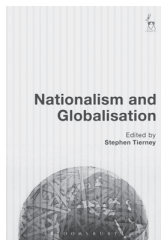


International Law *from* Hart Publishing



Nationalism and Globalisation

Edited by Stephen Tierney

This book addresses a seemingly paradoxical situation. On the one hand, nationalism from Scotland to the Ukraine remains a resilient political dynamic, fostering secessionist movements below the level of the state. On the other, the competence and capacity of states, and indeed the coherence of nationalism as an ideology, are increasingly challenged by patterns of globalisation in commerce, cultural communication and constitutional authority beyond the state. It is the aim of this book to shed light

on the relationship between these two processes, addressing why the political currency of nationalism remains strong even when the salience of its objective – independent and autonomous statehood – becomes ever more attenuated.

The book takes an interdisciplinary approach both within law and beyond, with contributions from international law, constitutional law, constitutional theory, history, political science and sociology. The challenge for our time is considerable. Global networks grow ever more sophisticated while territorial borders, such as those in Eastern and Central Europe, become seemingly more unstable. It is hoped that this book, by bringing together areas of scholarship which have not communicated with one another as much as they might, will help develop an ongoing dialogue across disciplines with which better to understand these challenging, and potentially destabilising, developments.

Stephen Tierney is Professor of Constitutional Theory at the University of Edinburgh.

OCT 2015 9781849466745 296PP HBK RSP: US \$86



The European Union in International Organisations and Global Governance

Recent Developments
Edited by Christine Kaddous

The European Union is a key participant in international organisations with its involvement taking different forms, ranging from full membership to mere observer. Moreover, there is also not only one status of observer, but different ones depending on the constituent charters of the organisations.

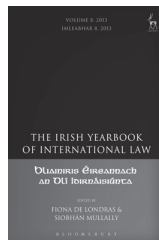
This book provides a comprehensive overview of the participation of the EU in five international organisations: the UN, the ILO, the WTO, the WHO and the WIPO. It identifies its role and influence in diverse areas of global governance, such as foreign policy, peace, human rights, social rights, trade, health and intellectual property.

EU and international experts, diplomats and scholars have contributed to this book to give an overview of the different aspects linked to the participation of the EU in these organisations and to the coordination that takes place internally with its Member States. They also examine the EU's actual influence in the various areas and its contribution to global governance. The combination of these two dimensions allows the work to identify the strengths and weaknesses of the participation of the EU in these five international organisations.

The book provides valuable insights for scholars, policymakers and is useful for representatives of other international organisations and civil society actors.

Christine Kaddous is Professor, Jean Monnet Chair ad personam and Director of the 'Centre d'études juridiques européennes' (CEJE) at the University of Geneva.

SEPT 2015 9781849467001 312PP HBK RSP: US \$117



The Irish Yearbook of International Law, Volume 8, 2013

Edited by Fiona de Londras and Siobhán Mullally

The Irish Yearbook of International Law (IYIL) supports research into Ireland's practice in international affairs and foreign policy, filling a gap in existing legal scholarship and assisting in the dissemination of Irish thinking and practice on matters of international law. On an annual basis, the *Yearbook* presents peer-reviewed academic articles and book reviews on

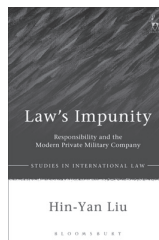
general issues of international law. Designated correspondents provide reports on international law developments in Ireland, Irish practice in international bodies, Ireland and the Law of the Sea and the law of the European Union as relevant to developments in Ireland. In addition, the *Yearbook* reproduces key documents that reflect Irish practice on contemporary issues of international law.

Publication of the *Irish Yearbook of International Law* makes Irish practice and *opinio juris* more readily available to governments, academics and international bodies when determining the content of international law. In providing a forum for the documentation and analysis of North-South relations the *Yearbook* also makes an important contribution to post-conflict and transitional justice studies internationally.

As a matter of editorial policy, the *Yearbook* seeks to promote a multilateral approach to international affairs, reflecting and reinforcing Ireland's long-standing commitment to multilateralism as a core element of foreign policy.

