in international commercial arbitration in the context of bribery and corruption notion of transnational or truly international public policy arbitrators duty to act as guardians of international commerce investigative tools available to arbitrators dealing with

manifestly recalcitrant parties possible consequences of violating the obligation to sua sponte investigate and the view from developing countries The analysis leans primarily on Swiss law as Switzerland is one of the most important jurisdictions in international commercial arbitration Switzerland has also been involved in some of the most famous and controversial arbitration cases wherein bribery and corruption became an issue However the study also includes a comparative analysis of the relevant laws jurisprudence and doctrine of other major arbitration venues particularly England France and Germany Not only in the light it sheds on how and whether international commercial arbitrators have hitherto justified the trust States have placed in them regarding the protection of the public interests but also in the practical solutions it offers arbitrators faced with issues of bribery and corruption this deeply researched book equips arbitration practitioners and arbitration institutions with a hitherto lacking in depth analysis on the question of sua sponte investigation It also provides invaluable insights on how this issue might affect the future legitimacy and expansion of this dispute settlement mechanism Outside the field of arbitration the book also provides jurists legal scholars in house counsel for companies doing transnational business and public officials with highly enlightening perspectives on the interaction between international commercial arbitration and public interests

State Immunity in International Law Xiaodong Yang, 2012-09-27 Xiaodong Yang examines the issue of jurisdictional immunities of States and their property in foreign domestic courts

The EU Maritime Safety Policy and International Law Henrik Ringbom, 2008-09-30 This book offers a comprehensive international law analysis of the European Union's maritime safety legislation This is a relatively novel field of activity of the EU but its development has been very rapid Since 1993 over 40 acts of EU law have been adopted dealing with a variety of subjects such as port State control classification societies vessel traffic management ship construction environmental protection and pollution sanctions This legislation is analysed from the point of international law notably the law of the sea and the international maritime conventions Regional legislation in a field that is traditionally regulated primarily by means of international conventions is bound to create tensions with the related international conventions and with well established principles of international law This study assesses how the EU has acted as a flag State port State and coastal State and measures the trends in this development against the international legal framework More detailed legal analyses are offered for specific aspects of EU legislation that are considered to be particularly interesting from an international law point of view The relationship between EU law and international law within the internal EU legal system is also analysed from the specific perspective of maritime safety law

Law, Policy, and International Justice William Kaplan, Donald McRae, 1993-09-23 Written by distinguished scholars from Canada and abroad the essays cover topics in four different fields that reflect some of Cohen's principal academic interests and concerns international law public law legal history and legal education From discussion of the development of United Nations law in the recent Gulf Conflict the International Court of Justice and the Cohen Committee on Hate Propaganda to habeas corpus and legal education the essays break new ground and demonstrably add as Maxwell

