

INTERNATIONAL LEGAL MATERIALS

FEATURING:

- 667 *Abaclat and Others v. The Argentine Republic: Decision on Jurisdiction and Admissibility (ICSID)*
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- 803 *Pringle v. Ireland (E.C.J.)*
Introductory Note by Susan Power
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Introductory Note by Michael A. Newton



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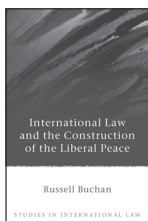
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International Law and the Construction of the Liberal Peace

Russell Buchan

This book argues that since the end of the Cold War an international community of liberal states has crystallised within the broader international society of sovereign states. Significantly, this

international community has demonstrated a tendency to deny non-liberal states their previously held sovereign right to non-intervention. This book deploys the concepts of the international society and the international community in order to construct an explanatory framework that can enable us to better understand recent changes to the political and legal structure of the world order and why violations of international peace and security occur.

Russell Buchan is a Lecturer in International Law at Sheffield University.

Jul 2013 250pp Hbk 9781849462440 £50 / US\$100

Captured in War

Lawful Internment in Armed Conflict

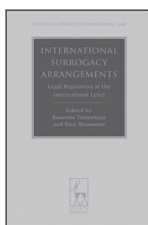
Els Debuf

A security measure designed to neutralize threats from an enemy party, internment is common in warfare. In the context of internment operations in Afghanistan, Iraq, Guantanamo Bay and the Democratic Republic of the Congo, and of increasing international military intervention in internal conflicts more generally, the legal framework for internment has been widely criticised for being at best ambiguous and full of loopholes, at worst out-dated and inadequate.

In light of such criticism, this book examines the continued relevance and adequacy of the existing legal framework, identifies its shortcomings and proposes possible avenues to remedy them.

Dr. Els DEBUF is a Legal Advisor at the International Committee of the Red Cross (ICRC). She wrote this book in her personal capacity and independently from her functions at ICRC.

Mar 2013 636pp Pbk 9781849465304 £95 / US\$190



International Surrogacy Arrangements

Legal Regulation at the International Level

Edited by Katarina Trimmings & Paul Beaumont

This book addresses the pressing challenges presented by the proliferation of international surrogacy arrangements. It contains National

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Paul Beaumont is a Professor of European Union and Private International Law at the University of Aberdeen. **Katarina Trimmings** is a Lecturer at the University of Aberdeen.

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Integration at the Border

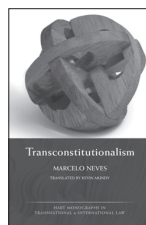
The Dutch Act on Integration Abroad and International Immigration Law

Karin de Vries

A recent development in the immigration policies of several European states is to make the admission of foreign nationals dependent upon criteria relating to their integration. As the practice of 'integration testing abroad' becomes more widespread, this book endeavours to clarify the legal implications which have hitherto remained poorly understood and studied. The book begins by looking at the situation in the Netherlands, which was the first EU Member State to introduce pre-entry integration requirements. It explores the historical and political origins of the Dutch Act on Integration Abroad and explains how, in this national context, integration has become a criterion for the selection of immigrants.

Karin de Vries is Assistant Professor in the Department of Constitutional and Administrative Law at the VU University of Amsterdam.

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Transconstitutionalism

Marcelo Neves

translated by Kevin Mundy

Transconstitutionalism is a concept used to describe what happens to constitutional law when it is emancipated from the state, in which can be found the origins of constitutional law. Transconstitutionalism does not exist because a multitude of new constitutions have appeared,

but because other legal orders are now implicated in resolving basic constitutional problems. A transconstitutional problem entails a constitutional issue whose solution may involve national, international, supranational and transnational courts or arbitral tribunals, as well as native local legal institutions. Rather than seeking a 'Herculean Constitution', transconstitutionalism tackles the many-headed Hydra of constitutionalism, always looking for the blind spot in one legal system and reflecting it back against the many others found in the world's legal orders.

