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(Abstracts in this Bulletin have been significantly edited for brevity)

The Due Diligence Standard and Violence Against Women

Stephanie Farrior
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Interights Bulletin, Vol. 14, No. 4, 2004

"Due diligence" is the standard often used to determine what actions states should take to address violence against women, including domestic violence. This article explains the development of the concept of due diligence in international human rights law, addresses what measures states are to take to meet their due diligence obligation, and discusses some of the jurisprudence of United Nations and regional human rights bodies that have applied the standard.

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Reclaiming the Right to Food as a Normative Response to the Global Food Crisis

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Yale Human Rights and Development Law Journal, Vol. 13, p. 403, 2010
NYU School of Law, Public Law Research Paper

The number of hungry in the world has crossed the one billion mark, a dubious milestone that has been attributed in large part to consecutive food and economic crises. Over ninety-eight percent of these individuals live in the developing world. Ironically, a great majority are involved in food production as small-scale independent food producers or agricultural laborers. These facts and figures

* Donald K. Anton, The Australian National University College of Law. This digest draws on independent research together with information gleaned from the RSS feeds of a host of international law publishers, law libraries, and blogs, especially Jacob Katz Cogan's International Law Reporter and Lawrence Solum's Legal Theory Blog.
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signal a definitive blow to efforts to reduce global hunger and lift the world's poorest from abject and dehumanizing poverty. They also bring to light the deep imbalance of power in a fundamentally flawed food system. This Comment explores both the urgency and paucity of the "right to food" as a legal and normative framework for addressing the current food crisis. It begins with an articulation of the contours and limits of the right to food under international human rights law. It then explores how powerful states, international financial institutions, and transnational corporations affect the right to food globally. The Comment concludes by addressing particular doctrinal challenges that are essential to reclaiming the right to food as a relevant normative framework under economic globalization.

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From Bilateralism to Publicness in International Law

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Melbourne Law School

ESSAYS IN HONOUR OF BRUNO SIMMA, p. 79, Ulrich Fastenrath, Rudolf Geiger, Daniel-Erasmus Khan, Andreas Paulus, Sabine von Schorlemer & Christoph Vedder, eds., Oxford University Press, 2011
NYU School of Law, Public Law Research Paper No. 11-07

This chapter, written with much pleasure in Bruno Simma's honour, seeks to explore the ideas embedded in Simma's notion of a move toward 'a true public international law' or 'a contemporary international legal order which is strongly influenced by ideas of public law.' We argue for two distinct but overlapping meanings of 'public' in this context. The first is an international law that is 'inter-public' law, being made by and for a set of entities (primarily States) that are not merely 'actors' (in the jargon of international relations), but public entities operating under public law. The second is a quality of publicness in law that is also becoming part of understandings of international law of the sort Bruno Simma has enunciated. Neither of these ideas - inter-public law and publicness - are commonplace or widely accepted in international law. We argue, however, that they represent important dimensions in current and future international law. We observe some tension between Bruno Simma's idea of an 'international community' based on shared interests and the concepts underlying 'inter- public law', and we heretically suggest that the idea of 'international community' may become something of a by-way on the path to developing a theoretical basis for the dense and intrusive rules and institutions and governance processes serving multiple interests and constituencies that more and more characterise international law. We argue that it is fundamental for any publicly-oriented approach to international law to be built on an adequately-theorized account of the concept of law and the roles of law.

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A Fetishised Gift: The Legal Status of Flags

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Griffith Law Review, Vol. 19, No. 3, pp. 504-526, 2010

Accounts of the relationship between flags and the law have focused on a narrow strain of contentions drawn from debates about political expression. This essay seeks to bridge the gap between cultural studies insight into nationalism and its symbolics, and the flag's legal status, to better understand the unique position occupied by national flags. In doing so it draws particularly on United States, Australian and New Zealand law and practice. . . .

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Human Rights in a Warmer World: The Case of Climate Change Displacement

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LUP Working Paper No. 2011-01-28

The aim of this study is to place the recent debate concerning global warming in a human rights context. As ever more alarming prognoses have been presented by climatologists and environmental experts, the author has been struck by the fact that the debate on the human rights consequences of climate change has only recently commenced. While the considerable work being done on climate change is welcome, what would a rights-based analysis add to the debate? It is the author's belief that, if the on-going climate change negotiations were supplemented by a human rights framework, the impact of climate change on individuals and groups who are at risk could be described in such a way as to oblige states to meet the needs of populations at risk. Moreover, human rights can provide added content and greater specificity when discussing states' responsibilities, even towards those outside their own boundaries. Given the social justice aspects of climate change, broadly speaking that the poorest inhabitants of our planet will suffer most the consequences of the wealth of the richest, this feels particularly urgent.

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Climate Change, Courts, and the Common Law

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Not just a system of checks and balances ideally tuned to constrain collective political action, the constitutional separation of powers also may be seen as a system of "prods and pleas" in which distinct governmental branches and actors can push each other to entertain collective political action when necessary. Though an inversion of the assumed direction of checks and balances, such prods and pleas are not a radical reconfiguration of the basic structure and principles of American government. Rather, they are limited government's failsafe: a latent capacity inherent to a system of divided authority that does and should activate when the external pressures of a changing world threaten the sustainability of disaggregated governance. By understanding and embracing their role in the shadow logic of prods and pleas, judges and other public officials can protect limited government by, when necessary, counteracting its potential to over-prefer passivity.

Through the case study of climate change nuisance litigation — particularly American Electric Power v. Connecticut, a case pending in the Supreme Court of the United States — we examine how three potential obstacles to merits adjudication — political question doctrine, standing, and preemption — should be evaluated in recognition of the significance of prods and pleas. We conclude that federal and state tort law provide an important defense mechanism that can help limited government sustain itself in the face of climate change and other dramatic twenty-first century threats, where the nature of the threat is, in large part, a function of limited government itself. As a residual locus for the airing of grievances when no other government actor is responsive to societal need, the common law of tort is a — and perhaps the — paradigmatic vehicle for the expression of prods and pleas. Although climate change plaintiffs still face long odds on the actual merits of their claims, judges would sell short their institutional role if they dismissed such claims as categorically beyond the proper domain of the courts and the common law. They would duck and weave when they should prod and plea.

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Victims of Environmental Pollution in the Slipstream of Globalization

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In this contribution we set out to answer the question whether a transnational response to relieve the need of victims of transnational environmental pollution is required, and if so, what response would be in order. The first part of the question should be answered with a firm "yes." It is clear from the Trafigura case that the victims and the people that try to represent them meet a range of obstacles when trying to hold both the polluters and government agencies which did not correctly apply existing law accountable for their (in)action(s). The case study shows that, entirely within itself, there exist plenty of legal rules designed to protect the environment in developing countries from shipments of waste from the developed parts of the world. The problem is all about the lack of enforcement and the lack of possibilities for the victims to access various countries' judicial systems in order to get compensation for their loss. In our view, the current legal system, both nationally and internationally, is not well-equipped to handle cases of transnational pollution, especially when developing countries are involved. In this paper we show that within Europe, both EU law and the European Convention of Human Rights do offer some possibilities, but for African victims these are difficult, if not impossible, to effectuate.

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Giving Priority to Sex Crime Prosecutions at International Courts: The Philosophical Foundations of a Feminist Agenda

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International Criminal Law Review, Forthcoming
Temple University Legal Studies Research Paper

In light of serious resource constraints, international criminal courts are required to select a small number of crimes for prosecution, leaving others to national courts or, more often, impunity. In recent years, feminists have advocated that such courts give priority to prosecuting sex crimes even at the expense of other serious crimes, including those involving killing. Many international prosecutors have headed this call, placing special emphasis on the prosecution of sex crimes. At the same time, empirical evidence shows that many people consider sex crimes less serious than crimes resulting in death. There is thus a need to ground the selection of sex crimes for prosecution in the purposes of international criminal law. This essay examines the four primary philosophical bases advanced for international prosecutions – retribution, deterrence, expressivism, and restorative justice – to determine how they inform decisions whether to give priority to sex crime prosecutions. It concludes that retribution and deterrence support such selections at least some of the time, and expressivism and restorative justice provide an even stronger foundation for giving priority to sex crimes.

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Reflections on the Establishment of a Framework to Promote, Protect and Monitor Implementation of the UN Convention on the Rights of Persons with Disabilities (Article 33(2) CRPD) by the European Union

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Maastricht Faculty of Law Working Paper No. 2011-3

Article 33(2) CRPD requires States Parties to establish a "framework" which will "promote, protect and monitor implementation" of the Convention. . . . At present there does not exist one EU body or institution which has a mandate that would allow it to carry out the full range of tasks associated with

"promoting, protecting and monitoring" implementation of the Convention. However, there exist a number of bodies which may be capable of carrying out elements of these tasks. The purpose of this paper is to reflect on the role which specific EU institutions could play in the implementation and monitoring framework. The following key institutions are examined: the European Union Agency for Fundamental Rights; the European Ombudsman; and the Court of Justice of the European Union. For each institution, it is reflected on what role, if any, they could play in each of the three core tasks of promoting, protecting and monitoring implementation, and the extent to which the institution in question complies with the Paris Principles. In addition, the potential role of a number of other EU institutions, including the European Parliament, is also considered.

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Unravelling the Confusion Concerning Successor Superior Responsibility in the ICTY Jurisprudence

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Leiden Journal of International Law, Vol. 23, No. 1, pp. 105-135, 2010

The recent jurisprudence of the ICTY concerning the proper interpretation of the doctrine of superior responsibility under Article 7(3) of the ICTY Statute has been stifled by division and uncertainty. In particular, the question of the responsibility of successor superiors for crimes committed by their subordinates prior to taking command has led to a number of 3-2 majority decisions. This paper seeks to reconcile the divergent judicial opinions by moving away from a narrow analysis of successor superior responsibility, instead focusing on the determination of the underlying nature of the doctrine of superior responsibility. While a polarity of opinions also exists in relation to the nature of the doctrine of superior responsibility, this paper argues that the opinions can be reconciled by adopting a more principled approach to customary international law, an approach justified by the international criminal law context. Such an approach involves two elements: first, ensuring that a clear distinction is drawn between international humanitarian and international criminal legal concepts; and, second, the invocation of the principle of individual culpability as a standard against which the weight to be attributed to authorities evidencing custom ought to be assessed. A principled approach would enable the identification of the nature of the doctrine of superior responsibility while ensuring that the doctrine reinforces international criminal law principles rather than acts as an exception to them; in addition, by determining the nature of the doctrine of superior responsibility, the principled approach would unravel the confusion concerning successor superior responsibility in the ICTY jurisprudence.

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Sustainable International Investment Agreements: Challenges and Solutions for Developing Countries

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SUSTAINABLE DEVELOPMENT IN WORLD INVESTMENT LAW, Marie-Claire Cordonier Segger, Markus W. Gehring and Andrew Newcombe, eds., Alphen aan den Rijn: Kluwer Law International, 2011

In this book chapter, Mayeda reviews how developing countries can use international investment agreements (IIAs) to promote their sustainable development policies. He first identifies some of the deficiencies of existing models, and then suggests new provisions that developing countries should consider including in future IIAs in order to provide them more policy flexibility to deal with political, social and economic emergencies. Suggestions include integrating principles of sustainable development into the preamble and objectives of these agreements, as well as modifying typical substantive provisions such as MFN, national treatment, the prohibition on expropriation and fair and equitable treatment in order to enable developing countries to protect the environment and promote human rights. The author also explores how environmental and social impact assessments can be integrated into the investment approval process. Finally, the author addresses effective enforcement

mechanisms, including liability for investors in their home state, international liability under the treaty, and liability in the host state.

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Do You Mind My Smoking? Plain Packaging of Cigarettes Under the WTO TRIPS Agreement

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John Marshall Review of Intellectual Property Law, Vol. 10, No. 3, 2011

Plain packaging, a new tobacco control tool that is currently being considered by a growing number of countries, mandates the removal of all attractive and promotional aspects of tobacco product packages. As a result, the only authorized feature remaining would be the use of brand name, which would be displayed in a standard font, size, color and location on the package. In opposing this new strategy, the tobacco industry is particularly keen in emphasizing both the ineffectiveness of plain packaging in reducing smoking rates and its incompatibility with international trademark-related provisions. In particular, the tobacco industry as well as other regulated sectors, such as food, alcohol, and cosmetics, believe that plain packaging jeopardizes their trademark rights and particularly contravenes several trademark-related provisions as enshrined in the TRIPS Agreement and the Paris Convention for the Protection of Industrial Property. This article, after introducing the reader to the genesis and rationale of plain packaging within the broader context of the WHO Framework Convention on Tobacco Control, offers a detailed analysis of the compatibility of this new packaging measure with the international system for trade mark protection as enshrined in the TRIPS.

