

International Law from Hart Publishing



Community and Collective Rights

A Theoretical Framework
for Rights Held by Groups
Dwight Newman

This book presents an argument for the existence of moral rights held by groups and a resulting account of how to reconcile group rights with individual rights and with the rights of other groups. Throughout, the author shows applications to actual legal and political controversies, thus tying the normative theory to actual legal practice. The author presents collective moral rights as an underlying normative explanation for various legal norms protecting group rights in domestic and international legal contexts. Examples at issue include rights held by indigenous peoples, by trade unions, and by religious and cultural minority groups.

Dwight Newman is a Professor at the University of Saskatchewan College of Law, Canada.

Jul 2011 246pp Hbk 9781841132280 US\$100



Carbon Capture and Storage

Emerging Legal and Regulatory Issues
*Edited by Ian Havercroft, Richard Macrory
and Richard B Stewart*

Carbon Capture and Storage is increasingly viewed as one of the most significant ways of dealing with green house gas emissions. This important book brings together some of the world's leading practitioners and scholars working in the field to provide a critical assessment of progress to date. Throughout the study, authors consider significant trends, critically evaluate progress to date, and identify key legal gaps and obstacles that still need to be addressed. *Carbon Capture and Storage* will be essential reading for lawyers and policy-makers involved in climate change policy and law.

Ian Havercroft is a barrister, and a Visiting Researcher at the Faculty of Laws, University College London. **Richard Macrory** is a barrister, and Professor of Environmental Law at University College, London. **Richard Stewart** is the John Edward Sexton Professor of Law at NYU University, New York.

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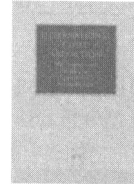
Accounting for Hunger

The Right to Food in the Era of Globalisation
Edited by Olivier De Schutter and Kaitlin Cordes

This work considers the obstacles which stand in the way of implementing a right to food in the era of globalisation. The book has several functions: to describe the current situation of global hunger, to consider how it relates both to the development of food systems and to the merger of the food and energy markets, and to explain how the right to food contributes to identifying solutions at the domestic and international levels.

Olivier De Schutter is the UN Special Rapporteur on the Right to Food and Professor of Law at the Universite Catholique de Louvain. **Kaitlin Cordes** works for Human Rights Watch.

Oct 2011 262pp Hbk 9781849462266 US\$100



International Child Abduction

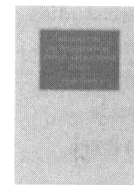
The Inadequacies of the Law
Thalia Kruger

International child abduction occurs when one parent wrongfully takes a child to a country other than that of the child's habitual residence, or wrongfully keeps a child in such country. The author of this work was part of a research

team that conducted a study, partially funded by the European Commission, to examine this problem in Belgium and Hungary, analysing cases from 2007 and 2008 and interviewing the affected parents. This book is a revised version of the Belgian research report, which sets the problem of child abduction within its international context. It looks at the families in which abductions took place, how preparations were made for abduction, the quest for the return of the child and the aftermath of the abductions.

Thalia Kruger lectures Private International Law at the University of Antwerp, Belgium.

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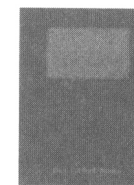
Mediating International Child Abduction Cases

The Hague Convention
Sarah Vigers

There is growing enthusiasm for the use of mediation to seek to resolve cases arising under the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction (the Convention). However, despite being endorsed by the conclusions of meetings of experts, judicial comment and even legislative changes, there have been relatively few cases where mediation has played a significant role. It is suggested that the reason underlying this dichotomy between the widespread support for the use of mediation and the current limited practice is that there are several key questions regarding the use of mediation in the context of the Convention which remain to be answered. This book addresses these questions and in so doing seeks to encourage a movement from enthusiasm about the use of mediation in the Convention context to greater practice.

Sarah Vigers is involved in full-time research at Aberdeen University.

Sept 2011 126pp Hbk 9781849461818 US\$90



International and European Criminal Law

Helmut Satzger

This work highlights the international aspects of criminal law so far ingrained in national law. The book is designed to give a first and solid introduction to international criminal law, using numerous examples and references to

schemas and charts. It also caters for the needs of students and academics in this field.

