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≡ The Oxford Handbook of
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Zixin Meng



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The Oxford Handbook of International Adjudication Karen J. Alter, Cesare P. R. Romano, Yuval Shany, 2013 The post Cold War proliferation of international adjudicatory bodies and international adjudication has had dramatic effects on both international law and politics greatly affecting international relations particularly economic relations the enforcement of human rights and the criminal pursuit of perpetrators of mass atrocities International courts and tribunals have become in some respects the lynchpin of the modern international legal system The Oxford Handbook of International Adjudication uniquely brings together analysis of the legal philosophical ethical and political considerations

The Oxford Handbook of International Adjudication Cesare P. R. Romano, Karen J. Alter, Yuval Shany, 2014-01-16 The post Cold War proliferation of international adjudicatory bodies and increase in litigation has greatly affected international law and politics A growing number of international courts and tribunals exercising jurisdiction over international crimes and sundry international disputes have become in some respects the lynchpin of the international legal system The Oxford Handbook of International Adjudication charts the transformations in international adjudication that took place astride the twentieth and twenty first century bringing together the insight of 47 prominent legal philosophical ethical political and social science scholars Overall the 40 contributions in this Handbook provide an original and comprehensive understanding of the various contemporary forms of international adjudication The Handbook is divided into six parts Part I provides an overview of the origins and evolution of international adjudicatory bodies from the nineteenth century to the present highlighting the dynamics driving the multiplication of international adjudicative bodies and their uneven expansion Part II analyses the main families of international adjudicative bodies providing a detailed study of state to state criminal human rights regional economic and administrative courts and tribunals as well as arbitral tribunals and international compensation bodies Part III lays out the theoretical approaches to international adjudication including those of law political science sociology and philosophy Part IV examines some contemporary issues in international adjudication including the behavior role and effectiveness of international judges and the political constraints that restrict their function as well as the making of international law by international courts and tribunals the relationship between international and domestic adjudicators the election and selection of judges the development of judicial ethical standards and the financing of international courts Part V examines key actors in international adjudication including international judges legal counsel international prosecutors and registrars Finally Part VI overviews select legal and procedural issues facing international adjudication such as evidence fact finding and experts jurisdiction and admissibility the role of third parties inherent powers and remedies The Handbook is an invaluable and thought provoking resource for scholars and students of international law and political science as well as for legal practitioners at international courts and tribunals

[The Oxford Handbook of International Arbitration](#) Thomas Schultz, Federico Ortino, 2020-09-11 This Handbook brings together many of the key scholars and leading practitioners in

international arbitration to present and examine cutting edge knowledge in the field Innovative in its breadth of coverage chapter topics range from the practicalities of how arbitration works to big picture discussions of the actors involved and the values that underpin it The book includes critical analysis of some of international arbitrations most controversial aspects whilst providing a nuanced account overall that allows readers to draw their own informed conclusions The book is divided into six parts after an introduction discussing the formation of knowledge in the field Part I provides an overview of the key legal notions needed to understand how international arbitration technically works such as the relation between arbitration and law the power of arbitral tribunals to make decisions the appointment of arbitrators and the role of public policy Part II focuses on key actors in international arbitration such as arbitrators parties choosing arbitrators and civil society Part III examines the central values at stake in the field including efficiency legal certainty and constitutional ideals Part IV discusses intellectual paradigms structuring the thinking in and about international arbitration such as the idea of autonomous transnational legal orders and conflicts of law Part V presents the empirical evidence we currently have about the operations and effects of both commercial and investment arbitration Finally Part VI provides different disciplinary perspectives on international arbitration including historical sociological literary economic and psychological accounts

The Oxford Handbook of International Law in Armed Conflict Andrew Clapham, Paola Gaeta, Tom Haeck, Alice Priddy, 2014-03-13

Over the past ten years the content and application of international law in armed conflict has changed dramatically This Oxford Handbook provides an authoritative and comprehensive study of the role of international law in armed conflict and engages in a broad analysis of international humanitarian law human rights law refugee law international criminal law environmental law and the law on the use of force With an international group of expert contributors the Handbook has a global multi disciplinary perspective on the place of law in war The Handbook consists of 32 chapters in seven parts Part I provides the historical background of international law in armed conflict and sets out its contemporary challenges Part II considers the relevant sources of international law Part III describes the different legal regimes land warfare air warfare maritime warfare the law of occupation the law applicable to peace operations and the law of neutrality Part IV introduces crucial concepts in humanitarian law the use of weapons proportionality the principle of distinction and internal armed conflict Part V looks at rights issues life torture fair trials the environment economic social and cultural rights the protection of cultural property and the human rights of members of the armed forces Part VI covers key issues in times of conflict the use of force terrorism unlawful combatants mercenaries forced migration and issues of gender Part VII deals with accountability for war crimes the responsibility of non state actors compensation before national courts and finally transitional justice

