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The Right to Development and International Economic Law Isabella D Bunn, 2012-03-01 The United Nations is commemorating the 25th anniversary of the 1986 Declaration on the Right to Development which proclaimed the right to be an inalienable human right by virtue of which every human person and all peoples are entitled to participate in contribute to and enjoy economic social cultural and political development in which all human rights and fundamental freedoms can be realized The UN now aims to mainstream the right into its policies and operational activities and is reviewing prospects for an internationally binding legal instrument The evolution of the right to development however has been dominated by debates about its conceptual validity and practical ramifications It has been hailed as the cornerstone

of the entire human rights system and criticized as a distracting ideological initiative Questions also persist about the role of the right in reforming the international economic order This book examines the legal and moral foundations of the right to development addressing the major issues It then considers the right to development in the global economy noting the challenges of globalization and identifying key principles such as differential treatment of developing countries participation and accountability It relates the right to broad objectives such as the Millennium Development Goals the human rights based approach to development and environmental sustainability Implications for international economic law and policy in the areas of trade development finance and corporate responsibility are assessed The conclusion looks to the legal and ethical contributions and limitations of the right to development in this new context With an academic and professional background in international law human rights and moral theology the author brings a unique interdisciplinary focus to this timely project

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the Xiamen Academy of International Law by highly qualified international legal professionals The Fourth Volume of the Series contains the following articles The Application of International Law by the International Court of Justice Judge Abdul G Koroma The first part of this contribution explains how Judicial settlement of disputes has long been recognized as central to the stability and functioning of the international order and the rule of law The International Court of Justice ICJ the principal judicial organ of the United Nations plays a crucial role in the system established to this end by the Charter The second part of the contribution discusses how the Court applies each of the sources of law contained in Article 38 of the Statute of the Court Since the article s creation in 1920 Article 38 has remained the principal text used by international lawyers in describing the sources or origins of international law Prevention and International Law M Mohamed Bennouna Prevention in the context of globalization cannot take place only in the framework of State frontiers international norms mechanisms and institutions are indispensable in order to strengthen cooperation between States to anticipate risks and prevent any prejudice to people and goods This necessitates the adoption of appropriate obligations of prevention with the corresponding international responsibility The development of an international law of prevention as a process has to be accompanied by judicial guarantees at national regional and global levels International Dispute Resolution With Specific Attention to China Christine Chinkin The lectures entitled International Dispute Resolution with specific attention to China first consider the concept of an international dispute and the development of the obligation on states to settle their disputes peacefully They then examine the historical evolution and contemporary understandings of the mechanisms enumerated in United Nations Charter Article 33 for the management and attempted resolution of such disputes which are currently available to states and other participants in the international arena negotiation inquiry mediation conciliation mediation arbitration and adjudication Each of the processes is discussed in the historical political and legal contexts of various international disputes including the detention of the American hostages in Tehran various aspects of the possession of nuclear weapons and the territorial dispute over Abyei The lectures consider the respective advantages and disadvantages of these various mechanisms the interplay between them their effectiveness and the legal and policy issues that influence choices as to different approaches to resolution of international disputes The Xiamen Academy of International Law aims to promote academic exchanges among legal communities across the globe encourage examination of major international issues and by so doing seek ways to improve the possibilities for world peace and international cooperation It seeks to achieve this aim by providing the highest level of education to individuals particularly those from Asian countries interested in the development and use of international law persons such as young lecturers in international law diplomats practitioners of

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