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The Rise and Fall of Comparative Constitutional Law in the Postwar Era

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Yale Journal of International Law, Vol. 36, p. 1, 2011

In the first few decades after World War II, comparative constitutional law rose to a prominent position in American law schools, only to disappear in many ways in the years after the Warren Court in part because of the Court's decisions. During the years after World War II, Justices of the Supreme Court (from William Douglas to Felix Frankfurter to Earl Warren) and deans of major American law schools (like Harvard Law School Dean and later Nixon Solicitor General Erwin Griswold) traveled the country and the world encouraging everyone to examine the constitutional law of other countries. Law reviews featured many articles about comparative constitutional law, sometimes nearly as many as about decisions of the United States Supreme Court. With time, though, the attention devoted to the Warren Court and the Court's decisions led to a substantial disappearance of comparative constitutional law from the American legal world. This Article discusses this previously undiscovered history of comparative constitutional law and the reasons for the substantial disappearance of this field for long periods of the history of American law schools. This lost history can also teach us much about constitutional law scholarship in the United States, because many of the major developments in constitutional scholarship had actually been tried elsewhere - yet these developments went mostly unnoticed in the United States. In order to prevent this situation from recurring, this Article suggests new reforms to American legal education.

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International Courts: Uneven Judicialization in Global Order

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CAMBRIDGE COMPANION TO INTERNATIONAL LAW, J. Crawford and M. Koskenniemi, eds., 2011
NYU School of Law, Public Law Research Paper No. 11-05

'Law without courts' seemed to Hugo Grotius an entirely coherent approach to the juridification of international relations. The first edition of his Law of War and Peace (1625) reflects an intense commitment to framing claims and rules for conduct outside the state in terms of legal rights and duties, but not to judicialization, even though arbitration between sovereigns was addressed in earlier works he had read, such as Alberico Gentili's Law of War (1598). Yet in modern times international judicialization – the creation and use of international courts and tribunals – has been not only a significant component of liberal approaches to international order, but for some thinkers an indispensable concomitant of juridification. Section I of this chapter provides an overview of the waves, and accretion, in the formation of what are now ten basic types of international courts. Section II offers some balance to the tendencies (implicit in the approach taken in Section I) to acclaim each flourishing legal institution as an achievement and to study only what exists, by considering the marked unevenness in the issues, and in the ranges of states, currently subject to juridification through international courts and tribunals. Section III addresses the question whether the density and importance of the judicially-focused juridification that now exists has implications for politics, law, and justice that are truly significant and qualitatively different from what has gone before. This is explored by examining some of the main roles and functions of international courts, considered not simply as a menu but as a complex aggregate. Section IV concludes.

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Enhanced Multi-Level Protection of Human Dignity in a Globalized Context Through Humanitarian Global Legal Goods

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The human rights field has undergone impressive developments, but formally it is still built upon a State-centered premise that may be at odds with what the protection of human beings demands nowadays, because those rights cannot be fully protected unless it is acknowledged that they can be violated by actors different from States and that their protection requires the contribution of several actors given the global challenges posed against them. Therefore, departure from a State centered paradigm and an isolationist view of legal systems is essential. . . . By focusing on their aim, it is possible to identify norms protective of human dignity that protect legal interests and values whose protection is coincident in legal systems that interact in a global space. These legal goods are common to different legal systems, and from them flow implied duties that bind both State and non-state actors alike. These legal principles are embodied in norms that protect humanitarian goods that, given their global nature, exerting their influence across actors and legal systems, may coordinate the action of entities in different legal systems and offer a more comprehensive protection to human dignity. . . .

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A Critical Assessment of the Performance of the International Criminal Court (2002 - 2008)

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It is argued that though the ICC has wrought some positives in its operation, there is need to revise its model. It is willingly conceded that the international community may not be keen on such a proposal, given the amount of time and compromise it took to establish the Court. This in itself cannot entirely defeat the premise of this work, as it represents a proposal for reform- something

even the drafters of the Court's Statute saw fit to provide for. It is submitted that the challenges the Court has met mostly reveal it as one based on a rigid mechanism. This justifies a shift from its current centralized model to a more flexible and localized alternative. Such an alternative model shall work more effectively in discharging the mandate contained in the Statute of Rome. Chapter 2 critically analyses the Court's performance in the discharge of its mandate under the Statute. It highlights the three main factors that have hindered the working of the Court. Analysis of the numbers involved; State Parties to the Statute, referrals to the Court, warrants of arrest issued and the trials prosecuted, shall clarify the picture relating to what the Court has actually done in the past six years. Finally, it shall propose a workable, flexible Court model designed to negate these modern day challenges to a bare minimum.

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'Absolute Prohibition of Torture': A Myth or Reality?

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Torture has regained currency and been subject of scholarly debates after the terrorist attacks in New York. 'Absolute prohibition of torture' is recognised in International Law but yet it is being practised in a significant number of societies. This dissertation is an attempt to explore whether this status is being respected in reality. The starting point would be tracing brief history of torture practices (Chapter1), most accepted definition of torture would be analysed with its definitional shortcomings (Chapter2) and then would be highlighted the development of the consensus among the states on 'absolute prohibition of torture' (Chapter 3). Different justifications brought forward by different states, on one pretext or the other such as national security and in the larger public interest, for their acts of derogation from the principled stand of 'absolute prohibition of torture' would be viewed (Chapters 4 and 5). Social impacts of torture and inhuman practices would also be analysed to see the advantages and disadvantages gained out of these practices. Civil libertarians and human rights activists arguments in support of absolute prohibition of torture - a deontological commitment and approach - would be analysed in the light of some real life scenarios - a teleological concern (Chapter 6). Before concluding this dissertation it would be assessed that whether 'absolute prohibition of torture' is a myth or reality (Chapter7). Finally, the conclusion will bring forward few suggestions to assert that 'absolute prohibition of torture' approach must be followed in letter and spirit.

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Weak States and Terrorist Organizations: A Proposed Model of Intervention

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Bar Ilan Univ. Pub Law Working Paper

The war on terrorism in the post 9/11 reality brings constant challenges to jurists. One of these challenges deals with terrorist organizations like al-Qaida that build terrorist infrastructure in various parts of the Third World, such as in Africa and the Middle East where the central government is either weak or absent. Be it in parts of Sudan or in Yemen the vast areas that give ample hiding ground for terrorists coupled with a weak government that can't stop Al-Qaida make them a heaven for terrorists. This article raises the question what can be done in such a scenario? . . . We argue that in a situation where a state does not have the ability to control parts of its territory taken by terrorists which are using it as a base of operation to launch attacks on a third state, this failure to act raises the right of self-defense to the attacked party. When a state loses its sovereignty to a terrorist organization and it cannot fulfill its duties, it forfeits some of the privileges that sovereignty entails. However since this inaction is not a voluntary one, the actions against the terrorist organization thus infringing on the sovereignty of the weak state should be gradual and allow the weak state the opportunity to resume its capacity as a sovereign state. We suggested a list of tactical measures that have a lesser effect on sovereignty and allow the weak state to choose between acting against the terrorist entity or allowing the intervening force to do so on its behalf.

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Human Dignity as a Constitutional Concept in Germany and in Israel

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Israel Law Review, Vol. 44, 2011

The article applies comparative law tools in order to portray eight significant aspects of the constitutional right for human dignity in Germany and in Israel. The aspects which are considered are: the constitutional status of human dignity; the nature of the right; its effect on other constitutional rights; its scope and definition; waiver of human dignity; human dignity after death; negative and positive aspects of the right; and the right to asylum. . . .

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Sustainable Development, State Sovereignty and International Justice

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SUSTAINABLE DEVELOPMENT: ON THE AIMS OF DEVELOPMENT AND CONDITIONS OF SUSTAINABILITY, pp. 70-83, W. Lafferty, Oluf Langhelle, eds., Houndsmills: MacMillan, 2011

The right to development gained broad attention in the mid 1980s: The UN recognized a human right to development in 1986 , and the World Commission on Environment and Development presented its conclusions regarding sustainable development in 1987. The Commission, chaired by Gro Harlem Brundtland, declared that sustainable development is an overriding requirement for national and supranational institutions. We must promote "development that meets the needs of the present without compromising the ability of future generations to meet their own needs" (WCED 1987:43). The Commission goes on to address conflicts between the claims of today's poor and tomorrow's environment. To be sure, the environment often improves by eradicating poverty: "Poverty reduces people's capacity to use resources in a sustainable manner; it intensifies pressure on the environment" (WCED 1987:49). But sometimes these goals appear to conflict, and people have different views: Citizens in richer countries give priority to conserving the environment rather than to promote economic development in other states. On the other hand, governments of China, Brazil and India and many developing countries claim that they must give priority to their economic development, above environmental considerations. The Commission holds that in conflicts between the basic needs of the world's poor and environmental concerns, basic needs should be given first priority. Another area of conflict arise between environment, development and traditional conceptions of sovereignty. In exchange for accepting the Montreal Protocol's requirement for removing ozone-damaging substances, developing countries have demanded economic support from other countries. Such claims may merely be requests for side payments in the bargain, but they may perhaps also be well founded claims within a more just world order: that there are international obligations of aid to alleviate conflicts between human rights and development.The present paper seeks to elaborate and justify these claims of priority of basic needs over environment and sovereignty. This thesis, the Primacy of Human Rights, holds that development strategies should secure the basic needs for today's poor through respecting human rights - if necessary at the expense of protecting the environment. Moreover, such development strategies may require international aid with ties, contrary to traditional conceptions of state sovereignty.

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Convergences and Divergences in International Legal Norms on Migrant Labor

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Comparative Labor Law&Policy Journal, Vol. 32, p. 405, 2011
Cornell Legal Studies Research Paper No. 11-02

This essay will argue that even where disparate treaties converge doctrinally, they may diverge normatively and that normative divergence may be significant in its own right. Section II considers the normative implications of divergent rule systems. In particular, Section II raises the question of whether the rise of international criminal law, combating forms of illegal migration such as migrant smuggling and trafficking in persons, may support a normative divergence in international migration law between the primacy of the rights of individuals, on the one hand, and the primacy of states, on the other. This normative tension in turn marks a rift still greater than those between trade and labor, or labor and human rights: it represents the polarities of liberal legalism as a jurisprudential framework ultimately transcending sovereignty, or one that protects and legitimates sovereignty.

This kind of normative analysis is, of course, highly stylized. Legal regimes do not stand for only one set of norms, but rather reflect contested and complicated histories. International labor law, for example, harbors tensions between the "economic and the social," that is to say, an emphasis on particular industrial and workplace contexts versus broader aspirations toward justice. Moreover, even where particular principles predominate, this should not be taken to discount the importance of political economy, self-interested bargaining, and historical contingency in allowing those norms to prevail or in influencing the particular ways in which norms continue to develop and change over time.

Finally, a consideration of norms explicitly articulated by the treaties or laws in question does not begin to describe their full effect, and formal principles often create substantive effects sharply at odds with their own terms. The treaty regimes analyzed in this article should be studied not only in terms of their internal complexities but also in their external "realworld" impact. Such an analysis is beyond the scope of this essay. Nevertheless, by mapping the array of international legal regimes across human rights, trade, labor, and crime that affect migration, and in describing some of their prevalent doctrinal and normative characteristics, it is hoped that the article might contribute to emerging scholarship on this topic.

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International Law, Governance and Global Children's Health

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TEXTBOOK ON GLOBAL CHILD HEALTH, Forthcoming
Wayne State University Law School Research Paper No. 10-17

From a medical perspective, we already know the leading causes of child mortality: acute respiratory infections, diarrheal diseases, and neonatal infections. For the vast majority of cases, we also know the appropriate medical treatments. The difficult challenge and tragedy of global children's health lies in applying proven solutions to known problems. In the State of the World's Children 2008: Child Survival, United Nations Children's Fund (UNICEF) identifies the "[u]nderlying and structural causes of maternal and child mortality." Among other factors, the report lists "[p]oorly resourced . . . health and nutrition services;" "[l]ack of hygiene and access to safe water or adequate sanitation;" and exclusion from essential health services "due to poverty and geographic or political marginalization." . . . This Chapter examines the role of international law and governance in the service of children's health. It explores the role and limits of classic international law. It argues for the need to shift from nations to networks as the effective unit of analysis, as well as the need to expressly recognize the role of law in creating and facilitating "frameworks of cooperation" that can ultimately connect the

global-to-the-local. Governance must also be built from the grassroots up and not just from the top down.

