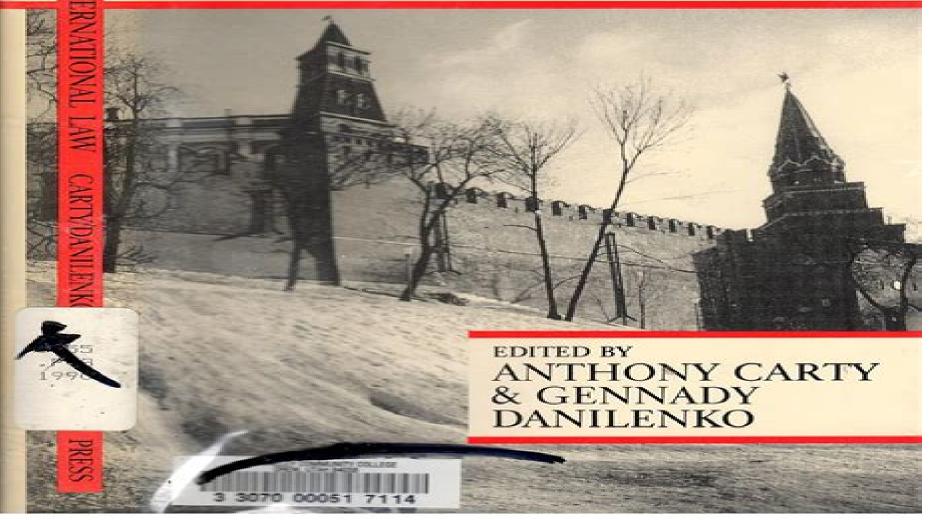
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Perestroika And International Law

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Tatiana Borisova, William B. Simons, 2012-11-21 This volume offers readers a stimulating perspective on both struggles and cooperation on the Cold War s legal front and regard for its political context It covers the era of Stalinism up to the post Communist period of the 1990s and 2000s Transboundary Environmental Interference and the Origin of State **Liability** René Lefeber, 2023-09-14 On going deterioration of the state of the environment and the continuous risk of an environmental disaster has forced society to reconsider its environmental and developmental objectives For economic and environmental reasons the costs of prevention and reparation of environmental harm should be channelled to the polluter However such channelling may run counter to legal principles This work scrutinizes this field of tension between economic and legal principles at state level It provides a unique analysis of traditional thinking on state liability for transboundary harm and the theories which have challenged it since the proliferation of hazardous activities in the 1960s The author favours a return to traditional thinking but has an eye for the theories that challenged it with the aim of safeguarding the compensation of victims of transboundary harm From Coexistence to Cooperation Edward McWhinney, Douglas Ross, Grigory Tunkin, Vladien Vereshchetin, 2023-11-27 In four short years the international landscape has been completely reorganized The major political fault line of the Cold War has been for the most part erased and the foundations have been laid for an entirely new era in international relations Serious focused analysis is urgently needed to help facilitate the process of ending the Cold War This volume the product of a Canada Soviet bilateral conference of jurists and other scholars specialized in International Law and International Organizatin and International Conflicts Resolution held at Simon Fraser University Vancouver in June 1990 attempts to provide such analysis Written by a professionally and scientifically distinguished team of Canadian and Soviet experts it deals with such issues as the winding up of the Nuclear and General Disarment process the current main proposals on strengtening the United Nations and on reforming and modernizing its main arenas and institutions new approaches to International Trade and Commerce on a multilateral basis developing new norms of International Environmental Protection Law and the Intrnational protection of Human Rights It is characterized above all by a common emphasis Soviet and Canadian on pragmatism and on a rigorously empirical problem oriented approach and offers not merely a description of international Law as it might now happen to exist The result is a suprisingly far ranging consensus not merely on the major World Community problems that should be deemed ripe for present study but The Law of U.S. Foreign Relations Sean D. also on their most desirable practical and realizable solutions Murphy, Edward T. Swaine, 2023 The Law of U S Foreign Relations is a comprehensive and incisive discussion of the rules that govern the conduct of U S relations with foreign countries and international organizations and the rules governing how international law applies within the U S legal system Among other topics this volume examines the constitutional and historical foundations of congressional executive and judicial authority in foreign affairs This includes the constitutional tensions prevalent in legislative efforts to control executive diplomacy as well as the ebb and flow of judicial engagement in