The Oxford Handbook of Comparative Judicial Behaviour, 2024-10-18 These are momentous times for the comparative analysis of judicial behaviour Once the sole province of U S scholars and mostly political scientists at that now researchers throughout the world drawing on history economics law and psychology are illuminating how and why

judges make the choices they do and what effect those choices have on society Bringing together leading scholars in the field The Oxford Handbook of Comparative Judicial Behaviour consists of ten sections each devoted to important subfields fundamentals providing overviews designed to identify common trends in courts worldwide approaches to judging data methods and technologies staffing the courts advocacy litigation and appellate review opinions relations within between and among courts judicial independence court and society and frontiers of comparative judicial behaviour dedicated to expanding on opportunities for advancement Rather than focusing on particular courts countries or regions the organization of the individual chapters is topical Each chapter explores an important topic critically evaluating the state of that topic and identifying opportunities for future work While the forty two chapters share a common interest in explaining the causes and effects of judicial choices the range of approaches to comparative research is wide inclusive and interdisciplinary from contrasts and similarities to sophisticated research agendas reflecting the emerging field of judicial behaviour around the world

Weaponising Evidence Margherita Melillo, 2024-02-01 Weaponising Evidence provides the first analysis of the history of the international law on tobacco control By relying on a vast set of empirical sources it analyses the negotiation of the WHO Framework Convention on Tobacco Control FCTC and the tobacco control disputes lodged before the WTO and international investment tribunals Philip Morris v Uruguay and Australia Plain Packaging The investigation focuses on two main threads the instrumental use of international law in the warlike confrontation between the tobacco control advocates and the tobacco industry and the use of evidence as a weapon in the conflict The book unveils important lessons on the functioning of international organizations the role of corporate actors and civil society organizations and the importance and limits of science in law making and litigation

The Ghostwriters Tommaso Pavone, 2022-04-07 The European Union is often depicted as a cradle of judicial activism and a polity built by courts Tommaso Pavone shows how this judge centric narrative conceals a crucial arena for political action Beneath the radar Europe's political development unfolded as a struggle between judges who resisted European law and lawyers who pushed them to embrace change Under the sheepskin of rights conscious litigants and activist courts these Euro lawyers sought clients willing to break state laws conflicting with European law lobbied national judges to uphold European rules and propelled them to submit noncompliance cases to the European Union's supreme court the European Court of Justice by ghostwriting their referrals By shadowing lawyers who encourage deliberate law breaking and mobilize courts against their own governments The Ghostwriters overturns the conventional wisdom regarding the judicial construction of Europe and illuminates how the politics of lawyers can profoundly impact institutional change and transnational governance

Governing Cross-Border Data Flows Svetlana Yakovleva, 2024-02-27 Governing Cross Border Data Flows explores how the European Union can simultaneously reconcile and pursue two important legal and policy objectives namely protecting fundamental rights guaranteed under the EU Charter of Fundamental Rights EU Charter concerning privacy and personal data while also maintaining and developing a binding rules

based global trading system to ensure appropriate access to foreign digital markets for EU businesses The book demonstrates a significant conflict between international trade law and European data privacy law when it comes to the governance of cross border flows of personal data To resolve the tensions caused by this clash the book proposes concrete and detailed ways to ameliorate the situation from both ends international trade and personal data protection specifically through reforms of both international trade and chapter V of the General Data Protection Regulation GDPR To explain how such reforms could be effectuated Yakovleva examines the role of discourse in the evolution of trade law in the last two decades The book also paves the way for the further research necessary to design a fully fledged reform proposal of the EU framework for the transfer of personal data outside the European Economic Area [The Oxford Handbook of International Law in Europe](#), 2024-11-19 This handbook provides a comprehensive account of how international law is understood and practiced in Europe which is defined for the purposes of the book as Council of Europe countries in the past and in the present It is separated into parts covering Europe s values intellectual traditions and institutions as well as examinations of European countries and regions A diverse group of leading scholars and practitioners of international law are led by three overarching focus points the success and failures of the pacifying effect of international law the diversity of international legal experiences and traditions within Europe and the impact of European ideas on international law globally By examining these areas the book also analyses Europe s changing role in the world and the impact of global influences on the understanding of international law in European countries The book is a study of regionalism in international law but also a study of the impact of a region which at least historically has had an overwhelming influence on the development and interpretations of international law **Netherlands Yearbook of International Law 2021** Daniëlla Dam-de Jong, Fabian Amtenbrink, 2023-04-27 This book engages with international legal responses to the global environmental crisis Humanity faces a triple planetary crisis consisting of the interlinked problems of climate change depletion of biological diversity and pollution The chapters in this volume of the Netherlands Yearbook of International Law address important questions of how and to what extent these environmental concerns have been integrated into international law who or what drives these developments and what all of this tells us about international law s ability to tackle the challenges that a deteriorating environment brings for the future of life on Earth The strength of the volume is that it brings together a wide range of perspectives on the greening phenomenon in international law It includes perspectives from international environmental law human rights law investment law financial law humanitarian law and criminal law Moreover it raises important questions regarding the validity of the predominant approach in international law to the protection of nature By providing such a wide range of perspectives on international legal responses or lack thereof to the environmental crisis the volume seeks to engage scholars and practitioners from a variety of disciplines It invites readers to compare the state of the art across disciplines and to reflect on ways to strengthen international law s responses to the environmental crisis Furthermore as has become