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The International Court of Justice and Applied Forms of Reparation for International Human Rights and Humanitarian Law Violations

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Utrecht Law Review, Vol. 7, No. 1, 2011

The International Court of Justice has contributed significantly to developing and interpreting different legal aspects concerning reparations which are due to states or individuals for internationally wrongful acts committed against them. This paper will analyze a number of decisions by this Court that provide for either state or individual reparations for violations of international human rights and humanitarian law. That analysis is structured according to the four types of reparations applied in the relevant decisions, notably restitution, compensation, satisfaction and guarantees of non-repetition. Although these decisions generally provide a limited discussion on the implementation or specific modalities of reparations, the fundamental rules and principles of the applicable types of reparations establish legal obligations vis-à-vis states, or natural and legal persons affected by such violations.

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Feminist Reflections on the 'End' of the War on Terror

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Melbourne Journal of International Law, Vol. 11, No. 2, 2010

This article examines the range of arguments articulated to justify the use of force under the 'War on Terror'. The three key justifications for unilateral force directed against terrorist actors, preemptive force, implied authorisation and the use of force to prevent terrorist actors operating from failed states, are demonstrated as analogous to domestic provocation excuses. As such, thearticle argues the 'end' of the 'War on Terror' has been in name only as the Obama Administration in the United States continues to develop practice in line with that of its predecessor. The analogy with domestic provocation excuses demonstrates weaknesses of contemporary US practice and of the pre-emptive force justification. Using a feminist understanding of the limitations of provocation defences and of the relationship between social, cultural, political and legal norms, the legacy of the 'War on Terror' is demonstrated as an assertion of a limited model of security that ignores the role militaries play in women's insecurity and which limits women's participation through the use of sexual stereotypes. The article concludes with a discussion of the range of feminist strategies that might be invoked to challenge the legacy of the 'War on Terror'.

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Universality and Univerzalization of Human Rights: Reflections on Obstacles and the Way Forward

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GLOBAL VALUES IN A CHANGING WORLD, A.M. de Groot et al., eds., KIT Publishers, Amsterdam, 2011/2012

Human rights have come a long way, but are also often seen as one of the success stories in the field of international law and international relations since WW-II. Despite all controversies on a conceptual and practical level, there is no doubt that we are in the midst of processes of constitutionalization and humanization of the international economic and political order, with human rights being the leading values. The core word, however, should not be "universality of human rights" but "univerzalization of human rights", which means: constantly looking for a process approach with an open eye for

obstacles. Making human rights being lived up to universally, means contextualization within the margins set at international level, with special emphasis, to begin with, on peremptory standards of international human rights law, and with the use of all available instruments where possible and indicated, from silent diplomacy to assessments by international supervisory bodies, and whatever other action that might have a realistic chance to be successful. In that process, there is a huge role for the civil society (NGOs, local leaders, companies, trade unions), in order to make the message tailor-made and (more) likely to be effective in the long run. Such civil society actions should not be conducted by representatives with legal training only, but also by people with a background in, for instance, anthropology, history, political science, theology and economics. That multidisciplinary approach would be strongly needed, in order to make the discussions start from the right assumptions and to guarantee that the actions are contextualized as much as possible, and thus have a better chance to change the daily lives of people all-over the world.

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Withdrawing from Customary International Law: Some Lessons from History

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University of California - Hastings College of the Law

Yale Law Journal Online, Vol. 120, p. 169, 2010

This paper responds to Curtis A. Bradley & Mitu Gulati, Withdrawing from International Custom, 120 Yale L.J. 202 (2010). Bradley and Gulati argue against a "andatory view" "of customary international law that binds all nations irrespective of individual consent and argue in favor of a "default view" under which nations may withdraw from at least some rules of customary international law. This paper argues that Bradley and Gulati have misread history in three ways. First, they overstate the importance of the default view during the late eighteenth and early nineteenth centuries. As this paper shows, the default view was never the predominant understanding of customary international law. Second, Bradley and Gulati assert that the mandatory view developed to bind non-Western states to Western rules, when, in fact, nineteenth century advocates of the mandatory view stated expressly that non-Western nations could not be bound without their consent. Third, while arguing for greater flexibility in international rules, Bradley and Gulati ignore comity doctrines that have historically allowed precisely the kind of discretion they seek.

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The Crime of Aggression and Humanitarian Intervention on Behalf of Women

Beth Van Schaack
Santa Clara University - School of Law

International Criminal Law Review, Vol. 3, 2011
Santa Clara University Legal Studies Research Paper No. 1-11

This article is part of a larger project to analyze the rarely-considered gender aspects of the crime of aggression and to explore whether or not the amendments adding the crime of aggression to the Statute of the International Criminal Court (ICC) represent an advancement for women. This piece focuses on the potential for the new provisions to chill bona fide exercises of humanitarian intervention given that (1) the crime is expansively drafted to potentially cover all uses of sovereign force, (2) delegates rejected efforts by the United States to include an express exception for military operations launched to prevent the commission of other crimes within the jurisdiction of the ICC, and (3) other proposals that would have prevented humanitarian interventions from being considered "acts of aggression" were not fully explored or implemented. The article acknowledges that feminist theory may never fully come to terms with a notion of humanitarian intervention given the doctrine's valorization of militarism, especially in light of the fact that women are so often excluded from decisions about uses of force. It nonetheless argues that if we want to hold out the possibility of humanitarian intervention being deployed in defense of women, elements of the new provisions (such as the terms "manifest," "character," "gravity," and "consequences") should be interpreted to exclude situations involving the nascent responsibility to protect doctrine.

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Criminalizing Humanitarian Relief: Are US Material Support for Terrorism Laws Compatible with International Humanitarian Law?

Justin A. Fraterman
Georgetown University Law Center

In the wake of the US Supreme Court's recent decision in Holder v. Humanitarian Law Project there has been much discussion about the potentially chilling effect that US material support laws may have on the provision of humanitarian assistance in both disaster and war zones. This essay aims to consider this issue in depth, providing an analysis of the material support legal regime and the Humanitarian Law Project decision, its potential legal impact on humanitarian organizations and the interaction between these laws and international law. In so doing, this essay will advance a number of arguments. First, it posits that the material support laws do potentially pose a serious threat to the provision of much needed humanitarian relief. Next, it is argued that that the material support laws as applied to humanitarian relief organizations place the US in violation of its legal obligations under international humanitarian law, more specifically under the Geneva Conventions. It then considers the impact of this conflict between the statutes and the Conventions on the US domestic plane and looks at the literature and jurisprudence on the self-execution of treaties to examine whether the Conventions are judicially enforceable in US courts in order to assert that some provisions of the Conventions could arguably humanitarian workers and organizations facing criminal prosecution with a defense against allegations of providing material support. Finally, this essay considers a possible enlarged humanitarian exception to the existing statutory regime, as well as the particular difficulty faced by the International Red Cross movement in adapting its activities to ensure compliance with the material support laws.

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Questioning the Freedom from Fear: A Meaningful Concept in a World Full of Abuse of Power and Injustice?

Willem van Genugten
Tilburg University - Law School

CHANGING PERCEPTIONS OF SOVEREIGNTY AND HUMAN RIGHTS, J. Goldschmidt & I. Boerefijn, eds., Antwerp - Oxford - Portland: Intersentia, 2008

The "freedom from fear" is one of the Four Freedoms, articulated by the American President Franklin D. Roosevelt in his famous 1941 speech: "The fourth is freedom from fear, which, translated into world terms, means a world-wide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbour – anywhere in the world. (…) That kind of world is the very antithesis of the so-called 'new order' of tyranny which the dictators seek to create with the crash of a bomb. To that new order we oppose the greater conception – the moral order. A good society is able to face schemes of world domination and foreign revolutions alike without fear." Taking Roosevelt's words as a starting point, the paper discusses the question whether or not the concept "freedom from fear" is still meaningful in a world full of abuse of power and injustice. It focuses upon the concept from a legal as well as a non-legal perspective, underlining that "freedom from fear" is not a technical term, but a label, a field, a notion, rather than something that might be able to play a decisive role in proceedings before bodies like the UN Human Rights Committee or the International Court of Justice. The paper focuses upon freedom from fear in the context of peace and security; peace-building and the 'responsibility to protect'; underdevelopment and human rights; and non-state actors (companies). Finally, it tries to give the concept a few extra teeth.

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Cultural and Economic Self-Determination for Tribal Peoples in the United States Supported by the UN Declaration on the Rights of Indigenous Peoples

Angelique EagleWoman
University of Idaho - College of Law

Pace Environmental Law (PELR) Review, Vol. 28, No. 1, 2010

The U.N. Declaration is a starting point to re-align the relationship between the Tribal Nations and the U.S. and to reassert tribal stewardship over mid-North America. Again, tribal peoples must be proactive and make economic decisions based on tribal values to bring us back in balance and harmony. Indigenous peoples throughout the world are beginning to bring the U.N. Declaration to life by linking their daily realities to the principles of basic human rights set forth in the Declaration. The theme this year for the 9th Session of the United Nations Permanent Forum on Indigenous Issues has been Indigenous Peoples Development with Culture and Identity.

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Optimal Tax Treaty Administrative Guidance

Craig M. Boise
DePaul University College of Law

Texas Law Review, Vol. 88, p. 175, 2010

With the advent of economic globalization, U.S.-based multinational enterprises have developed increasingly complex international tax-reduction strategies that frequently rely on provisions of one or more of the sixty-odd bilateral income tax treaties to which the United States is a party. The appropriate interpretation of U.S. tax treaties often is uncertain, a situation that on the one hand invites aggressive tax planning by multinational enterprises, and on the other hand poses challenges for federal courts that must determine whether such planning has crossed the line from legitimate to abusive. In an article to which this short paper is a response, Professor Michael Kirsch calls for tax treaty guidance in the form of new Treasury regulations. This paper articulates three criteria that are essential to effective tax treaty guidance and argues that treaty guidance in the form of Treasury regulations would not satisfy those criteria. The article then briefly suggests some other possible forms that effective tax treaty guidance might take.

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East Asia's Engagement with Cosmopolitan Ideals Under its Trade Treaty Dispute Provisions

C. L. Lim
University of Hong Kong

McGill Law Journal, Vol. 56, 2011

An East Asian view about how trade dispute settlement systems should be designed is slowly emerging. This paper argues that democratically-inspired trade law scholarship and cultural explanations of the international law behaviour of the Southeast and Northeast Asian trading nations have failed to capture or prescribe the actual treaty behaviour of these nations. Instead, such behaviour has resulted in the emergence of two different treaty models for the peaceful settlement of trade disputes. This article traces the practices of the Association of Southeast Asian Nations (ASEAN), together with that of China, Korea, Japan, Australia, and New Zealand. We find two models of trade dispute settlement emerging. The first, which seems firmly established, may be found in ASEAN's 2004 dispute settlement protocol and the regimes established under the China-ASEAN, Korea-ASEAN, Japan-ASEAN, and ASEAN-Australia-New Zealand FTAs. They all adopt a closed, sovereign-centric view of trade dispute settlement with no public access to the dispute proceedings, little or no disclosure of party submissions, and no consultation or access given to non-governmental organization (NGO) briefs. It is a model which may be criticized for its lack of transparency. However, a second model, based on the Trans-Pacific Strategic Economic Partnership Agreement, could in time become an alternative model for an Asia-Pacific-wide FTA (i.e. including the East Asian nations within

it). It adopts a more open approach; one which better accommodates greater transparency in dispute proceedings. At least for now, the two models co-exist, obviating the need for East Asia's legal policy-makers to choose a clear, dominant design for treaty-based trade dispute settlement in the region. But it also means that East Asia's trading partners can influence East Asian nations, at least in those trade agreements which – like the Trans-Pacific Strategic Economic Partnership Agreement – involve negotiations with trans-continental partners.

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EU Sports Law: The Effect of the Lisbon Treaty

Stephen Weatherill
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January 25, 2011

Oxford Legal Studies Research Paper No. 3/2011

The purpose of this paper is to reflect on the development of 'EU sports law' during the long period in which an explicit Treaty mandate was lacking and to assess the extent to which the Lisbon Treaty will change the picture. Such changes are not likely to be dramatic, but nonetheless changes there will be, both at the level of detail and in the direction of securing a deeper legitimacy for EU intervention in the field of sport. A question which also deserves to be addressed is one that goes beyond the specific case of sport: why, in a Treaty which is in many ways marked by assertion of State control over and in some respects autonomy from the pattern of EU integration, has sport found its way into the very small group of policy areas in which EU competences have been formally increased?

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Who's Afraid of Asian Trade Regionalism, and Why?