Marcelo Neves is Professor of Public Law and Legal Theory, Brasilia University.

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Tied Aid and Development Aid Procurement in the Framework of EU and WTO Law

The Imperative for Change

Annamaria La Chimia

This book is the first legal treatment of tied aid and examines in detail the compatibility of tied aid with EU and WTO law. The workings of the aid projects and aid procurement systems of donor countries granting bilateral aid are fully examined through case studies from the UK, Italy, the EU and the US. The book is of interest to academics in the field of EU and WTO law, NGOs and practitioners working both in the field of public procurement and development policies.

Annamaria Lachimia is a Lecturer in Law at the University of Nottingham.

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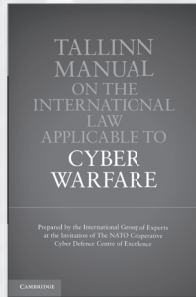
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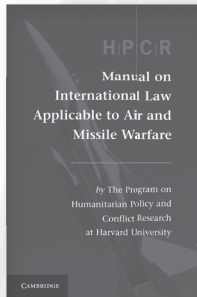
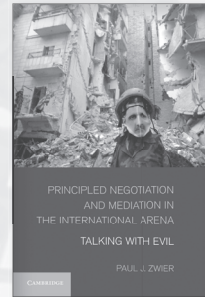
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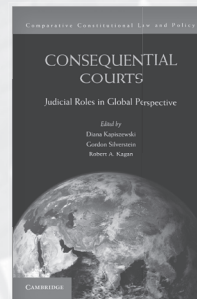
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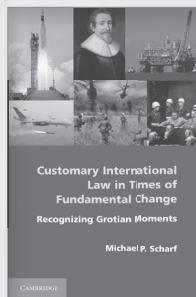
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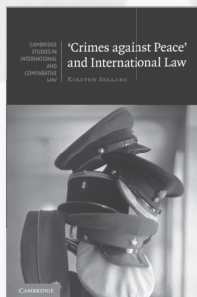


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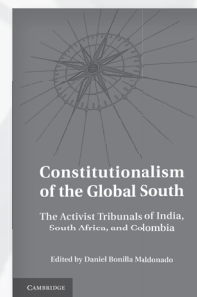
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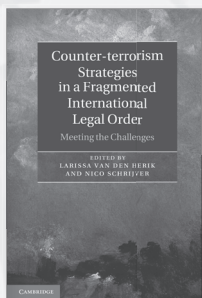
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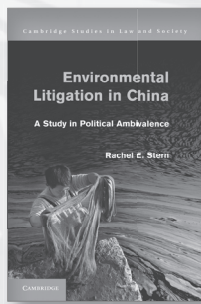
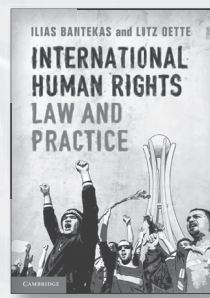


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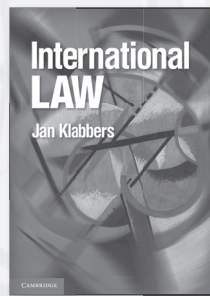
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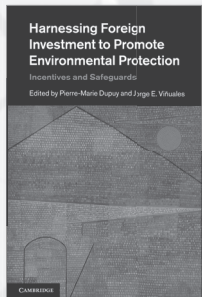
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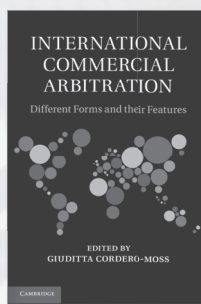
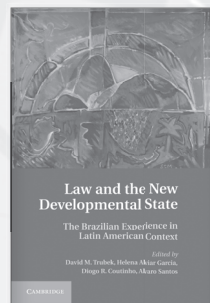