Fiona de Londras is Chair of Global Law at the University of Birmingham. **Siobhán Mullally** is Professor of Law at University College Cork.

SEPT 2015 9781849467605 280PP HBK RSP: US \$310



Law's Impunity

Responsibility and the Modern Private Military Company

Hin-Yan Liu

When faced with those who act with impunity, we seek the protection of law. We rely upon the legal system for justice, from international human rights law that establishes common standards of protection, to international criminal law that spearheads efforts to end impunity for the most heinous atrocities. While legal processes are perceived to combat impunity, and despite the ready availability of the law, accountability

often remains elusive. What if the law itself enables impunity?

Law's Impunity asks this question in the context of the modern Private Military Company (PMC), examining the relationship between law and the concepts of responsibility and impunity. This book proposes that ordinary legal processes do not neutralise, but rather legalise impunity. This radical idea is applied to the abysmal record of human rights violations perpetrated by the modern PMC and the shocking absence of accountability. This book demonstrates how the law organises, rather than overcomes, impunity by detailing how the modern PMC exploits ordinary legal processes to systematically exclude itself from legal responsibility. Thus, *Law's Impunity* offers an alternative to conventional thinking about the law, providing an innovative approach to assess and refine the rigour of legal processes in the ongoing quest to end impunity.

Hin-Yan Liu is Associate Professor at the Faculty of Law, University of Copenhagen.

SEPT 2015 9781849465168 400PP HBK RSP: US \$86

Published by Hart Publishing, Oxford, UK

US Distributors: ISBS, 920 NE 58th Ave, Suite 300, Portland, OR, 97213-3786, USA

Tel +1 503 287 3093; Fax +1 503 280 883 E-mail orders@isbs.com; Website www.hartpub.co.uk

Hart Publishing Ltd. is registered in England No. 3307205

Hart Publishing Ltd. is an Imprint of Bloomsbury Publishing plc.



HART
PUBLISHING



HEINONLINE HAS CHANGED TREATY RESEARCH FOREVER

The BEST
database at
the BEST
value

WORLD TREATY LIBRARY

Covering 1649 to present

**Monumental collection of all original,
major treaty sets now available in one place**

Works from Rohn, Dumont, Wiktor, and Martens,
the League of Nations and the United Nations

*More than 180,000
treaties identified!*

Unique HeinOnline features:

- Cross linking citations
- In-depth indexing of all treaties
- Browse and search across all major treaty publications
- Directory of citations listing publication's names and where they are located
- External links to treaty research guides
- So much more!

Contact Hein today for a **FREE** trial

William S. Hein & Co., Inc. & HeinOnline • 2350 N. Forest Rd., Getzville, NY 14068
Ph: 716-882-2600 • Toll Free: 800-828-7571 • Fax: 716-883-8100 • marketing@wshein.com • heinonline.org • www.wshein.com

BRAND NEW COLLECTIONS NOW AVAILABLE



RELIGION & THE LAW

The Ideology, Fundamentals, and Power of World Religions

- Including more than 1,200 titles and 600,000 pages
- Linking to the full text of Case Law from Religious Freedom Reporter

NOW AVAILABLE
for a low annual access fee

Featuring works on:

- Canon Law
- History of the Church & State
- Religious Freedom
- Jewish Law
- Reformation Period
- Religion & Politics
- The Bible in Public Schools
- Rules for Ministers
- Much more!

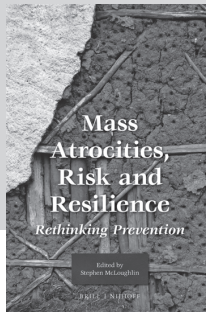
LAW IN EASTERN EUROPE

- Digitized for the first time
- Fully searchable and browsable
- Series of more than 60 titles covering 1958-present
- Showcases the development, enactment, and impact of the rule of law in Eastern Europe

**THE GREATEST
COLLECTION OF
BOOKS ON THE
RULE OF LAW IN
EASTERN EUROPE**

Ask about our risk-free, money-back guarantee!