C. L. Lim
University of Hong Kong

EAST ASIAN ECONOMIC INTEGRATION: LAW, TRADE AND FINANCE, Ross P. Buckley, Richard W. Hu, Douglas W. Arner, eds., Elgar, 2011

Unlike the European Union's aim of creating a single market and a harmonized regulatory regime, the WTO is a less ambitious enterprise. Its central focus has been non-discrimination in the form of Most Favoured Nation and National Treatment standards and anti-trade protectionism. But while the WTO is arguably inching closer to the EU paradigm, the Asian FTAs may not be. Only time will tell if ASEAN or a larger East Asian grouping might emulate the EU, or if there will be convergence between Asia, Europe, North America and the other regions, as well as greater convergence between the WTO and FTAs. Presently at least, the idea of an East Asian customs union seems inconceivable. Instead, we have – and are likely to continue to have – a large number of overlapping Asian agreements. A second criticism holds Asia's FTAs against the standard of other FTAs, generally, and not just against the example of Europe and the European Union. It central proposition is that Asia's agreements tend to be "quick, dirty and trade light". One criticism which does not appear to be directed at Asian trade policies as such (e.g. the "shallow liberalization" argument above) has to do with the relative weakness of Asian regional institutions when compared to the EU's "Cartesian legal formalism". The fear that the United States (and Europe) could be cut off from Asia's turn towards a "guild-like exclusiveness" is a fourth worry. More to the point perhaps than fear of an Asian, or East Asian "Bloc", are the kinds of anxieties seen in the 1980s in the relations between Japan and the United States – i.e. worries about "unfair" Asian protectionism, Asian "competitiveness", or more recently, of a great sucking sound of jobs relocating to China. Who then fears Asia? The answer depends upon the causes of such fear. Fear of Asian protectionism, protectionist fears about Asian labour and manufacturing, the economic purist's criticisms, geo-strategic fears about Asian or East Asian insularity, fear of systemic friction, fear of the adoption of a divergent "Asian model" of trade regionalism, fear of an increase in Asia's clout in trade negotiations, and fear of the adverse effects on the multilateral trading system of increased regionalism make up a wide spectrum of concerns about the accelerating pace and prolixity of East Asian trading nations' bilateral and other regional

trade agreements. None, except for the economic purist's view and the regulatory and compliance concerns of lawyers and Geneva trade diplomats which we have discussed, reflect the usual reservations lawyers, economists and traditional trade multilateralists share about FTAs.

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Defining Executive Deference in Treaty Interpretation Cases

Joshua A. Weiss
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George Washington Law Review, Forthcoming

A number of scholars have proposed administrative law frameworks for approaching the question of executive deference in treaty interpretation, though none is entirely satisfactory. This Essay proposes a new test for evaluating executive treaty interpretations based on existing administrative law doctrines and other academic proposals. An executive treaty interpretation should receive deference if the interpretation is consistent with the treaty text and available evidence – including the treaty's drafting history, the practices of other parties, and the Senate's reservations, understandings, and declarations; and if the Executive's reasoning in reaching that interpretation is neither arbitrary nor capricious. This test would grant the President substantial interpretive leeway while ensuring that any proposed interpretation is tethered to the terms of the treaty and subject to meaningful review. . . .

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Cast Light and Evil Will Go Away: The Transparency Mechanism for Regional Trade Agreements Three Years After

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WTO Secretariat
C. L. Lim
University of Hong Kong

Journal of World Trade, Vol. 43, No. 2, 2011

Our aim is to test the idea that the WTO's ability to regulate RTAs is likely to decline with the proliferation of RTAs worldwide. According to this idea: (1) "people who live in glass houses should not throw stones", (2) with the proliferation of RTAs, WTO members are likely to place their interests before the interests of the multilateral system, and (3) there would be fewer WTO members demanding stricter disciplines for RTA regulation. However, our finding is that WTO members have at least continued to accord attention to the problems associated with RTA proliferation, and they continue to engage in active scrutiny of individual RTAs. We are not saying that WTO members do not act in their own interest, or that they are motivated by altruism, but simply that such self-interest has not prevented scrutiny of RTAs under the new transparency mechanism. The proliferation of RTAs (and any felt need to protect one's "own RTA programme") has not prevented discussion on improved disciplines. Notwithstanding the intent underlying the establishment of the transparency mechanism – i.e. the prevention of another impasse caused by controversy over various "systemic issues" connected with questions of RTA compliance – WTO Members continue to discuss these issues in ways which demonstrate fidelity to important questions of principle and policy. One notable development, however, has been that East Asian members are no longer seen to be as prominent in expressing a strict approach towards RTA regulation as they were a decade ago.

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Cross Border Infrastructure Projects: The EU Exemption Regime

Leigh Hancher
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TILEC Discussion Paper No. 2011-006

This paper examines the challenges to creating sufficient cross border infrastructure to realise the European Union's ambitions for the creation of a genuine and low carbon European energy market. In

particular the relevant regulatory framework for cross border infrastructure has developed in a piecemeal fashion and many projects have in fact benefitted from an exemption procedure from important pillars of the EU energy market, including the requirements of third party access on a regulated basis. The paper reviews and critically assesses the exemption procedures for these co-called 'merchant projects'under the current and future legislation.

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Subsidiarity and Democratic Deliberation

Andreas Follesdal
University of Oslo

DEMOCRACY IN THE EUROPEAN UNION: INTEGRATION THROUGH DELIBERATION? pp. 85-110, Erik Oddvar Eriksen and John Erik Fossum, eds., Routledge, 2000

The Amsterdam Treaty seeks to bring the European Union closer to the people of Europe by aligning the institutions closer to conceptions of subsidiarity and democracy. Subsidiarity is made operational in a Protocol to the Amsterdam Treaty. This "Amsterdam Subsidiarity" regards Community action as appropriate if "the objectives of the proposed action cannot be sufficiently achieved by Member States' action in the framework of their national constitutional system and can therefore be better achieved by action on the part of the Community." (art. 5). Thus the determination of relative efficiency of Community and Member State action is crucial for this conception of subsidiarity. Democracy is furthered by reforms which increase the European Parliament's powers vis-a-vis both the Commission and the Council of Ministers. These reforms move the Union towards a bicameral model of parliamentary democracy (Nentwich and Falkner 1997)

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Epilogue of the Plasterboard Litigation: How Much Legal Certainty in the Commission's Treatment of Repeated Infringements?

Alexandr Svetlicinii
European University Institute - Department of Law (LAW)

European Law Reporter, No. 10, pp. 318-322, 2010

The ruling concerns the enforcement of the Commission's recidivism policy, i.e. taking into account prior infringements of competition law when calculating the amount of the fine. The ECJ reaffirmed the Commission's discretion in that area by rejecting any fixed limitation periods and dismissing the appellant's argument that Commission's prior infringement decisions have to become definite in order for the Commission to consider the existence of a repeated infringement.

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Transnational Operations, Bi-National Injustice: Indigenous Amazonian Peoples and Ecuador, ChevronTexaco, and Agunda v. Texaco

Judith Kimerling
CUNY Queens College and School of Law

L'Observateur Des Nations Unies, Vol. 24, pp. 207-274, 2008

Texaco's discovery of oil in the Amazon Rainforest in Ecuador was heralded as the salvation of the nation's economy. But the reality of oil development turned out to be far more complex that its triumphalist launch. For indigenous Amazonian peoples, the arrival of Texaco's work crews meant destruction rather than progress. In 1993, a class action lawsuit was filed against Texaco in U.S. federal court in New York. In 2002, the case, Aguinda v. Texaco, was dismissed on the ground of forum non conveniens, in favor of litigation in Ecuador. This Article reviews events leading to the lawsuit, followed by a discussion of the decision to dismiss. The review calls into question the finding by the court that the case has "nothing to do with the United States," and concludes that the decision to dismiss Aguinda was colored by a series of detailed, but questionable, factual assumptions relating to control of the operations and the history of litigation in Ecuador's courts. The Article then discusses

legal and political developments in the wake of the dismissal, and concludes with some general observations and recommendations.

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Can the Application of the Human Rights of the Child in a Criminal Case Result in a Therapeutic Outcome?

Enid Coetzee
University of Johannesburg

Potchefstroom Electronic Law Journal, Vol. 13, No. 3, 2010

Prior to the change brought about by S v M, the interests of children were only considered as a circumstance or mitigating factor of the offender during the sentencing process. The article will discuss case law in order to determine the impact that the inclusion of the human rights of the child had on the sentencing process if the offender was the primary caregiver of the child. Specific reference is made to Sections 28(2) and 28(1)(b) of the Constitution of the Republic of South Africa, 1996. The article will then consider whether this inclusion might improve therapeutic outcomes without the apprehension that the interests of justice would be forfeited. A therapeutic outcome is brought about when the attention is placed on the human, emotional and psychological side of the law. It is concluded that the Zinn triad remains the basic measure to be used by sentencing courts to determine an appropriate sentence. Should the sentence be direct imprisonment, the court has to ensure that the children receive appropriate care as prescribed by Section 28(1)(b). Should a range of sentences be considered, even though the court has a wide discretion to decide which factors should be allowed to influence the measure of punishment, when the offender is a primary caregiver, Section 28(2) must be included as an independent factor. It is also concluded from the case law discussion that the inclusion of the human rights of the child in the sentencing process did not automatically give rise to a therapeutic outcome, although in some judgments it did result in a therapeutic outcome. Thus, the consideration of the human rights of the children during the sentencing process creates the opportunity for a therapeutic outcome.

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Financing as Governance

Fleur E. Johns
Sydney Law School

Oxford Journal of Legal Studies, Forthcoming
Sydney Law School Research Paper No. 11/08

Built environments, and social and legal interactions through them, are powerfully shaped by the arrangements by which their making and remaking are financed. There is a rich and extensive literature analysing shifts towards private and/or offshore financing of infrastructure in broad terms and their implications for governmental accountability and so-called public interest values. At the level of mundane regulatory decision and technique, however, the ways in which governance may be affected by such financing arrangements have not been well mapped. The article considers some governance implications of the practice of funding urban infrastructure projects by recourse to global financial markets. It focuses, in particular, upon how regulatory decision-making may be shaped by technical practices of financial deal-making, financial modelling and related re-configurations of institutional or jurisdictional space. These implications are explored by reference to some recent examples of urban toll-road financing in Sydney and decision-making and analysis surrounding those examples. As such, it joins with other recent scholarship in probing political dimensions of technical forms of knowledge and practice that have frequently fallen between the cracks of legal scholarship's interdisciplinary inquiries to date.

II. Books

Brill eBulletin, International Law and Human Rights (February 2011)

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Genocide Denials and the Law
(Oxford Univ. Press, Jan. 2011)
Edited by Ludovic Hennebel and Thomas Hochmann

In *Genocide Denials and the Law* , Ludovic Hennebel and Thomas Hochmann offer a thorough study of the relationship between law and genocide denial from the perspectives of specialists from six countries. This controversial topic provokes strong international reactions involving emotion caused by denial along with concerns about freedom of speech.

The authors offer an in-depth study of the various legal issues raised by the denial of crimes against humanity, presenting arguments both in favor of and in opposition to prohibition of this expression. They do not adopt a pro or contra position, but include chapters written by proponents and opponents of a legal prohibition on genocide denial.

Hennebel and Hochmann fill a void in academic publications by comparatively examining this issue with a collection of original essays. They tackle this diverse topic comprehensively, addressing not only the theoretical and philosophical aspects of denial, but also the specific problems faced by judges who implement anti-denial laws. *Genocide Denials and the Law* will provoke discussion of many theoretical questions regarding free speech, including the relationship between freedom of expression and truth, hate, memory, and history.