transnational disputes with the judiciary often serving as umpire but at times invoking doctrines of abstention The process of U S adherence to treaties and other international agreements is closely scrutinized as the authors examine how such law as well as customary international law and the law making acts of international organizations can become a source of U S law Individual chapters focus on the special challenges posed by the exercise of war powers by the federal government including during recent incidents of international armed conflict the complex role of the several states in foreign affairs and the imperative to protect individual rights in the transnational sphere Among the contemporary issues discussed are the immunity of foreign heads of State treatment of detainees at Guant namo movement of the U S Embassy in Israel to Jerusalem state level foreign compacts to address climate change bans affecting refugees and asylum seekers and recent interpretations of key statutes such as the Alien Tort Statute the Torture Victim Protection Act and the Foreign Sovereign Russia and the Right to Self-Determination in the Post-Soviet Space Johannes Socher, 2021-06-17 The Immunities Act right to self determination is renowned for its lack of clear interpretation Broadly speaking one can differentiate between a classic and a romantic tradition In modern international law the balance between these two opposing traditions is sought in an attempt to contain or domesticate the romantic version by limiting it to abnormal situations that is cases of alien subjugation domination and exploitation This book situates Russia's engagement with the right to self determination in this debate It shows that Russia follows a distinct approach to self determination that diverges significantly from the consensus view in international state practice and scholarship partly due to a lasting legacy of the former Soviet doctrine of international law Against the background of the Soviet Union's role in the evolution of the right to self determination the bulk of the study analyses Russia's relevant state practice in the post Soviet space through the prisms of sovereignty secession and annexation Drawing on analysis of all seven major secessionist conflicts in the former Soviet space and a detailed study of Russian sources and scholarship it traces how Russian engagement with self determination has changed over the past three decades Ultimately the book argues that Russia's approach to the right of peoples to self determination should not only be understood in terms of power politics disguised as legal rhetoric but in terms of a continuously assumed regional hegemony and exceptionalism based on balance of power considerations **Judges as Guardians of Constitutionalism** and Human Rights Martin Scheinin, Helle Krunke, Marina Aksenova, 2016-04-29 There are many challenges that national and supranational judges have to face when fulfilling their roles as guardians of constitutionalism and human rights This book brings together academics and judges from different jurisdictions in an endeavour to uncover the intricacies of the judicial function The contributors discuss several points that each represent contemporary challenges to judging analysis of judicial balancing of conflicting considerations the nature of courts legitimacy and its alleged dependence on public support the role of judges in upholding constitutional values in the times of transition to democracy surveillance and the fight against terrorism and the role of international judges in guaranteeing globally recognized fundamental rights and freedoms This

book will be of interest to human rights scholars focusing on the issues of judicial oversight as well as constitutional law scholars interested in comparative perspectives on the role of judges in different contexts It will also be useful to national constitutional court judges and law clerks aiming to familiarise themselves with judicial practices within other jurisdictions

The New Legal Order in Hong Kong Raymond Wacks, 1999-11-01 As Hong Kong enters its third year under Chinese rule the prognosis for the common law remains uncertain Can the improbable doctrine of one country two systems be made to work Will the political controversies that continue to bedevil the territory undermine the rule of law and the integrity of the legal order The 21 essays in this important new collection consider these and many other questions. The first part examines several problems that lie at the heart of the Basic Law's promise of legal continuity Hong Kong's economic order and its legal buttresses are analysed in Part 2 while the essays in Part 3 trace the shifts in social values as reflected both in Chinese and Hong Kong law Though they embrace a wide area the contributions to this volume suggest that while many problems lie ahead Hong Kong s law and legal system seem adequately entrenched to endure well into the future Raymond Wacks is Professor of Law and Legal Theory at the University of Hong Kong He is an international authority on the legal protection of privacy and has also published widely in the field of legal theory Professor Wacks has edited several books on Hong Kong law and human rights His recent books include Privacy and Press Freedom 1995 The fifth edition of his text Jurisprudence will appear in early 2000 B y far the most comprehensive study of the post 1997 legal order I have come across covering nearly all the subjects which the Basic Law touches upon I t contains much insightful analysis of the historical development and future issues surrounding each topic A very valuable contribution to scholarship Far more importantly there is no collection that comes close to such an array of good analysis on so many topics Anthony Neoh SC Visiting Professor Peking University Hazardous Substances in India and the World T. R. Subramanya, 2021-05-25 This book examines the nature of hazardous substances and the law governing them including international conventions relevant directives and Indian legislation from the pre independence period to the present It focuses on legislations passed in the area of hazardous substances highlighting the background relevant to the continued growth of international environmental law across the globe It reviews existing strategies available in developing countries and the lack of a systematic approach in administering hazardous substances management programs The author unfolds the dynamics of hazardous substances the trade of such substances transboundary movements and their restrictions through rigorous analyses and evaluation of cases The book explores the question of liability in hazardous substance litigation offers an understanding of several judicial decisions in the context and suggests measures to control and manage the problem of hazardous substances Authoritative lucid and comprehensive this book will be useful to students researchers and policymakers working on environment law international environmental law and development studies as well as to legal professionals judicial officers and NGOs

Encyclopedia of Government and Politics M. E. Hawkesworth, Maurice Kogan, 1992 Lawfare Christi

Bartman,2010-04-16 One might ask why the Soviet Union so adamantly promoted the definition of aggression and aggressive war while as many have noted conducting military actions that appeared to violate the very definition they espoused in international treaties and conventions Lawfare Use of the Definition of Aggressive War by the Soviet and Russian Governments demonstrates that through the use of treaties the Soviet Union and Russian Federation practiced a program of lawfare long before the term became known Lawfare as applied in this work is the manipulation or exploitation of the international legal system to supplement military and political objectives This work is unique in that it not only traces the evolution of the definition of aggression and aggressive war from the Soviet and Russian Federation perspective it looks at that progression both from the vantage point of leading edge legal legitimacy and its concurrent use as a means of lawfare to control other states legally politically and equally as important through the public media of propaganda

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