William S. Hein & Co., Inc. & HeinOnline • 2350 N. Forest Rd., Getzville, NY 14068
Ph: 716-882-2600 • Toll Free: 800-828-7571 • Fax: 716-883-8100 • marketing@wshein.com • heinonline.org • www.wshein.com



Mass Atrocities, Risk and Resilience

Rethinking Prevention

Edited by **Stephen McLoughlin**

This book examines the relationship between risk and resilience in the prevention of mass atrocities. It challenges approaches to prevention which prioritise the role of external actors by investigating how local and national actors mitigate risk over time.

- July 2015
- ISBN 978 90 04 29986 3
- Paperback (x, 237 pp.)
- List price US\$ 89.- / EUR 79.-

The Privatisation of Immigration Control through Carrier Sanctions

The Role of Private Transport Companies in Dutch and British Immigration Control

Sophie Scholten

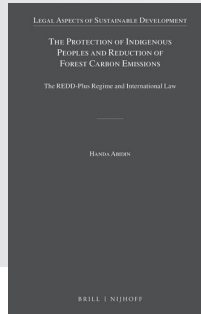
Sophie Scholten describes the development of carrier sanctions regimes in the Netherlands and the United Kingdom, from the 1980s and assesses the effects of carrier sanctions policies on relationships between the actors involved: immigration authorities, private carriers and passengers.

- August 2015
- ISBN 978 90 04 29073 0
- Hardback (viii, 312 pp.)
- List price EUR 125.- / US\$ 162.-
- *Immigration and Asylum Law and Policy in Europe*, 38

Disappearing Island States in International Law

Jenny Grote Stoutenburg

Several low-lying atoll island states are at risk of losing their entire territory due to climate change-induced sea level rise. In *Disappearing Island States in International Law*, Jenny Grote Stoutenburg analyzes the international legal implications of this unprecedented situation.



The Protection of Indigenous Peoples and Reduction of Forest Carbon Emissions

The REDD-Plus Regime and International Law

Handa Abidin

In *The Protection of Indigenous Peoples and Reduction of Forest Carbon Emissions*, Handa Abidin identifies approaches that can be used by indigenous peoples to protect their rights in the context of REDD-plus.

- July 2015
- ISBN 978 90 04 29862 0
- Hardback (xii, 356 pp.)
- List price US\$ 180.- / EUR 139.-
- *Legal Aspects of Sustainable Development*, 21

The Third Way

A Plea for a Balanced Cannabis Policy

Cyrille J.C.F. Fijnaut and Brice de Ruyver

This volume offers the first English-language analysis of the situation in the Netherlands in order to make a contribution to the international debate on this heated topic. Since the 1960s, the Dutch cannabis policy has been an important point of reference in the international discussion about the policy that should be pursued regarding the use of cannabis.

- July 2015
- ISBN 978 90 04 29318 2
- Paperback (viii, 230 pp.)
- List price EUR 115.- / US\$ 149.-
- *Nijhoff Law Specials*, 87

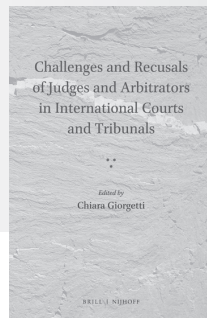
- July 2015
- ISBN 978 90 04 30300 3
- Hardback (xvi, 486 pp.)
- List price US\$ 240.- / EUR 185.-



BRILL | NIJHOFF



BRILL

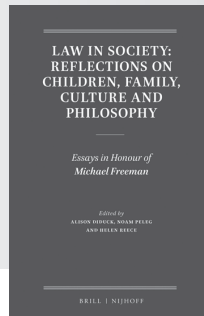


Challenges and Recusals of Judges and Arbitrators in International Courts and Tribunals

Edited by **Chiara Giorgetti**

Challenges and Recusal of Judges and Arbitrators in International Courts and Tribunals provides an in-depth analysis of a fundamental control mechanism of international dispute resolution in the context of some of the main international courts and tribunals. The book also assesses specific grounds and standards for challenging judges and arbitrators, and includes both regional and personal perspectives.