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Beyond Victor's Justice: The Tokyo War Crimes Trial Revisited
(Brill, Feb. 2011)
Edited by: Yuki Tanaka, Tim McCormack and Gerry Simpson

Foreword Sir Gerard Brennan; Note on Language; Notes on Contributors; Editors' Preface
Part One A Retrospective
Chapter 1 The Tokyo Trial: Humanity's Justice v Victors' Justice Fujita Hisakazu;
Chapter 2 Writing the Tokyo Trial Gerry Simpson;
Chapter 3 Japanese Societal Attitude towards the Tokyo Trial: From a Contemporary Perspective Madoka Futamura;
Part Two The Accused
Chapter 4 Selecting Defendants at the Tokyo Trial Awaya Kentarō;
Chapter 5 The Decision Not to Prosecute the Emperor Yoriko Otomo;
Part Three The Judges
Chapter 6 Justice Northcroft (New Zealand) Ann Trotter;
Chapter 7 Justice Bernard (France) Mickaël Ho Foui Sang;
Chapter 8 Justice Patrick (United Kingdom) Lord Bonomy;
Chapter 9 Justice Roling (The Netherlands) Robert Cryer;
Chapter 10 Justice Pal (India) Nakajima Takeshi;
Part Four The Trial Proceedings
Chapter 11 The Case against the Accused Yuma Totani;
Chapter 12 Command Responsibility for the Failure to Stop Atrocities: The Legacy of the Tokyo Trial Gideon Boas;
Part Five Forgotten Crimes: China and Korea
Chapter 13 Reasons for the Failure to Prosecute Unit 731 and Its Significance Tsuneishi Kei-ichi;
Chapter 14 The Legacy of the Tokyo Trial in China Bing Bing Jia;
Chapter 15 Forgotten Victims, Forgotten Defendants The Hon O-Gon Kwon;

Part Six Forgotten Crimes: The Comfort Women
Chapter 16 Knowledge and Responsibility: The Ongoing Consequences of Failing to Give Sufficient Attention to the Crimes against the Comfort Women in the Tokyo Trial Ustinia Dolgopol;
Chapter 17 Silence as Collective Memory: Sexual Violence and the Tokyo Trial Nicola Henry;
Chapter 18 Women's Bodies and International Criminal Law: From Tokyo to Rabaul Helen Durham and Narrelle Morris;
Part Seven Forgotten Crimes: Atomic Bombs, Saturation Bombing and the Illicit Drug Trade
Chapter 19 The Atomic Bombing, the Tokyo Tribunal and the Shimoda Case: Lessons for Anti-Nuclear Legal Movements Yuki Tanaka;
Chapter 20 The Firebombing of Tokyo and Other Japanese Cities Ian Henderson;
Chapter 21 Punishing Japan's 'Opium War-Making' in China: The Relationship between Transnational Crime and Aggression at the Tokyo Tribunal Neil Boister;
Part Eight Tokyo Today
Chapter 22 Tokyo's Continuing Relevance Sarah Finnin and Tim McCormack.

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The Fundamentals of International Human Rights Treaty Law
(Brill, Feb. 2011)
Bertrand G. Ramcharan

Introduction
Chapter One: The Nature and Characteristics of International Human Rights Treaty Law
Chapter Two: The Requirement of a National Protection System
Chapter Three: Democracy and the Rule of Law
Chapter Four: Human Rights in Times of Crises or Emergencies
Chapter Five: Preventive Strategies: Obligations to Prevent under International Human Rights Treaties and Jurisprudence
Chapter Six: The Duty to Respect, Protect and Ensure
Chapter Seven: The Duty to Provide Redress
Chapter Eight: The Essence of Supervision in Reporting Systems
Chapter Nine: The Essence of Petitions and Fact-finding Procedures
Chapter Ten: Universality, Equality and Justice
Conclusion
Appendix I General Comment No. 31 of the Human Rights Committee
Appendix II General Comment No. 33 of the Human Rights Committee
Appendix III The Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights
Appendix IV The Siracusa Principles
Appendix V The Council of Europe and the Rule of Law

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The Impact of Investment Treaties on Contracts between Host States and Foreign Investors
(Brill, 2011)
Jan Ole Voss

Foreign investments are usually implemented through contracts between host States and foreign investors. These contracts and international investment treaties represent two different legal instruments that protect foreign direct investment. The co-existence of both instruments under international investment law has generated fundamental problems. By scrutinizing and tracing the increasingly divided jurisprudence on central aspects of treaty interpretation and analyzing the conflicting legal concepts applied by arbitral tribunals, this book represents a comprehensive examination of the complex relationship between the two in the field of investment treaty arbitration.

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African Yearbook of International Law / Annuaire Africain de droit international
(Brill, 2011)
Volume 16 (2008)
Edited by Abdulqawi A. Yusuf

SPECIAL THEME: INTERNATIONAL MIGRATION IN AFRICA
THÈME SPÉCIAL: MIGRATIONS INTERNATIONALES EN AFRIQUE

Introduction: Concepts, Practice and Policies of International Migration in Africa, Ibrahim Awad
Formulating Migration Policy at the Regional, Sub-Regional and National Levels in Africa, Aderanti Adepoju

Regional Integration Policy and Migration Reform in SADC Countries: An Institutional Overview of Power Relations, Aurelia Wa Kabwe-Segatti

Politiques de codéveloppement et le champ associative immigré africain : un panorama européen, Thomas Lacroix

La gestion des migrations internationales au Niger : défis, enjeux et Perspectives, Harouna Mounkaila & Hamidou Issaka Maga

Explaining Violence Against Foreigners and Strangers in Urban South Africa: Outbursts During May and June 2008, Simon Bekker

The Protection of Refugees Between Obligations under the United Nations Charter and Specific Treaty Obligations: The Case of Egypt, Tarek Badawy

International Migration and Human Rights, Ibrahim Wani

GENERAL ARTICLES / ARTICLES GENERAUX
Corruption and the Violation of Human Rights: The Case for Bringing the African Union Convention on Prevention and Combating Corruption Within the Jurisdiction of the African Court on Human and Peoples' Rights, Melissa Khemani

The Doctrine of Permanent Sovereignty over Natural Resources in International Law and its Practice in Developing Countries: The Case of a Mining Sector in Tanzania, Charles Riziki Majinge

Yesterday's Mistakes Still Today's News: The Persisting Cloud of Humanitarian Violations Over United Nations Peacekeeping: A New Agenda for Accountability, Jackson Nyamuya Maogoto
Water Resources in the Sudan North-South Peace Process: Past Experience and Future Trends, Salman M. A. Salman

NOTES AND COMMENTS / NOTES ET COMMENTAIRES
Nature et portée des exceptions relatives au développement durable dans les accords internationaux d'investissement, Suzy H. Nikièma
Sur le principe d'une obligation des Etats africains de se « démocratiser » : éléments de droit constitutionnel et de droit international public, Abdoulaye Soma
Right to Education and Equality of Opportunity in Education: An Analysis of Constitutional Obligations in African States, Kishore Singh

BOOK REVIEWS / NOTES DE LECTURE
Mohamed Bedjoui, "L'humanité en quête de paix et de développement. Cours general de droit

international public (2004)", Recueil des cours de l'Académie de droit international, Tomes 324 et 325, 2006. recensé par Fatsah Ouguergouz

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Max Planck Yearbook of United Nations Law, Volume 14 (2010)
(Brill, 2011)
Edited by Armin von Bogdandy and Rüdiger Wolfrum. Managing Editor: Christiane E. Philipp

Sieber, Ulrich, Legal Order in a Global World – The Development of a Fragmented System of National, International, and Private Norms

Bigi, Giulia, Joint Criminal Enterprise in the Jurisprudence of the International Criminal Tribunal for the Former Yugoslavia and the Prosecution of Senior Political and Military Leaders: The Krajišnik Case

Roscini, Marco, World Wide Warfare – Jus ad bellum and the Use of Cyber Force
Suarez, Suzette V., Commission on the Limits of the Continental Shelf

Spohr, Maximilian, United Nations Human Rights Council

Fernández de Casadevante Romani, Carlos, International Law of Victims

López-Jacoiste, Eugenia, The UN Collective Security System and its Relationship with Economic Sanctions and Human Rights

Göcke, Katja, The Case of Ángela Poma Poma v. Peru before the Human Rights Committee
Tiroch, Katrin, Violence against Women by Private Actors: The Inter-American Court's Judgment in the Case of Gonzalez et al. ("Cotton Field") v. Mexico

Neudorfer, Sonja/ Wernig, Claudia, Implementation of International Treaties into National Legal Orders: The Protection of the Rights of the Child within the Austrian Legal System

Weilert, Katarina, Taming the Untamable? Transnational Corporations in United Nations Law and Practice

Ioannidis, Michael, Naming a State – Disputing over Symbols of Statehood at the Example of "Macedonia"

LL. M. Thesis:
Laowonsiri, Akawat, Application of the Precautionary Principle in the SPS Agreement

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International Encyclopedia of Comparative Law, Installment 40
(Brill, 2011)
Edited by K. Zweigert and U. Drobnig

Volume III Private International Law
Kurt Lipstein - Chief Editor
Chapter 2 Sources
Ulrich Drobnig, Alexander N. Makarov

Volume XV Labour Law
Bob A. Hepple - Chief Editor
Chapter 4 Formation, Modification and Termination of Emplyment Contracts
Bruno Veneziani

Volume XVI Civil Procedure
Mauro Cappelletti - Chief Editor
Chapter 7 Evidence
Michele Taruffo

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Critical Perspectives on Human Rights and Disability Law
(Brill, Feb. 2011)
Edited by Marcia H. Rioux, Lee Ann Basser, and Melinda Jones

Foreword Ron McCallum ; Introduction;
Part 1 Human Rights Principles
1 Human Dignity Lee Ann Basser;
2 Values in Disability Policy and Law: Equality Marcia Rioux & Christopher A. Riddle;
3 Inclusion, Social Inclusion & Participation Melinda Jones;
Part 2 Advancing Dignity
4 Valuing All Lives – Even "Wrongful" Ones Melinda Jones;
5 Children at the Edge of Life: Parents, Doctors and Children's Rights Michael Freeman;
6 Involuntary Treatment, Human Dignity and Human Rights Genevra Richardson;
7 Sites of Exclusion: Disabled Women's Sexual Reproductive and Parenting Rights Roxanne Mykitiuk & Ena Chadra;
8 Price v UK: The Importance of Human Rights Principles in Promoting the Rights of Disabled Prisoners in the United KingdomAngela Laycock;
Part 3 Ensuring Equality
9 Beyond the Legal Smokescreen: Examining Equality Values in Sterilization Jurisprudence. Marcia Rioux & Lora Patton;
10 The Role of Reasonable Accommodation in Securing Substantive Equality for Persons with Disabilities: The UN Convention on the Rights of Persons with Disabilities Rebecca Brown & Janet Lord;
11 Legal Protection of Persons with Disabilities in Kenya: Human Rights Imperatives Kithure Kindiki;
12 Corporate Selective Reporting of Clinical Drug Trial Results as a Violation of the Right to Health Aaron Dhir; Part 4 Promoting Inclusion and Participation
13 Political Participation for People with Disabilities Michael Waterstone;
14 The Right to Live a Life Free of Violence for People with Disabilities Rodrigo Jiminez;
15 Standard Rules on Equality of Opportunities for Persons with Disabilities: Legal View of Provisions on Support Services, Auxiliary Resources and Training/ View from Latin America Maria Soledad Cisternas Reyes;
16 Monitoring Human Rights: A Holistic Approach Paula Pinto;
Conclusion
Appendices: Appendix A: List of Significant Case
Appendix B: Cited Significant Rights Instruments

.....

The Conscience of Europe: 50 Years of the European Court of Human Rights
(Third Millennium, 2011)

This book, designed to mark the Court's fiftieth anniversary in 2009 and the Convention's sixtieth in 2010, does not purport to be a full and complete history of the institution. Nor is it a treatise on the Court's procedure and case-law, on which many publications already exist. Rather, being intended for the general reader wishing to increase his or her knowledge of the Court as an institution, it steers a course between an academic commentary and a purely introductory guide. It groups a variety of individual contributions, on topics generally selected by the authors themselves, round a skeleton retracing the main relevant events over the last half-century.

.....

The International Criminal Court and National Courts: A Contentious Relationship
(Ashgate, February 2011)
Nidal Nabil Jurdi, American University of Beirut, Lebanon

This book analyzes the position of the ICC in relation to national court systems. The research illustrates that what seemed to be a straight forward relationship between the ICC and national courts under the complementarity mechanism, proves to be much more complex in practice. Using the referrals of Uganda and Darfur, the book demonstrates ways in which it might be possible to prosecute for crimes currently not prosecuted by the ICC and brings to light possible solutions to overcome the gaps in law and practice in the jurisdictional relation between the ICC and national systems. It will be of value to academics, students and policy-makers working in the area of international law, international organizations, and human rights.

.....

The European Court of Human Rights - Facts and figures
Council of Europe
(28/01/2011)

The importance of the European Court of Human Rights in the European judicial landscape and its influence well beyond Europe's borders are undeniable. For over 50 years the Court's rulings have resulted in numerous changes to domestic legislation and helped to strengthen the rule of law throughout the wider Europe. This book retraces the Court's activities and case-law since its foundation in 1959. The presentation of several hundred of the cases the Court has examined, together with statistics for each State, paints an overall picture of the Court's work and the impact its judgments have had in the member States. With its approach by theme and by article of the European Convention on Human Rights, this work shows the full extent of the rights and freedoms the States Parties to the Convention have undertaken to secure to everyone within their jurisdiction. It also takes a country-by-country look at the cases the Court has been called on to examine, and at the impact its judgments have had in the States it has condemned for violating the Convention. The clear, concise way in which the cases are presented shows just how alive the Convention is today, 60 years after its adoption, and how the Court's interpretation of it has helped it to keep abreast of social change in Europe.