Cohen has done to knowledge in their respective fields The collection contains a preface by former Chief Justice Brian Dickson and essays by Anne Bayefsky William Black Irwin Cotler Dale Gibson Annemieke Holthuis Julius Grey William Kaplan Louis Knafla David McDonald Roderick Macdonald J P S McLaren Donald McRae Edward McWhinney Donat Pharand Shabtai Rosenne Oscar Schachter Robert Sharpe and William Stevenson Maxwell Cohen was a former Dean of Law at McGill University He is currently Scholar in Residence at the University of Ottawa First Do No Harm: Medical Ethics in International Humanitarian Law Sigrid Mehring,2014-11-27 Although working on the sidelines of armed conflicts physicians are often at the centre of attention First Do No harm Medical Ethics in International Humanitarian Law was born from the occasionally controversial role of physicians in recent armed conflicts and the legal and ethical rules that frame their actions While international humanitarian human rights and criminal law provide a framework of rights and obligations that bind physicians in armed conflicts the reference to medical ethics in the laws of armed conflict adds an extra legal layer In analysing both the legal and the ethical framework for physicians in armed conflict the book is invaluable to practitioners and legal scholars alike **Recueil Des Cours - Collected Courses** ACEDEMIE DE DROIT INTERNATIONAL,1986-06-01 The Academy is an institution for the study and teaching of public and private international law and related subjects Its purpose is to encourage a thorough and impartial examination of the problems arising from international relations in the field of law The courses deal with the theoretical and practical aspects of the subject including legislation and case law All courses at the Academy are in principle published in the language in which they were delivered in the Collected Courses of the Hague Academy of International Law Accountability for Human Rights Atrocities in International Law Steven R. Ratner,Jason S. Abrams,2001 More than a half century after the Nuremberg and Tokyo trials nations around the world are increasingly grappling with the need to hold individuals accountable for human rights atrocities In this innovative book now in its second edition Steven R Ratner and Jason S Abrams offer a comprehensive study of the promises and limitations of individual accountability as a means of enforcing international human rights and humanitarian law They provide a searching analysis of the principal crimes under the law of nations such as genocide crimes against humanity and war crimes and go on to appraise the range of prosecutorial and other mechanisms for holding abusers responsible The authors conclude with a series of compelling conclusions about the future of accountability The second edition includes developments since 1997 including new domestic prosecutions and truth commissions the work of the UN s Yugoslavia and Rwanda tribunals and the International Criminal Court Unedited summary from book cover **International Humanitarian Law** Emily Crawford,Alison Pert,2024-05-09 Now in its third edition this textbook provides an accessible and up to date examination of international humanitarian law with relevant cases examples and discussion questions It offers students and teachers a comprehensive and logical discussion and analysis of the law and the developing trends in theory and practice of the law Recueil Des Cours, Collected Courses Academie de Droit International de la Haye,2003-10-01 The Academy is an

institution for the study and teaching of Public and Private International Law and related subjects Its purpose is to encourage a thorough and impartial examination of the problems arising from international relations in the field of law The courses deal with the theoretical and practical aspects of the subject including legislation and case law All courses at the Academy are in principle published in the language in which they were delivered in the Collected Courses of the Hague Academy of International Law To access the abstract texts for this volume please click here [Prohibited Force](#) Erin Pobjie,2024-02-29

Offers an original framework to identify prohibited uses of force under article 2 4 UN Charter and customary international law **Recueil Des Cours, Collected Courses 1982** Academie de Droit International,1985-09-01 The Academy is an institution for the study and teaching of public and private international law and related subjects Its purpose is to encourage a thorough and impartial examination of the problems arising from international relations in the field of law The courses deal with the theoretical and practical aspects of the subject including legislation and case law All courses at the Academy are in principle published in the language in which they were delivered in the Collected Courses of the Hague Academy of International Law **Recueil des Cours:Volume 154 (1977/I)** Academie de Droit International de la Haye,1979-03-09

Recueil Des Cours, Collected Courses, Volume 295 (2002) Arthur Taylor Von Mehren,Academie de Droit International de la Haye,2003-06 The Academy is an institution for the study and teaching of Public and Private International Law and related subjects Its purpose is to encourage a thorough and impartial examination of the problems arising from international relations in the field of law The courses deal with the theoretical and practical aspects of the subject including legislation and case law All courses at the Academy are in principle published in the language in which they were delivered in the Collected Courses of the To access the abstract texts for this volume please click here [*Contract Interpretation in Investment Treaty Arbitration*](#) Yuliya Chernykh,2022-01-17 Contracts are relevant frequently central for a significant number of investment disputes Yet the way tribunals ascertain their content remains largely underexplored How do tribunals interpret contracts in investment treaty arbitration How should they interpret contracts Does national law have any role to play Contract Interpretation in Investment Treaty Arbitration A Theory of the Incidental Issue addresses these questions The monograph offers a valuable insight into the practice and theory of contract interpretation in investment treaty arbitration By proposing a theoretical frame for seamless integration of contract interpretation into the overall structure of decision making the book contributes to predictability coherence sufficiency and correctness of the tribunals interpretative practices in investment treaty arbitration

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