- August 2015
- ISBN 978 90 04 30211 2
- Hardback (xxii, 428 pp.)
- List price US\$ 180.- / EUR 139.-



Law in Society: Reflections on Children, Family, Culture and Philosophy

Essays in Honour of Michael Freeman

Edited by **Alison Diduck, Noam Peleg** and **Helen Reece**

This collection, written by legal scholars from around the world, offers insights into a variety of topics from children's rights to criminal law, jurisprudence, medical ethics and more. It also testaments to the broad range of vision of Professor Michael Freeman, in whose honour the volume was conceived.

- August 2015
- ISBN 978 90 04 26148 8
- Hardback (viii, 678 pp.)
- List price EUR 225.- / US\$ 313.-



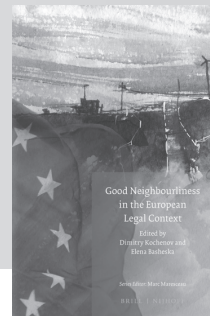
Beyond Parliament

Human Rights and the Politics of Social Change in the Global South

Horman Chitonge

In *Beyond Parliament*, Horman Chitonge, draws from diverse experiences around the rights to water and food in the global South, to illustrate that giving effect to these rights require going beyond parliamentary politics to the radical politics of social change.

- September 2015
- ISBN 978 90 04 22620 3
- Paperback (xviii, 270 pp.)
- List price EUR 95.- / US\$ 123.-
- *Nijhoff Law Specials*, 88



Good Neighbourliness in the European Legal Context

Edited by **Dimitry Kochenov** and **Elena Basheska**

This book delves into the substance and legal nature of the good neighbourly relations principle established in public international law and traces its interpretation and application in various fields of EU law.

- July 2015
- ISBN 978 90 04 29977 1
- Hardback (xxii, 397 pp.)
- List price US\$ 193.- / EUR 140.-
- *Studies in EU External Relations*, 9

BRILL | NIJHOFF



Facebook.com/BrillNijhoff

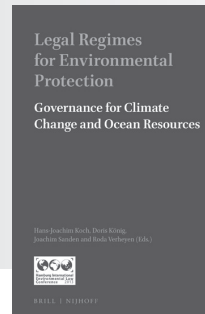
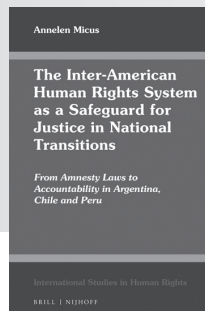
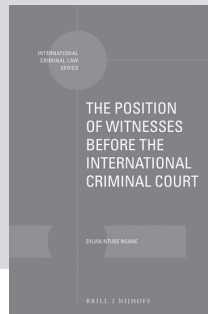


Twitter.com/Brill_Law



Visit our YouTube page: Youtube.com/BrillPublishing

brill.com



International Law in Silver Perspective *Challenges Ahead*

Edited by **Karel Wellens**

In the years to come the international legal order will have to face a broad range of challenges, of both an institutional and substantive nature. That is precisely the focus of this collective volume written by contributors from Flanders and the Netherlands. Although they are specialists in different fields of international law, what unites them is their position as Emeritus professors, with long and respected careers and a wealth of experience and insight.

- September 2015
- ISBN 978 90 04 27167 8
- Paperback (xii, 206 pp.)
- List price EUR 95.- / US\$ 132.-
- *Nijhoff Law Specials*, 90

The Position of Witnesses before the International Criminal Court

Sylvia Ntube Ngane

The book examines the implications of cosmopolitan thought for the functioning of the ICC, and the implications of this for the position of witnesses before the ICC/other tribunals. The cosmopolitan theory becomes a way of critiquing their practice and jurisprudence.

- September 2015
- ISBN 978 90 04 30194 8
- Hardback (xiv, 416 pp.)
- List price EUR 155.- / US\$ 201.-
- *International Criminal Law Series*, 8

The Inter-American Human Rights System as a Safeguard for Justice in National Transitions *From Amnesty Laws to Accountability in Argentina, Chile and Peru*

Annelen Micus

In *The Inter-American Human Rights System as a Safeguard for Justice in National Transitions*, Annelen Micus analyzes the impact of the Inter-American Human Rights System on transitional justice processes in Latin America, with a focus on Argentina, Chile and Peru.