III. Journals (some entries edited to avoid duplication)

PUBLIC INTERNATIONAL LAW eJOURNAL
Vol. 6, No. 18: Feb 01, 2011
ALAN O'NEIL SYKES, EDITOR

Does it Still Walk Like a Duck? The European Court of Human Rights' Evolving Approach Toward Non-Governmental Organizations
Anna Valerie Dolidze, Cornell Law School

Enhancing the Role of Accountability in Promoting the Rights of Beneficiaries of Development NGOs
Brendan O'Dwyer, University of Amsterdam - Faculty of Economics and Business (FEB)
Jeffrey Uneman, *affiliation not provided to SSRN*

Securing Compliance with International Humanitarian Law: The Promise and Limits of Contemporary Enforcement Mechanisms
Ben M. Clarke, University of Notre Dame Australia

The Copenhagen Accord and the Silent Incorporation of the Polluter Pays Principle in International Climate Law: An Analysis of Sino-American Diplomacy at Copenhagen and Beyond
Jason Buhi, City University of Hong Kong (CityUHK) - School of Law

Transitional Exceptions to the Rule of Law in International Administrations: The Case of the OHR in Bosnia and Herzegovina and the Right to Due Process
Juan J. Garcia-Blesa, American University in Bosnia and Herzegovina

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PUBLIC INTERNATIONAL LAW eJOURNAL
Vol. 6, No. 17: Jan 31, 2011
ALAN O'NEIL SYKES, EDITOR

Al Maqaleh v. Gates
Kal Raustiala, University of California, Los Angeles (UCLA) - School of Law

Power-Conferring Treaties: The Meaning of 'Investment' in the ICSID Convention
Tony Cole, University of Warwick - School of Law
Anuj Kumar Vaksha, *affiliation not provided to SSRN*

Crimes Against Humanity
Margaret M. deGuzman, Temple University - James E. Beasley School of Law

The Crime of Aggression and Humanitarian Intervention on Behalf of Women
Beth Van Schaack, Santa Clara University - School of Law

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PUBLIC INTERNATIONAL LAW eJOURNAL
Vol. 6, No. 16: Jan 27, 2011
ALAN O'NEIL SYKES, EDITOR

Decolonizing International Law: Development, Economic Growth and the Politics of Universality
Sundhya Pahuja, Melbourne Law School

'With Faces Hidden While the Walls Were Tightening': Applying International Human Rights Standards to Forensic Psychology
Michael L. Perlin, New York Law School

Democracy, Human Rights, and Intelligence Sharing
Elizabeth Sepper, Columbia Law School

The Cartesio Judgment: Empowering Lower Courts by the European Court of Justice
László Blutman, University of Szeged - Faculty of Law

International Court of Justice on Kosovo's Declaration of Independence: Analysis and Legal and Political Implications
Asim Jusic, Center for EU Enlargement Studies - Central European University, Budapest
Dragan Gajin, Central European University

National Courts Review of Transnational Private Regulation
Eyal Benvenisti, Tel Aviv University - Buchmann Faculty of Law
George W. Downs, New York University (NYU) - Wilf Family Department of Politics

Why Soft Law Dominates International Finance - And Not Trade
Christopher J. Brummer, Georgetown University Law Center

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LAW & SOCIETY: INTERNATIONAL & COMPARATIVE LAW eJOURNAL
Vol. 6, No. 14: Feb. 02, 2011
CHRISTIANA OCHOA, EDITOR

Promoting Social Change in East Asia: The Movement to Create a Disability Rights Tribunal and the Promise of International Online, Distance Learning
Michael L. Perlin, New York Law School

Non-Tariff Measures: Evidence from Selected Developing Countries and Future Research Agenda
Trade Analysis Branch DITC, UNCTAD, United Nations - Conference on Trade and Development (UNCTAD)

Mainstreaming Trade in Micronesia: Turning Bilateral Dependency into Regional Competitiveness
Simon B.C. Lacey, Leiden University - Leiden Law School

Transitional Exceptions to the Rule of Law in International Administrations: The Case of the OHR in Bosnia and Herzegovina and the Right to Due Process
Juan J. Garcia-Blesa, American University in Bosnia and Herzegovina

Conflict of Laws Conventions and Their Reception in National Legal Systems: Report for the United States
Hannah L. Buxbaum, Indiana University School of Law-Bloomington

A Fetishised Gift: The Legal Status of Flags
Graeme Orr, University of Queensland Law School

Conscientious Objection to Military Service: International Human Rights Law and the Case of Turkey
Mine Yildirim, Abo Akademi

The Crime of Aggression and Humanitarian Intervention on Behalf of Women
Beth Van Schaack, Santa Clara University - School of Law

Universality and Univerzalization of Human Rights: Reflections on Obstacles and the Way Forward
Willem van Genugten, Tilburg University - Law School

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LAW & SOCIETY: INTERNATIONAL & COMPARATIVE LAW eJOURNAL
Vol. 6, No. 13: Feb. 01, 2011
CHRISTIANA OCHOA, EDITOR

Creation of a Disability Rights Tribunal for Asia and the Pacific: Its Impact on China?
Michael L. Perlin, New York Law School
Yoshikazu Ikehara, Tokyo Advocacy Law Office

The Myth of Trademark 'Harmonization'
Vipin Sandu, Rajiv Gandhi National University of Law (RGNUL)

The Right to Development or the Development of Rights
Joop de Kort, Leiden Law School

Modes and Patterns of Social Control: Implications for Human Rights Policy
Northeastern Public Law and Theory Faculty Working Papers Series, Northeastern University - School of Law

Sustainable Development, State Sovereignty and International Justice
Andreas Follesdal, University of Oslo

Zionist Settlers and the English Private Trust in Mandate Palestine
Adam S. Hofri-Winogradow, Hebrew University of Jerusalem, Faculty of Law

Recognition in the Forum of a Status Acquired Abroad - Private International Law and European Human Rights Law
Patrick Kinsch, University of Luxembourg

Securing Compliance with International Humanitarian Law: The Promise and Limits of Contemporary Enforcement Mechanisms
Ben M. Clarke, *affiliation not provided to SSRN*

Can the Application of the Human Rights of the Child in a Criminal Case Result in a Therapeutic Outcome?
Enid Coetzee, University of Johannesburg

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LAW & SOCIETY: INTERNATIONAL & COMPARATIVE LAW eJOURNAL
Vol. 6, No. 12: Jan. 31, 2011
CHRISTIANA OCHOA, EDITOR

Dignity in the Service of Democracy
Erin Daly, Widener University School of Law

Does it Still Walk Like a Duck? The European Court of Human Rights' Evolving Approach Toward Non-Governmental Organizations
Anna Valerie Dolidze, Cornell Law School

Introduction: The Developing Country Experience in WTO Dispute Settlement
David Evans, *affiliation not provided to SSRN*
Gregory C. Shaffer, University of Minnesota - Twin Cities - School of Law

Global Intellectual Property Governance (Under Construction)
Margaret Chon, Seattle University School of Law

Power-Conferring Treaties: The Meaning of 'Investment' in the ICSID Convention
Tony Cole, University of Warwick - School of Law
Anuj Kumar Vaksha, *affiliation not provided to SSRN*

The Creation of University Intellectual Property: Confidential Information, Data Protection, and Research Ethics
Mark Perry, University of Western Ontario - Faculty of Law
Margaret Ann Wilkinson, University of Western Ontario - Faculty of Law

On Comprehensive Prostitution Reform: Criminalizing the Trafficker and the Trick, But Not the Victim
Heather Monasky, William Mitchell College of Law

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LAW & SOCIETY: INTERNATIONAL & COMPARATIVE LAW eJOURNAL
Vol. 6, No. 11: Jan. 28, 2011
CHRISTIANA OCHOA, EDITOR

Recent Developments to Promote Transparency and Public Participation in Investment Treaty Arbitration
James Harrison, University of Edinburgh - School of Law

The Evolution of US and EU Approaches to Intellectual Property Provisions Related to Public Health in Free Trade Agreements: Are They Responding to Public Health Concerns?
Yi-Jen Chu, *affiliation not provided to SSRN*

Fairness and Independence in Investment Arbitration: A Critique of Susan Franck's 'Development and Outcomes of Investment Treaty Arbitration'
Gus Van Harten, York University - Osgoode Hall Law School

The Intellectual Property Regime: Are There Lessons for Climate Change Negotiations?
Peter Drahos, Queen Mary University of London, School of Law, Australian National University (ANU) - Research School of Social Sciences (RSSS)

Application of Choice of Law to Foreign Tort
Swapneshwar Goutam, *affiliation not provided to SSRN*

Enforced Disappearances in Cyprus: Problems and Prospects of the Case Law of the European Court of Human Rights
Nikolas Kyriakou, European University Institute

Environmental Protection and Human Rights: An Overview of Current Trends
Akintunde Kabir Otubu, University of Lagos - Faculty of Law

Analysis of Anti-Dumping Use in Free Trade Agreements
Dukgeun Ahn, Seoul National University
Wonkyu Shin, Seoul National University

No Longer Outside, Not Yet Equal: Rethinking China's Membership in the World Trade Organization
Xiaohui Wu, Wuhan University Institute of International Law

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INTERNATIONAL ECONOMIC LAW eJOURNAL
Vol. 6, No. 12: Feb 02, 2011
ALAN O'NEIL SYKES, EDITOR

Introduction: The Developing Country Experience in WTO Dispute Settlement
David Evans, *affiliation not provided to SSRN*
Gregory C. Shaffer, University of Minnesota - Twin Cities - School of Law

Power-Conferring Treaties: The Meaning of 'Investment' in the ICSID Convention
Tony Cole, University of Warwick - School of Law
Anuj Kumar Vaksha, *affiliation not provided to SSRN*

Non-Tariff Measures: Evidence from Selected Developing Countries and Future Research Agenda
Trade Analysis Branch DITC, UNCTAD, United Nations - Conference on Trade and Development (UNCTAD)

Of Labor Inspectors and Judges: Chilean Labor Law Enforcement after Pinochet (And What the United States Can Do to Help)
César F. Rosado Marzán, Illinois Institute of Technology - Chicago-Kent College of Law

International Arbitration's Public Realm
Catherine A. Rogers, Bocconi University - Institute of Comparative Law (IDC), The Pennsylvania State University Dickinson School of Law

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INTERNATIONAL ENVIRONMENTAL LAW eJOURNAL
Vol. 3, No. 4: Jan. 27, 2011
DAVID D. CARON & TSEMING YANG, EDS.

Assessing China's Carbon Intensity Pledge for 2020: Stringency and Credibility Issues and Their Implications
ZhongXiang Zhang, East-West Center - Research Program

Stakeholder Perspectives on a Financial Sector Legitimation Process: The Case of NGOs and the Equator Principles
Brendan O'Dwyer, University of Amsterdam - Faculty of Economics and Business (FEB)
Niamh O'Sullivan, *affiliation not provided to SSRN*

Seminar Report on Transboundary Aquifers and International Law: The Experience of the Guarani Aquifer System, University of Surrey, Guildford, UK, 31 August 2010
Francesco Sindico, University of Surrey

Environmental Protection Vis-À-Vis Judicial Activism
Prashish Kanwar, Rajiv Gandhi National University of Law (RGNUL)
Geetika Walia, Rajiv Gandhi National University of Law (RGNUL)

Financing of CCS Demonstration Projects - State Aid, EEPR and NER Funding - A EU and EEA Perspective
Jonas W. Myhre, University of Oslo - Centre for European Law

Satellite Monitoring of Environmental Laws: Lessons to Be Learnt from Australia
Ray Purdy, Centre for Law and Environment, Faculty of Laws, UCL

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CLIMATE CHANGE LAW & POLICY eJOURNAL
Vol. 3, No. 5: Jan 31, 2011
DANIEL A. FARBER & PATRICK A. PARENTEAU, EDS

Conservation Easements at the Climate Change Crossroads
Jessica Owley, University at Buffalo School of Law

The Copenhagen Accord and the Silent Incorporation of the Polluter Pays Principle in International Climate Law: An Analysis of Sino-American Diplomacy at Copenhagen and Beyond
Jason Buhi, City University of Hong Kong (CityUHK) - School of Law

Unintentional Climate Policy: Swedish Experiences of Carbon Dioxide Emissions and Economic Growth 1950-2005
Magnus Lindmark, CERE
Lars Fredrik Andersson, *affiliation not provided to SSRN*

Overview of the Clean Development Mechanism and the Need for, and Barriers to, Equitable Distribution
Tomilola Akanle, University of Dundee