Helmut Satzger is Professor of German, European and International Criminal Law at Munich University.

Oct 2011 308pp Hbk 9781849460804 US\$172

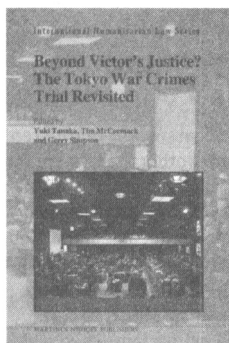


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Beyond Victor's Justice? The Tokyo War Crimes Trial Revisited



Edited by Yuki Tanaka,
Tim McCormack
and Gerry Simpson

- June 2011
- ISBN 978 90 04 20303 7
- *Hardback* (420 pp.)
- List price EUR 135.- / US\$ 192.-
- International Humanitarian Law Series, 30

The aim of this new collection of essays is to engage in analysis beyond the familiar victor's justice critiques. The editors have drawn on authors from across the world — including Australia, Japan, China, France, Korea, New Zealand and the United Kingdom — with expertise in the fields of international humanitarian law, international criminal law, Japanese studies, modern Japanese history, and the use of nuclear, chemical and biological weapons. The diverse backgrounds of the individual authors allow the editors to present essays which provide detailed and original analyses of the Tokyo Trial from legal, philosophical and historical perspectives.

International Military Missions and International Law

Edited by Marco Odello and Ryszard Piotrowicz

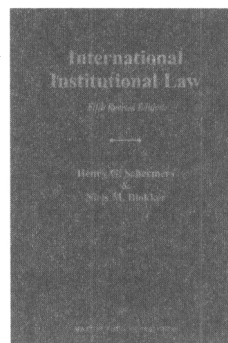
- August 2011
- ISBN 978 90 04 17437 5
- *Hardback*
- List price EUR 121.- / US\$ 166.-
- International Humanitarian Law Series, 31
- Imprint: Martinus Nijhoff

The Law of Armed Conflict traditionally regulates the actions of states and armed groups, as well as individuals who participate in hostilities. It is increasingly evident that there are significant legal issues regarding the application of this law to the activities of International Military Missions, especially with regard to United Nations forces and other international organisations because it is unclear how their activities are regulated by traditional sources of International Law. The book explores the legal developments in addressing this challenge, including pertinent issues of human rights and international criminal law, elucidating the rights and obligations of all the actors, including states, international organisations and individuals, involved in International Military Missions.



International Institutional Law *Unity within Diversity, Fifth Revised Edition*

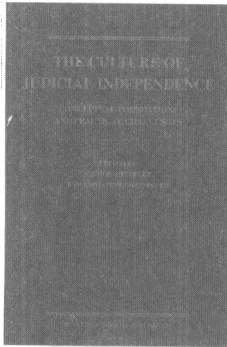
Henry G. Schermers and Niels M. Blokker



- July 2011
- ISBN 978 90 04 18796 2
- *Hardback* (xxxvi + 1274 pp.)
- List price EUR 290.- / US\$ 397.-
- July 2011
- ISBN 978 90 04 18798 6
- *Paperback* (xxxvi + 1274 pp.)
- List price EUR 85.- / US\$ 116.-

In recent years there has been a resurgence of interest in the law of public international organizations. This fifth, revised edition of *International Institutional Law* covers the most recent developments in the field. Although public international organizations such as the United Nations, the World Trade Organization, the World Health Organization, ASEAN, the European Union and other organizations have broadly divergent objectives, powers, fields of activity and numbers of member states, they also share a wide variety of institutional problems. Rather than being a handbook for specific organizations, the book offers a comparative analysis of the institutional law of international organizations. It includes comparative chapters on the rules and practices concerning membership, institutional structure, decision-making, financing, legal order, supervision and sanctions, legal status and external relations. The book's theoretical framework and extensive use of case-studies is designed to appeal to both academics and practitioners.