standard for the Netherlands Yearbook of International Law the second part consists of a section on Dutch practice in international law The Netherlands Yearbook of International Law was first published in 1970 It offers a forum for the publication of scholarly articles in a varying thematic area of public international law Chapter 3 is available open access under a Creative Commons Attribution 4.0 International License via link [springer.com](https://www.springer.com)

Community Interests Across International Law Eyal Benvenisti, Georg Nolte, Keren Yalin-Mor, 2018 To what extent are states expected to take into account the interests of others when conducting relations with other states This is the question examined by this book as it considers the various manifestations of what has been described as community interests in areas regulated by international law

Overlapping Individual and Interstate Claims in International Law Jessica Howley, 2024-08-07 Mechanisms for individuals to bring claims under international law have become increasingly common in recent decades particularly in human rights and investment law Nonetheless when the International Law Commission codified the law of State responsibility it largely ignored the bringing of international claims by individuals and the relationship between such claims and those brought on the interstate level Overlapping Individual and Interstate Claims in International Law is the first dedicated monograph examining this relationship one that is of mounting importance on both a practical and theoretical level This work provides a comprehensive survey of the potential for overlapping individual and interstate claims to arise It underlines issues of fairness consistency and interference with autonomy that can result when multiple claimants vie to have their claims determined before different forums The author analyses in detail how treaty provisions and various rules and principles of international law can be expected to regulate such overlapping claims considering among others the local remedies rule the rule precluding double recovery *res judicata* waiver and certain circumstances precluding wrongfulness The book clarifies the nature of international claims including in the theoretically muddled field of diplomatic protection and highlights undertheorized foundations of topical debates concerning the use of countermeasures and self defence outside of the interstate arena It concludes with a human rights oriented proposal for resolving the complex policy issues to which these overlapping claims give rise

The Politics of International Law and Compliance Nikolas M. Rajkovic, 2012-01-30 Leading the debate on the domestic effect of the growing influence of international adjudication this invaluable text examines Serbia and Croatia's erratic record of compliance with the International Criminal Tribunal for the Former Yugoslavia (ICTY) Since the demise of the Milosevic and Tudjman regimes Serbian and Croatian governments have been inconsistent in cooperating with the ICTY despite the conditions of EU membership and US financial incentives This study reconstructs events before during and after extradition to build up a picture of the complex politics involved in ICTY relations and provides a conceptual framework to study compliance in international relations and law Through this analysis a historical tracing of varied factors of political influence and a conceptualization of compliance is provided resulting in a rich interdisciplinary work embracing political science international relations and social theory By scrutinizing the social