Innovation Cooperation: Energy Biosciences and Law
Elizabeth Burleson, Florida State University College of Law, London School of Economics

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EUROPEAN PUBLIC LAW: EU eJOURNAL
Vol. 8, No. 13: Feb 01, 2011
PAUL B. STEPHAN & JOHN BELL, EDS

'A Union Founded on the Rule of Law': Meaning and Reality of the Rule of Law as a Constitutional Principle of EU Law
Laurent Pech, National University of Ireland, Galway - Faculty of Law

Harmonization of Competition Law in Globalized Economy and European Law
Ondrej Blazo, Comenius University, Antimonopoly Office of the Slovak Republic

The Impact of EMU on Member State Sovereignty
Rhys A. Bollen, RMIT University - Faculty of Business

The ECJ's Relationship with Other International Courts and Tribunals
Nikos Lavranos, European University Institute (EUI)

Towards a Common European Border Security Policy
Vihar Georgiev, *affiliation not provided to SSRN*

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International & Comparative Law Quarterly

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JUDICIAL DECISION-MAKING AND TRANSNATIONAL LAW: A SURVEY OF COMMON LAW SUPREME COURT JUDGES
Brian Flanagan and Sinéad Ahern
International and Comparative Law Quarterly / Volume 60 / Issue 01, pp 1 -28

CHOICE OF LAW REGARDING THE VOLUNTARY ASSIGNMENT OF CONTRACTUAL OBLIGATIONS UNDER THE ROME I REGULATION
Trevor C Hartley
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COMPARATIVE INTERNATIONAL LAW? THE ROLE OF NATIONAL COURTS IN CREATING AND ENFORCING INTERNATIONAL LAW
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International and Comparative Law Quarterly / Volume 60 / Issue 01, pp 57 -92
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DOI:10.1017/S0020589310000679 (About DOI)

JUDICIAL SCRUTINY OF MERGER DECISIONS IN THE EU, UK AND GERMANY
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International and Comparative Law Quarterly / Volume 60 / Issue 01, pp 93 -124
Published online: 27 January 2011
DOI:10.1017/S0020589310000680 (About DOI)
Abstract

SECURING HUMAN RIGHTS IN THE FACE OF INTERNATIONAL INTEGRATION
Israel de Jesús Butler
International and Comparative Law Quarterly / Volume 60 / Issue 01, pp 125 -165
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CONSTITUTIONAL DEVELOPMENTS AND HUMAN RIGHTS IN FRANCE: ONE STEP FORWARD, TWO STEPS BACK
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International and Comparative Law Quarterly / Volume 60 / Issue 01, pp 167 -188
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DOI:10.1017/S0020589310000709 (About DOI)

'INTERNATIONALLY RECOGNIZED HUMAN RIGHTS' BEFORE THE INTERNATIONAL CRIMINAL COURT
Rebecca Young
International and Comparative Law Quarterly / Volume 60 / Issue 01, pp 189 -208
Published online: 27 January 2011
DOI:10.1017/S0020589310000710 (About DOI)

RECENT DEVELOPMENTS IN INTERNATIONAL LAW REGARDING NUCLEAR WEAPONS
Daniel H Joyner
International and Comparative Law Quarterly / Volume 60 / Issue 01, pp 209 -224
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THE UNITED KINGDOM AND PARLIAMENTARY SCRUTINY OF TREATIES: RECENT REFORMS
Jill Barrett
International and Comparative Law Quarterly / Volume 60 / Issue 01, pp 225 -245
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INDIGENOUS PEOPLES' HUMAN RIGHTS IN AFRICA: THE PRAGMATIC REVOLUTION OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS
Jérémie Gilbert
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INTERNATIONAL COURT OF JUSTICE, CASE CONCERNING THE DISPUTE REGARDING NAVIGATIONAL AND RELATED RIGHTS (COSTA RICA V NICARAGUA) JUDGMENT OF 13 JULY 2009
Eirik Bjorge
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Book Reviews

The Judicial House of Lords 1876–2009 edited by Louis Blom-Cooper, Brice Dickson, and Gavin Drewry [Oxford University Press, Oxford, 2009, 912pp, ISBN 978-0-19-953271-1, £95 (h/bk)]
John Townsend
International and Comparative Law Quarterly / Volume 60 / Issue 01, pp 281 -282
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DOI:10.1017/S002058931000076X (About DOI)
Lis Pendens in International Litigation by Campbell Mclachlan [Pocketbooks of the Hague Academy of Private International Law/Martinus Nijhoff, Leiden/Boston, 2009, 467pp, ISBN 9789004179097, €15 (p/bk)]
Andrew Dickinson
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The Problem of Enforcement in International Law: Countermeasures, the Non-injured State and the Idea of International Community by Elena Katselli Proukaki [Routledge, 2010, xxi+331pp, ISBN 978-0-41547832-8 (price not given, (h/bk)]
Achilles Skordas
International and Comparative Law Quarterly / Volume 60 / Issue 01, pp 284 -286
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The Philosophy of International Law by Samantha Besson and John Tasioulas (eds) [Oxford University Press, Oxford, 2010, ISBN 978-0-19-920858-6, xiv+611pp, (h/bk)]
John R Morss
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Virginia Journal of International Law

Vol. 51 :: No. 3, Feb. 2011

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The Flaws of Foreign Affairs Legalism
by Daniel Abebe & Eric A. Posner ~ Jan 29, 2011
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Minnesota Journal of International Law, Volume 20, Number 1, Winter 2011

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The British Are Coming!: Britain Changes Its Law on Foreign Bribery and Joins the International Fight Against Corruption
F. Joseph Warin, Charles Falconer, and Michael S. Diamant

"Islam is the Solution": Constitutional Visions of The Egyptian Muslim Brotherhood
Kristen Stilt

To Testify or Not to Testify: A Comparative Analysis of Australian and American Approaches to a Parent-Child Testimonial Exemption
Hillary Farber

Democracy, Human Rights, and Intelligence Sharing
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Reducing Reliance on Incarceration in Texas: Does Finland Hold Answers?
Lilith Houseman

Googling a Trademark: A Comparative Look at Keyword Use in Internet Advertising
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European Journal of International Law

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  - Jasper Finke, Sovereign Immunity: Rule, Comity or Something Else?
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  - Sarah M. H. Nouwen & Wouter G. Werner, Doing Justice to the Political: The International Criminal Court in Uganda and Sudan
  - Mehrdad Payandeh, The Concept of International Law in the Jurisprudence of H.L.A. Hart
- Critical Review of International Jurisprudence
  - Sujitha Subramanian, EU Obligation to the TRIPS Agreement: EU Microsoft Decision
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  - Kirsten Sellars, Imperfect Justice at Nuremberg and Tokyo

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Transnational Law & Contemporary Problems, Volume 19, Number 3, Winter 2011

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International Lawyer, Volume 44, Number 3, Fall 2010

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International Journal of Human Rights, Volume 15, Number 3, March 2011

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- The role of the special rapporteurs of the United Nations Human Rights Council in the development and promotion of international human rights norms (Surya P. Subedi; Steven Wheatley; Amrita....) p.155-161
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- Special rapporteurs as law makers: the developments and evolution of the normative framework for protecting and assisting internally displaced persons (Allehone Mulugeta Abebe) p.286-298
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- At the intersections: San women and the rights of indigenous peoples in Africa (Renee Sylvain) p.89-110
- Language rights and the San in Namibia: a fragile and ambiguous but necessary proposition (Rodney K. Hopson) p.111-126
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Volume 23 Issue 1 March 2011

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Int J Refugee Law (2011) 23(1): 2-27 doi:10.1093/ijrl/eeq045
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Rebecca Dowd
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Int J Refugee Law (2011) 23(1): 28-53 doi:10.1093/ijrl/eeq043
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The Growing Culture of Exclusion: Trends in Canadian Refugee Exclusions
Int J Refugee Law (2011) 23(1): 54-92 doi:10.1093/ijrl/eeq046
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Int J Refugee Law (2011) 23(1): 93-112 doi:10.1093/ijrl/eeq044
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Int J Refugee Law (2011) 23(1): 132 doi:10.1093/ijrl/eeq050
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Int J Refugee Law (2011) 23(1): 133-140 doi:10.1093/ijrl/eeq051
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- Rafael Leal-Arcas, European Union – China Trade Relations
- Petra L. Emerson, An Economic Integration Agreement on Services: A Possible Solution to the Doha Development Round Impasse

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- Piracy, Sea Robbery, and Terrorism: Enforcing Laws to Deter Ransom Payments and Hijacking (Thaine Lennox-Gentle) p.199

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Food, Law & the Environment: Informational and Structural Changes for a Sustainable Food System
Jason J. Czarnezki, Vermont Law School - Environmental Law Center

Environmental Protection and Human Rights: An Overview of Current Trends
Akintunde Kabir Otubu, University of Lagos - Faculty of Law

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Record 3.
TI: The Risk of Torture as a Basis for Refusing Extradition and the Use of Diplomatic Assurances to Protect against Torture after 9/11
AU: Johnston, Jeffrey G.
JN: International Criminal Law Review
PD: January 2011
VO: 11
NO: 1
PG: 1-48(48)
PB: Martinus Nijhoff Publishers
IS: 1567-536X
URL: http://www.ingentaconnect.com/content/mnp/icla/2011/00000011/00000001/art00001
Click on the URL to access the article or to link to other issues of the publication.

Record 4.
TI: Genocide in Rwanda Is It Really Finland's Concern?
AU: Kimpimaki, Minna
JN: International Criminal Law Review
PD: January 2011
VO: 11
NO: 1
PG: 155-176(22)
PB: Martinus Nijhoff Publishers
IS: 1567-536X
URL: http://www.ingentaconnect.com/content/mnp/icla/2011/00000011/00000001/art00005
Click on the URL to access the article or to link to other issues of the publication.

Record 5.
TI: International Criminal Law (3 Vols.): Sources, Subjects and Contents (Vol. 1); Multilateral and Bilateral Enforcement Mech anisms (Vol. 2); International Enforcement (Vol. 3)
AU: Murphy, Ray
JN: International Criminal Law Review
PD: January 2011
VO: 11
NO: 1
PG: 180-182(3)
PB: Martinus Nijhoff Publishers
IS: 1567-536X
URL: http://www.ingentaconnect.com/content/mnp/icla/2011/00000011/00000001/art00007
Click on the URL to access the article or to link to other issues of the publication.

Record 10.
TI: 6. Environmental Migration
AU: McAdam, Jane
JN: Global Migration Governance
PD: 1 January 2011
VO: 1
NO: 9
PG: 153-189(37)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7512227/2011/00000001/00000001/art00007
Click on the URL to access the article or to link to other issues of the publication.

Record 11.
TI: 8. Internally Displaced Persons
AU: Koser, Khalid
JN: Global Migration Governance
PD: 1 January 2011
VO: 1
NO: 9
PG: 210-224(15)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7512227/2011/00000001/00000001/art00009
Click on the URL to access the article or to link to other issues of the publication.

Record 13.
TI: PART I. Visions of Postnational Law
AU: Krisch, Nico
JN: Beyond Constitutionalism
PD: 28 October 2010
VO: 1
NO: 9
PG: 1-3(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7615626/2010/00000001/00000001/art00001
Click on the URL to access the article or to link to other issues of the publication.

Record 14.
TI: 1. Postnational Law in Search of a Structure
AU: Krisch, Nico
JN: Beyond Constitutionalism
PD: 28 October 2010
VO: 1
NO: 9
PG: 3-27(25)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7615626/2010/00000001/00000001/art00002
Click on the URL to access the article or to link to other issues of the publication.

Record 15.
TI: Part II. Pluralism in Postnational Practice
AU: Krisch, Nico
JN: Beyond Constitutionalism
PD: 28 October 2010
VO: 1

NO: 9
PG: 107-109(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7615626/2010/00000001/00000001/art00005
Click on the URL to access the article or to link to other issues of the publication.

Record 16.
TI: 5. Sanctions and Rights between Hierarchy and Heterarchy
AU: Krisch, Nico
JN: Beyond Constitutionalism
PD: 28 October 2010
VO: 1
NO: 9
PG: 153-189(37)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7615626/2010/00000001/00000001/art00007
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Record 17.
TI: Part III. Pluralisms Virtues (And VICES)
AU: Krisch, Nico
JN: Beyond Constitutionalism
PD: 28 October 2010
VO: 1
NO: 9
PG: 223-225(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7615626/2010/00000001/00000001/art00009
Click on the URL to access the article or to link to other issues of the publication.