The Culture of Judicial Independence *Conceptual Foundations and Practical Challenges*



Edited by Shimon Shetreet
and Christopher Forsyth

- June 2011
- ISBN 978 90 04 18833 4
- *Hardback* (662 pp.)
- List price EUR 155.- / US\$ 212.-

The creation of a culture of Judicial Independence is of a central significance both in national domestic legal systems, as well as for the international courts and tribunals. The main aim of this volume is to analyze the development of a culture of Judicial Independence in comparative perspectives, to offer an examination of the conceptual foundations of the principle of judicial independence and to discuss in detail the practical challenges facing judiciaries in different jurisdictions. The proposed volume is based on the papers presented at the five conferences held in the framework of The International Project on Judicial independence. The editors of this volume and the contributors to it are leading scholars and distinguished experts on judicial independence and judiciaries.

International Crimes and Other Gross Human Rights Violations *A Multi- and Interdisciplinary Textbook*

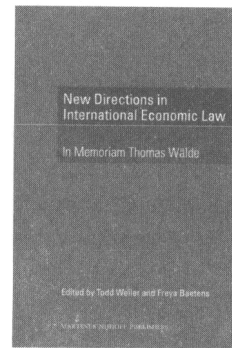
Alette Smeulers and Fred Grünfeld

- August 2011
- ISBN 978 90 04 20804 9
- *Hardback* (542 pp.)
- List price EUR 133.- / US\$ 182.-
- International and Comparative Criminal Law Series, 32

International crimes such as genocide, crimes against humanity and war crimes as well as other gross human rights violations are manifestations of collective violence which endanger international peace and security. and warrant our full attention. It however takes a multi- and interdisciplinary approach to understand the true nature and causes of this type of criminality. The aim of this book is to take such an approach and to provide university students, scholars, professionals and practitioners within the field with the knowledge they need. The legal background and particularities of international crimes; the social context in which these crimes are committed as well as the perpetrators and bystanders thereof are studied. Within the book many case studies are presented as illustrations.

New Directions in International Economic Law *In Memoriam Thomas Wälde*

Edited by Todd Weiler, *Independent Council*,
and Freya Baetens, *Grotius Centre for International Legal Studies*



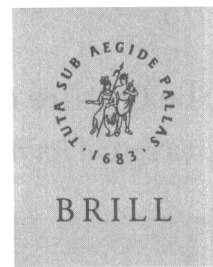
- July 2011
- ISBN 978 90 04 19143 3
- *Hardback* (xx, 592 pp.)
- List price EUR 165.- / US\$ 226.-

This volume is dedicated to the life and work of Prof. Thomas Wälde (†2008), a leading scholar and international lawyer. Contributions reflect the eclectic and multifaceted career of Prof. Wälde, who was an authority on diverse areas such as natural resources law, international dispute settlement, international investment law and economic development. The authors are all leaders in their respective fields of international law, providing timely, critical assessments on the most challenging topics facing the international community. While the thrust of this volume is on international investment law and dispute settlement, contributors also address a wide array of related issues, including *lex mercatoria*, human rights, corporate social responsibility, and natural resources law. It will appeal to practitioners and academics alike.

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International Maritime Boundaries

Co-Publication with: The American Society of International Law



Volume VI

Edited by David A. Colson and Robert W. Smith
February 2011, ISBN 978 90 04 19288 1, *Hardback* (xxxiv, 486 pp.),
List price EUR 374.- / US\$ 531.-

Volume V

March 2005, ISBN 978 90 04 14461 3, *Hardback* (xxxii, 920 pp.),
List price EUR 466.- / US\$ 638.-

Volume IV

Edited by Jonathan I. Charney and Robert W. Smith
October 2002, ISBN 978 90 41 11954 4, *Hardback* (608 pp.),
List price EUR 279.- / US\$ 382.-