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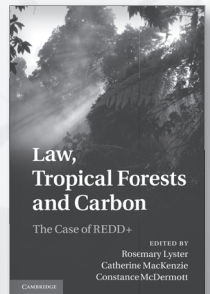
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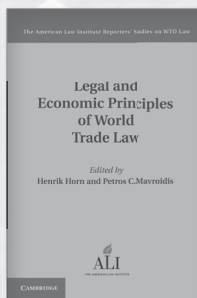
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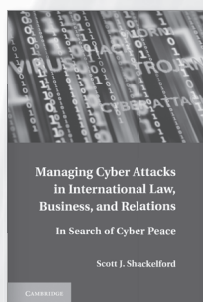
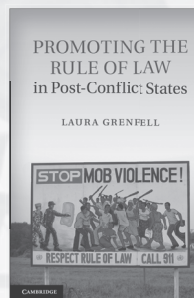
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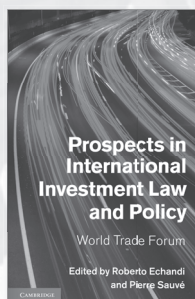


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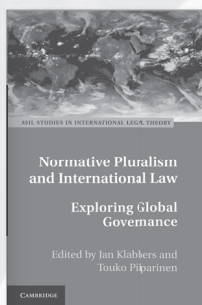
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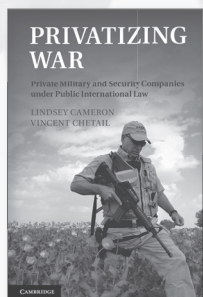
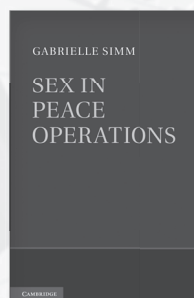
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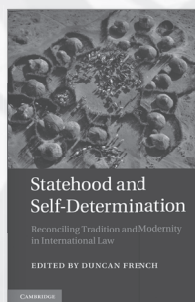


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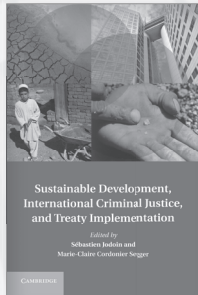
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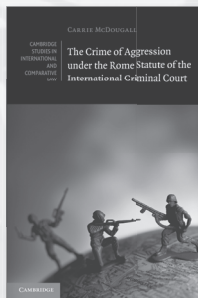
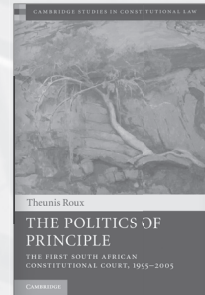


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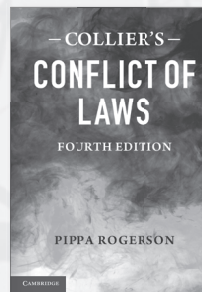
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IN DAILY LIFE

- 1 **Always knowing what date and time it is anywhere on the planet.**
By universal recognition of the prime meridian and Greenwich Mean Time (via international agreement at the International Meridian Conference in 1884). The latter was updated to "universal time" in 1928, and subsequent technical agreements have refined the definition further.
- 2 **Mailing a letter reliably and easily to anyone in the world.**
By ensuring a truly universal postal network and recognizing that specified postal rates in one country would satisfy delivery requirements in all countries (the Constitution of the Universal Postal Union, 1964).
- 3 **Driving cars with improved safety standards.**
By adopting global safety standards for automobiles, notably the Agreement Concerning the Establishing of Global Technical Regulations for Wheeled Vehicles, Equipment, and Parts Which Can Be Fitted and/or Used on Wheeled Vehicles (1998).
- 4 **Being able to call Arkansas, Missouri, or most of Montana home.**
As the result of the bilateral treaty known as the Louisiana Purchase (1803).
- 5 **Placing and receiving telephone calls worldwide.**
By creating an international communication network and by reaching an international agreement preventing national claims to the geostationary orbit. See the 1865 Constitution of what is now called the International Telecommunications Union, the oldest intergovernmental organization, and the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies (UN Space Treaty, 1967).