- August 2015
- ISBN 978 90 04 28972 7
- Hardback (xii, 448 pp.)
- List price EUR 170.- / US\$ 220.-
- *International Studies in Human Rights*, 113

Legal Regimes for Environmental Protection *Governance for Climate Change and Ocean Resources*

Edited by **Hans-Joachim Koch, Doris König, Joachim Sanden and Roda Verheyen**

In *Legal Regimes for Environmental Protection* the editors offer important new insights into the legal questions on tackling climate change and the legal instruments available to address maritime environmental problems.

- August 2015
- ISBN 978 90 04 30282 2
- Hardback (viii, 351 pp.)
- List price US\$ 180.- / EUR 139.-



Facebook.com/BrillNijhoff



Twitter.com/Brill_Law



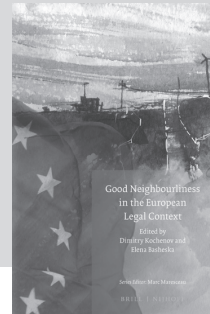
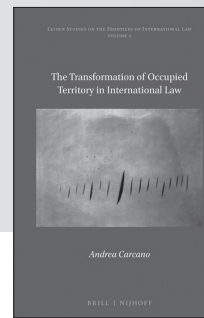
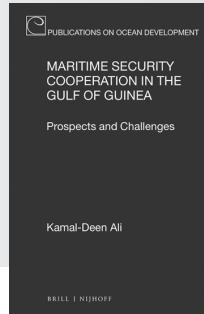
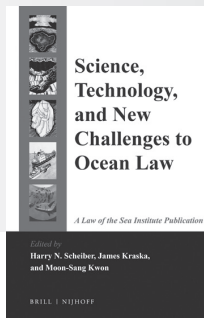
Visit our YouTube page: Youtube.com/BrillPublishing

brill.com

BRILL | NIJHOFF



BRILL



Science, Technology, and New Challenges to Ocean Law

Edited by **Harry N. Scheiber, James Kraska** and **Moon-Sang Kwon**

Sixteen authoritative yet eminently readable chapters offer analyses of major issues in the interfaces of science, technology, and law for the oceans. This volume fills an important gap both in the existing literature on law of the sea and in the more comprehensive field of ocean resource-use studies.

- July 2015
- ISBN 978 90 04 29960 3
- Hardback (x, 482 pp.)
- List price US\$ 199.- / EUR 165.-

Maritime Security Cooperation in the Gulf of Guinea

Prospects and Challenges

Kamal-Deen Ali

In *Maritime Security Cooperation in the Guinea: Prospects and Challenges*, Kamal-Deen Ali provides ground-breaking analyses of the maritime security situation in the Gulf of Guinea.

- August 2015
- ISBN 978 90 04 30103 0
- Hardback (xvi, 372 pp.)
- List price US\$ 193.- / EUR 149.-
- *Publications on Ocean Development, 79*

The Transformation of Occupied Territory in International Law

Andrea Carcano

Building on a broad historical foundation, this study offers a comprehensive treatment of the international law issues that have arisen in connection with, and as a result of, the 'transformative' occupation of Iraq and of their significance for the development of international law.

- August 2015
- ISBN 978 90 04 22787 3
- Hardback (xxx, 540 pp.)
- List price EUR 210.- / US\$ 292.-
- *Leiden Studies on the Frontiers of International Law, 2*

For the Sake of Present and Future Generations

Essays on International Law, Crime and Justice in Honour of Roger S. Clark

Edited by **Suzannah Linton, Gerry Simpson** and **William A. Schabas**

This Festschrift, edited by Professors Suzannah Linton, Gerry Simpson and William Schabas, brings together forty-one distinguished experts to honour Professor Roger Stenson Clark's remarkable contribution to International Law.