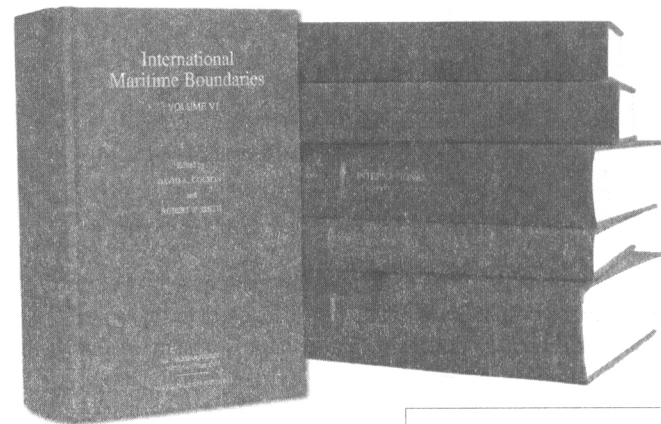
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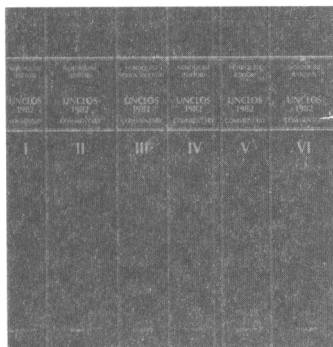
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Edited by Myron Nordquist,
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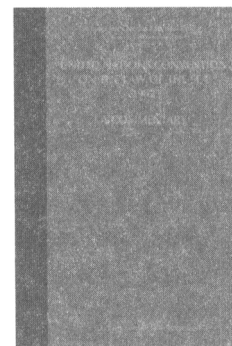
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- July 2011
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- United Nations Convention
on the Law of the Sea 1982

This complete, seven-volume set is the most authoritative reference on the United Nations Convention on the Law of the Sea (UNCLOS), which was negotiated at the Third UN Conference of the Law of the Sea from 1973-1982. The commentaries are based almost entirely on the formal and informal documentation of the Conference, coupled, where necessary, with the personal knowledge of editors, contributors, or reviewers, many of whom were principal negotiators or UN personnel who participated in the Conference.

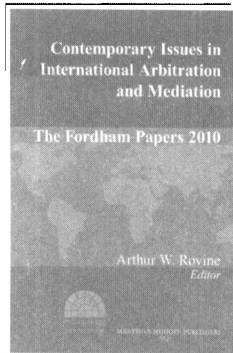
Just Published: Volume VII, A Commentary



- July 2011
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on the Law of the Sea 1982/7

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Contemporary Issues in International Arbitration and Mediation: The Fordham Papers (2010)



Arthur W. Rovine,
Fordham University

- August 2011
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- Contemporary Issues in International Arbitration and Mediation: The Fordham Papers, 4

The 2010 volume of *Contemporary Issues in International Arbitration and Mediation - The Fordham Papers* is a collection of important works in the field written by the speakers at the 2010 Fordham Law School Conference on International Arbitration and Mediation.

Perspectives of International Law in the 21st century / Perspectives du droit international au 21e siècle

Liber Amicorum Professor Christian Dominicé
in Honour of his 80th Birthday

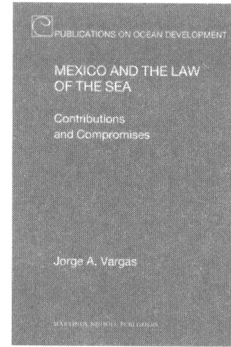
Edited by Marcelo Kohen, Robert Kolb
and Djacoba Liva Tehindrazanarivelo

- October 2011
- ISBN 978 90 04 20305 1
- *Hardback* (440 pp.)
- List price EUR 155.- / US\$ 212.-

This *Liber Amicorum* appears on the occasion of Professor Christian Dominicé's 80th birthday. It includes contributions by his colleagues and friends from distinguished universities and international institutions. It covers different fields in which he has excelled. This collective work is divided into three main sections. The first section examines matters concerning the principles and fundamentals of international law in the 21st Century. The second section is devoted to the law and practice of International Organizations and Courts. The third section addresses issues related the international protection of human rights and international humanitarian law. The result is a collection of stimulating analysis of most of the topical problems of international law. The contributions are in both English and French.