- 6 **Knowing that a second is the same length of time everywhere in the world.**
By setting internationally recognized standards, particularly the Decision of the 13th General Conference on Weights and Measures (1967), under the auspices of the International Office of Weights and Measures (est. 1875).
- 7 **Using the same software on computers worldwide.**
By providing rights of distribution, copyright, and rental to authors of computer programs via the World Intellectual Property Organization Copyright Treaty (1996).
- 8 **Getting an up-to-date weather forecast about your destination before you travel.**
By benefiting from international rules for the collection and dissemination of worldwide weather data, as provided for by the Convention of the World Meteorological Organization (1947) and the International Telecommunication Convention (1932).
- 9 **Watching news and events from around the world on television.**
As a result of the international convention providing equal access to the international satellite communications network, as stated in Resolution 1721 (XVI) of the General Assembly of the United Nations (1961).
- 10 **Listening to a BBC program on your radio.**
By following regulations, implemented by the International Telecommunication Union, that provide for shared use of the radio spectrum and assign positions for communication satellites, building from the International Telegraph Convention (1885).

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Foreword

From its beginning, the Society established as one of its primary functions the regular collection, publication, and dissemination of important international legal materials. These materials were first published as a section of the *American Journal of International Law*, and since the 1960s as the current stand-alone *International Legal Materials* publication. The publication met a critical need in that earlier era—when access to primary source legal materials was limited. Today, access to information is no longer a problem. Indeed, our challenge is too much information. And therein we find a continuing mission for *International Legal Materials*.

The dramatic growth in the international legal field makes it nearly impossible for scholars and practitioners—let alone the general public—to keep abreast of the most important international legal developments. Fortunately they can rely on our staff and Editorial Advisory Committee to sift through the vast array of documents, identify those that are truly significant, and highlight them in *International Legal Materials* and our bi-weekly electronic bulletin, *International Law in Brief*. The Society's periodic *ASIL Insights* provide additional analysis of particularly high-profile developments.

Beginning in 2007, we have been supplementing all documents published in *International Legal Materials* with an introductory note from one of the many experts ASIL counts among its members. These notes provide summaries of the documents and key insights into their significance. In this volume we feature notes by Susan L. Karamanian, Susan Power, Keith Loken, David P. Fidler, and Michael A. Newton. We are extremely grateful to these authors, and we are confident that you will value their contributions as well.

Please send us your comments and suggestions as we continue our efforts to meet the evolving needs of the international legal community.

Sincerely,

Elizabeth Andersen
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INTERNATIONAL LEGAL MATERIALS®

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International Legal Materials (ISSN 0020-7829) is published bi-monthly (in January, March, May, July, September and November) by The American Society of International Law, 2223 Massachusetts Avenue, NW, Washington, DC 20008-2864.

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Filed October 2012, *International Legal Materials* (issued six times a year, January, March, May, July, September, November, and December), Cadmus Professional Communications, 3575 Hempland Road, Lancaster, PA 17601. Published by the American Society of International Law, 2223 Massachusetts Avenue, NW, Washington D.C. 20008-2864. Managing Editor: Kathleen A. Doty, American Society of International Law, 2223 Massachusetts Avenue, NW, Washington D.C. 20008-2864. Owner, The American Society of International Law. *Average* number of domestic and international copies per issue, last 12 months: total printed, 1052; mail subscriptions, 638; total paid circulation, 1012; free distribution, 41; total distribution, 1052. For *single* issue nearest to filing date: total printed, 906; mail subscriptions, 556; total paid circulation, 856; free distribution, 50; total distribution, 906.

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