- July 2015
- ISBN 978 90 04 27071 8
- Hardback (xxiv, 680 pp.)
- List price EUR 220.- / US\$ 285.-

BRILL | NIJHOFF



Facebook.com/BrillNijhoff



Twitter.com/Brill_Law



Visit our YouTube page: Youtube.com/BrillPublishing

brill.com

VOLUME 51 • NO. 4 • 2013

INTERNATIONAL LEGAL MATERIALS

FEATURING

- 1215 Frontier Dispute (Burkina Faso/Niger) (I.C.J.)
Introductory Note by Thérèse Kij
- 1217 European Commission et al. v. Kadi (E.C.J.)
Introductory Note by Susan D. Brundage
- 1285 Provisional Measures with Regard to El Salvador in the
Matter of B. Inter-Am. C. H.R.)
Introductory Note by Lori Drummer
- 1300 UNCITRAL Rules on Transparency in Treaty-based Investor-
State Arbitration
Introductory Note by Kath Likon
- 1304 Marrakesh Treaty to Facilitate Access to Published Works for
Persons who are Blind, Visually Impaired, or Otherwise Print
Disabled
Introductory Note by Ugo Loren
- 1321 Declaration of the 1st Ministerial Meeting of the Latin
American States Affected by Transnational Interests
Introductory Note by Leonard Stone Brown and Ana Carolina
Cabrera y Silva
- 1327 Tanganyika Law Society and The Legal and Human Rights
Centre v. Tanzania and Rev. Christopher R. Mitalla v.
Tanzania (A.R. C.I. H.R.)
Introductory Note by Alexander S. Marshall



American Society
of International Law

International Legal Materials

A subscription to ILM, which is published online and in print, consists of six issues over the course of 12 months from time of payment. ASIL members receive free online access to the two most recent years' issues of ILM and may add on a print subscription to ILM at a discounted rate.

Published every other month since 1962, *International Legal Materials* (ILM) reproduces primary international legal documents reflecting the broad scope and evolution of international law. Materials are selected – with the advice of the ILM Editorial Advisory Committee and the ILM Corresponding Editors – for their usefulness to scholars, practitioners, and business and government officials. Each issue contains the full texts of important treaties and agreements, judicial and arbitral decisions, national legislation, international organizations resolutions, and other documents.

Visit www.asil.org/ILM to learn more and to subscribe. ASIL member discounts apply.



American Society
of International Law

*Serving International Lawyers.
Strengthening International Law.*

2223 Massachusetts Avenue, NW | Washington, DC 20008 | www.asil.org

ASIL Blogs

The American Society of International Law maintains four blogs to help keep its members as well as the public up to date on the latest news, debates, and programming in the field.

ASIL Forum

ASIL Forum is the institutional blog of the Society. Follow its postings for news of ASIL activities and opportunities, as well as periodic postings on careers in international law.

INTERNATIONAL LAW IN BRIEF

International Law in Brief (ILIB) provides updates on current developments in international law from the editors of ASIL's acclaimed periodical *International Legal Materials*.

AJIL Unbound

AJIL Unbound is an online-only publication and blog of the Society's world renowned *American Journal of International Law*. It features scholarship and commentary from pre-eminent scholars on developments in international law and international relations.

ASIL Cables

ASIL Cables, the online daily reporter for the ASIL Annual Meeting, provides coverage each spring of the Annual Meeting to extend the reach and impact of the Society's most well-known and widely attended yearly event. Summaries of each session held at the Meeting are featured on the blog and available year-round.

Visit the ASIL blogs and join the online conversation at www.asil.org/blogs.