meanings and political practices which become attached to prescribed norms in compliance processes this book provides a highly relevant insight into contemporary meanings of compliance Politics of International Law and Compliance will be of interest to students and scholars of politics international relations and international law and European politics **State Immunity and International Investment Law** Zixin Meng,2022-07-09 The book provides a sophisticated analysis of state immunity from an enforcement perspective It covers all relevant legal techniques of enforcing an arbitral award against a sovereign state Besides tackling the plea of state immunity through the courts this book also covers notable non judicial remedial measures which may aid the aggrieved investors in satisfying their claims against state parties to a dispute These measures may be used either to enhance the effectiveness of judicial remedies or as stand alone remedies when legal measures seem or prove to be ineffective After having identified problems arising from a lack of universal agreement on state immunity and the diversity and more dishearteningly the inadequacy of forms of enforcement available to an aggrieved claimant this book proposes a new approach to solve state immunity issues The international community must work towards the setting up of a central enforcement agency a functional model of enforcement *The Oxford Handbook of Law and Anthropology* Marie-Claire Foblets,Mark Goodale,Maria Sapignoli,Olaf Zenker,2022-04-01 The Oxford Handbook of Law and Anthropology is a ground breaking collection of essays that provides an original and internationally framed conception of the historical theoretical and ethnographic interconnections of law and anthropology Each of the chapters in the Handbook provides a survey of the current state of scholarly debate and an argument about the future direction of research in this dynamic and interdisciplinary field The structure of the Handbook is animated by an overarching collective narrative about how law and anthropology have and should relate to each other as intersecting domains of inquiry that address such fundamental questions as dispute resolution normative ordering social organization and legal political and social identity The need for such a comprehensive project has become even more pressing as lawyers and anthropologists work together in an ever increasing number of areas including immigration and asylum processes international justice forums cultural heritage certification and monitoring and the writing of new national constitutions among many others The Handbook takes critical stock of these various points of intersection in order to identify and conceptualize the most promising areas of innovation and sociolegal relevance as well as to acknowledge the points of tension open questions and areas for future development The Oxford Handbook of the History of Crime and Criminal Justice Paul Knepper,Anja Johansen,2016 The Oxford Handbook of the History of Crime and Criminal Justice provides a systematic and comprehensive examination of recent developments across criminology and criminal justice Chapters examine methodological and theoretical approaches to criminology on going debates and controversies and contemporary issues such as drug trafficking terrorism and the intersections of gender race and class in the context of crime and punishment **The Oxford Handbook of Criminal Process** Darryl K. Brown,Jenia Iontcheva Turner,Bettina Weisser,2019-02-22 The Oxford Handbook of Criminal Process surveys the topics and issues in the

field of criminal process including the laws institutions and practices of the criminal justice administration The process begins with arrests or with crime investigation such as searches for evidence It continues through trial or some alternative form of adjudication such as plea bargaining that may lead to conviction and punishment and it includes post conviction events such as appeals and various procedures for addressing miscarriages of justice Across more than 40 chapters this Handbook provides a descriptive overview of the subject sufficient to serve as a durable reference source and more importantly to offer contemporary critical or analytical perspectives on those subjects by leading scholars in the field Topics covered include history procedure investigation prosecution evidence adjudication and appeal

Governance of Digital Single Market Actors Katja Weckström, Maria L. Montagnani, Katarzyna Klafkowska-Waśniowska, 2025-05-14 This book explores the digital future of the EU critically analysing the governance of digital single market actors and the platform economy It discusses notions of freedom responsibility and accountability examining the circulation of unlawful content through the broad lens of digital governance This title contains one or more Open Access chapters

Manual on International Courts and Tribunals Ruth Mackenzie, Cesare P. R. Romano, Yuval Shany, Philippe Sands, 2010 The dramatic rise in the number of international courts and tribunals and the expansion of their legal powers has been one of the most significant developments in international law of the late 20th century The emergence of an international judiciary provided international law with a stronger than ever law enforcement apparatus and facilitated the transformation of many aspects of international relations from being power based to being law based The first edition of the Manual on International Courts and Tribunals published in 1999 was the first book to survey systematically this new institutional landscape by describing in an accessible and uniformly structured manner the legal powers and operating procedures of all major international judicial and quasi judicial bodies In doing so it laid the groundwork for comparative study and research of the law and practice of international courts and tribunals an emerging field of international legal research which has already spurred a series of publications conferences and academic courses This second edition updates the first edition by describing the many legal changes that have taken place in the last decade including important reforms in the laws and procedures of many international courts and tribunals relevant developments in their increasingly rich jurisprudence and the creation of new judicial fora Moreover it assesses the overall record of these judicial bodies The data and legal analysis offered in the book provide both practitioners and academics with an important basis of knowledge that will help them better understand the details of international adjudication and its context

The Oxford Handbook of Professional Economic Ethics George DeMartino, Deirdre N. McCloskey, 2016 This volume brings together leading figures in economics professional ethics and other relevant fields to explore questions related to the nature of ethical economic practice and the adoption and content of professional economic ethics It explores current thinking that has emerged in these areas while widening substantially the terrain of inquiry into economic ethics There has never been a volume that poses so directly and intensively the question of

the need for and content of professional ethics for economics The Handbook incorporates the work of a wide array of scholars including economists from various theoretical traditions economists from academia economists from other fields where practicing economists have a large social impact and professional ethicists from fields that have addressed the nature of professionalism and its implications for ethical practice

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