Mexico and the Law of the Sea *Contributions and Compromises*

Jorge A. Vargas, *University of San Diego*



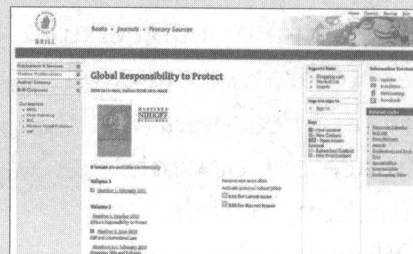
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- Publications on Ocean Development, 69

Mexico and the Law of the Sea: Contributions and Compromises examines Mexico's legal work at the Third UN Conference on the Law of the Sea; its involvement at the regional Latin American meetings of Montevideo, Lima and Santo Domingo; and its current domestic legislation, in particular the Federal Oceans Act of 1986.

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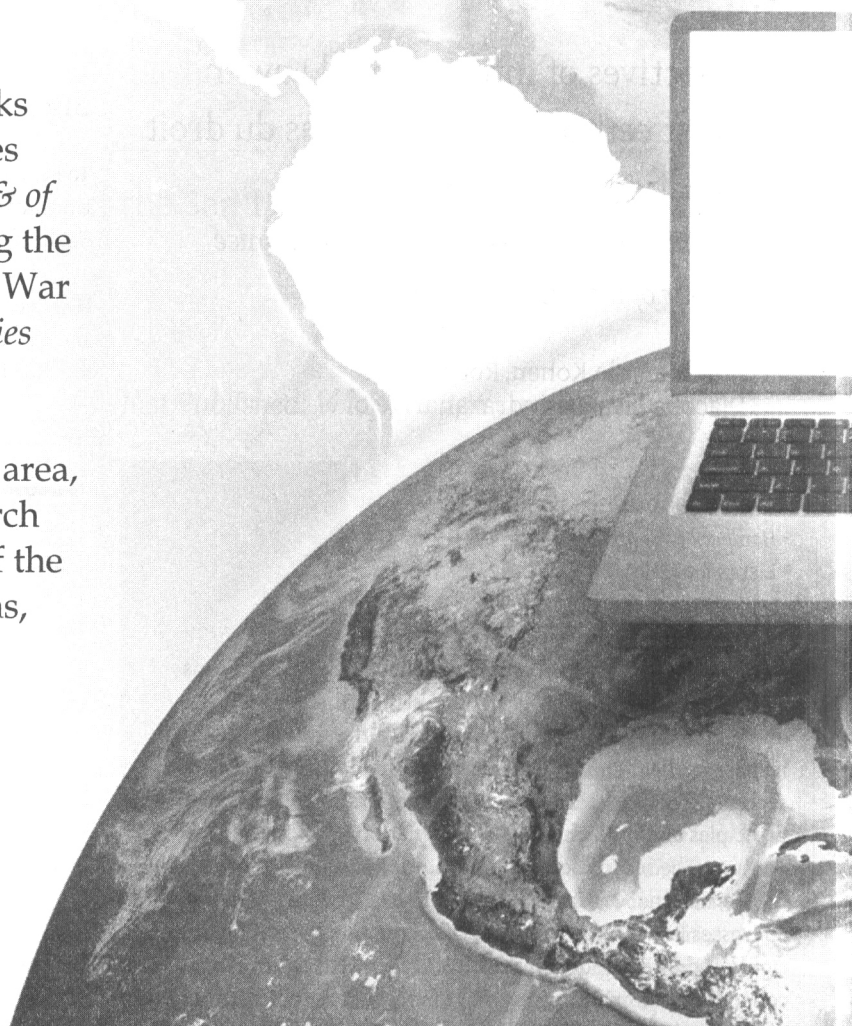


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Michael A. Utton, University of Reading, UK

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INTERNATIONAL LAW: 100 WAYS IT SHAPES OUR LIVES

Many find international law abstract and static. Topics such as war and peace or relationships between countries are considered by some to be not so much questions of law, but of power and influence. Others question the existence of international law.

International Law: 100 Ways It Shapes Our Lives was conceived from the proposition that international law not only exists, but also penetrates more deeply and broadly into everyday life than is generally recognized. Some ways are of relatively recent vintage, while others are long-standing. 100 examples were identified by ASIL members, vetted by a smaller group of experts, and organized into seven chapters: 1) daily life; 2) leisure; 3) travel; 4) commerce 5) health and the environment; 6) personal liberty; 7) public safety and global security.

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