American Society
of International Law

*Serving International Lawyers.
Strengthening International Law.*

2223 Massachusetts Avenue, NW | Washington, DC 20008 | www.asil.org

Howard M. Holtzmann Research Center for the Study of International Arbitration and Conciliation

The Howard M. Holtzmann Research Center for the Study of International Arbitration and Conciliation was established by the American Society of International (ASIL) to serve as an education and research forum for individuals interested in international dispute resolution. Building on the Society's recognized expertise in this growing field, the Center will serve as an indispensable research and education resource, providing cutting-edge, expert information and analysis on significant issues and current developments in the international arbitration field. Center activities will include:

- **Collection of research materials on international arbitration, including Judge Holtzmann's personal library and papers;**
- **A regular program of events, including a speaker series with leading figures and continuing legal education courses on hot topics in the field; and**
- **Working groups and task forces convened to address the key challenges and emerging issues relating to international arbitration.**

The Center is conveniently located at the Society's headquarters and is open to everyone interested in learning more about international arbitration and conciliation.



For more information about the Center and its upcoming programs, please contact D. Wes Rist at dwrisk@asil.org.



The ASIL Holtzmann Center is established in honor of Judge Howard M. Holtzmann. Over the course of his career, Judge Holtzmann has made enormous contributions to the field of international arbitration and conciliation, and mentored scores of young lawyers working in the field. He was central to the American Arbitration Association (AAA) work with the Arbitration Institute of the Stockholm Chamber of Commerce to build an East-West bridge through international arbitration. Notable achievements include: service as a member of the U.S. delegation to the Arbitration Working Group of the UN Commission on International Trade Law (1974-2011), which produced the UNCITRAL Arbitration Rules, the UNCITRAL Conciliation Rules, and the UNCITRAL Model Law on International Commercial Arbitration, and service as a Member of the Iran-U.S. Claims Tribunal (1981-1994). For his pioneering work, the King of Sweden inducted Judge Holtzmann as a Commander of the Royal Order of the Polar Star in 2003. In 2005, he received the Silver Medal of Honor of Vienna, and in 2006, the AAA gave him its highest honor, the Peacemaker Award, for his "work to further peace throughout the world." Judge Holtzmann has been a member of ASIL since 1972.



Africa ILTechIG

ACLIG ILDCIG

ASIL-SE ILRIG

CHAIG ILTIG

DLIG IOIG

DRIG Latin America

GAIG Lieber Society

Human Rights MILIG

ICTIG PILIG

ICLIG RIPIG

IEcLIG TJROLIG

IEEnLIG WILIG

ASIL Community

Connect, Learn, Find, Share, Communicate

Announcing the new online

ASIL Community at

www.asil.org/community

A place where ASIL members can:

- Make discounted purchases from the new ASIL Bookstore
 - Search for and post jobs on the new ASIL Job Board
 - Find fellow ASIL members
 - Join and interact with 30-plus ASIL Interest Groups
- Share their resume, photo, and recent articles with other ASIL members
- Announce news of their recently published books on the ASIL website
 - And much more

To start exploring, simply sign in at asil.org/community.

For assistance with ASIL membership or the ASIL Community, call or write:

+1.202.939.6001 services@asil.org

ASIL Community is a members only, online feature of the
American Society of International Law.



American Society
of International Law

*Serving International Lawyers.
Strengthening International Law.*

2223 Massachusetts Avenue, NW | Washington, DC 20008 | www.asil.org

ASIL Insights



ASIL Insights are a wonderful way for me to learn quickly from people who are knowledgeable and authoritative about recent and ongoing developments in international law, particularly in areas that are a little outside my own area of expertise, so they help me stay abreast, and they make me more effective in my teaching.

Allen Weiner
Senior Lecturer at
Stanford University Law School
and Director of Stanford's
Program in International and
Comparative Law

ASIL *Insights*, the “international law behind the headlines,” provide brief, balanced accounts of the international law issues raised by newsworthy late-breaking events. They cover the gamut of international legal topics, with past articles covering topics such as the legality of intervention in Syria, the United States’ implementation of adverse WTO rulings, and the International Court of Justice’s ruling on Antarctic whaling. ASIL *Insights* are distributed to subscribers and posted on the ASIL website approximately two times a month.

To receive ASIL *Insights*, simply create a guest account at asil.org. To view past *Insights* or propose a new one, visit www.asil.org/Insights.



American Society
of International Law

*Serving International Lawyers.
Strengthening International Law.*

2223 Massachusetts Avenue, NW | Washington, DC 20008 | www.asil.org