Record 18.
TI: Full Text
AU: Reinisch, August
JN: Challenging Acts of International Organizations Before National Courts
PD: 9 September 2010
VO: 1
NO: 9
PG: i-302(303)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7466969/2010/00000001/00000001/art00000
Click on the URL to access the article or to link to other issues of the publication.

Record 19.
TI: 1. Introduction
AU: Reinisch, August
JN: Challenging Acts of International Organizations Before National Courts
PD: 9 September 2010
VO: 1
NO: 9
PG: 1-18(18)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7466969/2010/00000001/00000001/art00001
Click on the URL to access the article or to link to other issues of the publication.

Record 20.
TI: 2. UN Sanctions Before the ECJ: the Kadi Case
AU: Hilpold, Peter
JN: Challenging Acts of International Organizations Before National Courts
PD: 9 September 2010
VO: 1
NO: 9
PG: 18-54(37)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7466969/2010/00000001/00000001/art00002
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Record 21.
TI: 4. Challenging Acts of Other United Nations Organs, Subsidiary Organs, and Officials
AU: Wouters, Jan; Schmitt, Pierre
JN: Challenging Acts of International Organizations Before National Courts
PD: 9 September 2010
VO: 1
NO: 9
PG: 77-111(35)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7466969/2010/00000001/00000001/art00004
Click on the URL to access the article or to link to other issues of the publication.

Record 22.
TI: 5. Challenging International Criminal Tribunals Before Domestic Courts
AU: dAspremont, Jean; Brolmann, Catherine
JN: Challenging Acts of International Organizations Before National Courts
PD: 9 September 2010
VO: 1
NO: 9
PG: 111-137(27)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7466969/2010/00000001/00000001/art00005
Click on the URL to access the article or to link to other issues of the publication.

Record 23.
TI: 6. Decisions of the European Patent Organization Before National Courts
AU: Reinisch, August
JN: Challenging Acts of International Organizations Before National Courts
PD: 9 September 2010
VO: 1
NO: 9
PG: 137-157(21)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7466969/2010/00000001/00000001/art00006
Click on the URL to access the article or to link to other issues of the publication.

Record 24.
TI: 7. Asking National Courts to Correct the Over-flight Charges of Eurocontrol
AU: Wurm, Jakob
JN: Challenging Acts of International Organizations Before National Courts
PD: 9 September 2010
VO: 1

NO: 9
PG: 157-178(22)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7466969/2010/00000001/00000001/art00007
Click on the URL to access the article or to link to other issues of the publication.

Record 25.
TI: 8. Challenging Decisions of the European Schools Before National Courts
AU: Schmalenbach, Kirsten
JN: Challenging Acts of International Organizations Before National Courts
PD: 9 September 2010
VO: 1
NO: 9
PG: 178-206(29)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7466969/2010/00000001/00000001/art00008
Click on the URL to access the article or to link to other issues of the publication.

Record 26.
TI: 9. Challenging Acts of INTERPOL in Domestic Courts
AU: Martha, Rutsel Silvestre J
JN: Challenging Acts of International Organizations Before National Courts
PD: 9 September 2010
VO: 1
NO: 9
PG: 206-239(34)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7466969/2010/00000001/00000001/art00009
Click on the URL to access the article or to link to other issues of the publication.

Record 27.
TI: 10. Domestic Legal Remedies Against OPEC
AU: Ryngaert, Cedric
JN: Challenging Acts of International Organizations Before National Courts
PD: 9 September 2010
VO: 1
NO: 9
PG: 239-258(20)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7466969/2010/00000001/00000001/art00010
Click on the URL to access the article or to link to other issues of the publication.

Record 28.
TI: 11. Conclusion
AU: Reinisch, August
JN: Challenging Acts of International Organizations Before National Courts
PD: 9 September 2010
VO: 1
NO: 9
PG: 258-302(45)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7466969/2010/00000001/00000001/art00011
Click on the URL to access the article or to link to other issues of the publication.

Record 30.
TI: PART I. THE POLITICS OF INTERNATIONAL CLIMATE CHANGE
AU: Carlarne, Cinnamon P.
JN: Climate Change Law and Policy
PD: 2 September 2010
VO: 1
NO: 9
PG: 1-3(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7356670/2010/00000001/00000001/art00001
Click on the URL to access the article or to link to other issues of the publication.

Record 31.
TI: PART II. CLIMATE CHANGE LAW AND POLICY IN THE UNITED STATES
AU: Carlarne, Cinnamon P.
JN: Climate Change Law and Policy
PD: 2 September 2010
VO: 1
NO: 9
PG: 19-21(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7356670/2010/00000001/00000001/art00003
Click on the URL to access the article or to link to other issues of the publication.

Record 32.
TI: 4. Litigation, Regulation, and International Law as Law and Policy Drivers in the United States
AU: Carlarne, Cinnamon Pinon
JN: Climate Change Law and Policy
PD: 2 September 2010
VO: 1
NO: 9
PG: 98-141(44)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7356670/2010/00000001/00000001/art00006
Click on the URL to access the article or to link to other issues of the publication.

Record 33.
TI: PART III. CLIMATE CHANGE LAW AND POLICY IN THE EUROPEAN UNION
AU: Carlarne, Cinnamon P.
JN: Climate Change Law and Policy
PD: 2 September 2010
VO: 1
NO: 9
PG: 141-143(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7356670/2010/00000001/00000001/art00007
Click on the URL to access the article or to link to other issues of the publication.

Record 34.
TI: PART IV. US AND EU CLIMATE CHANGE LAWS AND POLICIES COMPARED
AU: Carlarne, Cinnamon P.
JN: Climate Change Law and Policy
PD: 2 September 2010
VO: 1

NO: 9
PG: 235-237(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7356670/2010/00000001/00000001/art00010
Click on the URL to access the article or to link to other issues of the publication.

Record 35.
TI: PART V. THE FUTURE OF INTERNATIONAL CLIMATE CHANGE POLITICS
AU: Carlarne, Cinnamon P.
JN: Climate Change Law and Policy
PD: 2 September 2010
VO: 1
NO: 9
PG: 345-347(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7356670/2010/00000001/00000001/art00013
Click on the URL to access the article or to link to other issues of the publication.

Record 36.
TI: 3.. The international reach of canadian competition law
AU: Iacobucci, Edward M.
JN: Cooperation, Comity, and Competition Policy
PD: 3 December 2010
VO: 1
NO: 9
PG: 44-62(19)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7636688/2010/00000001/00000001/art00004
Click on the URL to access the article or to link to other issues of the publication.

Record 37.
TI: 4.. Jurisdiction, cooperation, comity, and competition policy in brazilian international antitrust law
AU: Benetti Timm, Luciano
JN: Cooperation, Comity, and Competition Policy
PD: 3 December 2010
VO: 1
NO: 9
PG: 62-82(21)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7636688/2010/00000001/00000001/art00005
Click on the URL to access the article or to link to other issues of the publication.

Record 38.
TI: 4. In the Shadows of Statism
AU: Muller, JanWerner
JN: European Stories
PD: 11 November 2010
VO: 1
NO: 9
PG: 87-105(19)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7397952/2010/00000001/00000001/art00007
Click on the URL to access the article or to link to other issues of the publication.

Record 39.
TI: Full Text
AU: Keller, Helen; Forowicz, Magdalena; Engi, Lorenz
JN: Friendly Settlements before the European Court of Human Rights
PD: 2 September 2010
VO: 1
NO: 9
PG: i-312(313)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7628373/2010/00000001/00000001/art00000
Click on the URL to access the article or to link to other issues of the publication.

Record 40.
TI: Part I. Foundations, Practice and Beyond
AU: Keller, Helen; Forowicz, Magdalena; Engi, Lorenz
JN: Friendly Settlements before the European Court of Human Rights
PD: 2 September 2010
VO: 1
NO: 9
PG: 1-3(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7628373/2010/00000001/00000001/art00001
Click on the URL to access the article or to link to other issues of the publication.

Record 41.
TI: Part II. Annexes
AU: Keller, Helen; Forowicz, Magdalena; Engi, Lorenz
JN: Friendly Settlements before the European Court of Human Rights
PD: 2 September 2010
VO: 1
NO: 9
PG: 155-157(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7628373/2010/00000001/00000001/art00008
Click on the URL to access the article or to link to other issues of the publication.

Record 42.
TI: 1. Interviews
AU: Keller, Helen; Forowicz, Magdalena; Engi, Lorenz
JN: Friendly Settlements before the European Court of Human Rights
PD: 2 September 2010
VO: 1
NO: 9
PG: 157-199(43)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7628373/2010/00000001/00000001/art00009
Click on the URL to access the article or to link to other issues of the publication.

Record 43.
TI: 2. Statistics
AU: Keller, Helen; Forowicz, Magdalena; Engi, Lorenz
JN: Friendly Settlements before the European Court of Human Rights
PD: 2 September 2010
VO: 1

NO: 9
PG: 199-288(90)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7628373/2010/00000001/00000001/art00010
Click on the URL to access the article or to link to other issues of the publication.

Record 44.
TI: 3. Legal Basis for Friendly Settlements
AU: Keller, Helen; Forowicz, Magdalena; Engi, Lorenz
JN: Friendly Settlements before the European Court of Human Rights
PD: 2 September 2010
VO: 1
NO: 9
PG: 288-298(11)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7628373/2010/00000001/00000001/art00011
Click on the URL to access the article or to link to other issues of the publication.

Record 45.
TI: 4. Charts for the Use of Friendly Settlements
AU: Keller, Helen; Forowicz, Magdalena; Engi, Lorenz
JN: Friendly Settlements before the European Court of Human Rights
PD: 2 September 2010
VO: 1
NO: 9
PG: 298-312(15)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7628373/2010/00000001/00000001/art00012
Click on the URL to access the article or to link to other issues of the publication.

Record 46.
TI: Full Text
AU: Schill, Stephan W.
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: i-836(837)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00000
Click on the URL to access the article or to link to other issues of the publication.

Record 47.
TI: Part I. Concept and Foundations
AU: Schill, Stephan W.
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 1-3(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00001
Click on the URL to access the article or to link to other issues of the publication.

Record 48.
TI: 1. International Investment Law and Comparative Public Lawan Introduction
AU: Schill, Stephan W.
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 3-39(37)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00002
Click on the URL to access the article or to link to other issues of the publication.

Record 49.
TI: 3. Public Law Concepts to Balance Investors Rights with State Regulatory Actions in the Public Interestthe Concept of Proportionality
AU: Kingsbury, Benedict; Schill, Stephan W.
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 75-105(31)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00004
Click on the URL to access the article or to link to other issues of the publication.

Record 50.
TI: Part II. Investor Rights in Comparative Perspective
AU: Schill, Stephan W.
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 105-107(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00005
Click on the URL to access the article or to link to other issues of the publication.

Record 51.
TI: 4. The Concept of Indirect Expropriation in Comparative Public LawSearching for Light in the Dark
AU: Perkams, Markus
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 107-151(45)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00006
Click on the URL to access the article or to link to other issues of the publication.

Record 52.
TI: 5. Fair and Equitable Treatment, the Rule of Law, and Comparative Public Law
AU: Schill, Stephan W.
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010

VO: 1
NO: 9
PG: 151-183(33)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00007
Click on the URL to access the article or to link to other issues of the publication.

Record 53.
TI: 6. Full Protection and Security
AU: Zeitler, Helge Elisabeth
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 183-213(31)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00008
Click on the URL to access the article or to link to other issues of the publication.

Record 54.
TI: 7. Cain and Abel: Congruence and Conflict in the Application of the Denial of Justice Principle
AU: Ehsassi, Ali
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 213-243(31)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00009
Click on the URL to access the article or to link to other issues of the publication.

Record 55.
TI: 8. The Merits and Limits of Comparativism: National Treatment in International Investment Law and the WTO
AU: Kurtz, Jurgen
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 243-279(37)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00010
Click on the URL to access the article or to link to other issues of the publication.

Record 56.
TI: 9. Discrimination on the Basis of Nationality: Determining Likeness in Human Rights and Investment Law
AU: Baetens, Freya
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 279-317(39)
PB: Oxford University Press

URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00011
Click on the URL to access the article or to link to other issues of the publication.

Record 57.
TI: 10. Umbrella Clauses as Public Law Concepts in Comparative Perspective
AU: Schill, Stephan W.
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 317-345(29)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00012
Click on the URL to access the article or to link to other issues of the publication.

Record 58.
TI: Part III. Comparative Administrative and Comparative Constitutional Law on Selected Issues
AU: Schill, Stephan W.
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 375-377(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00014
Click on the URL to access the article or to link to other issues of the publication.

Record 59.
TI: 12. State Responsibility and Comparative State Liability for Administrative and Legislative Harm to Economic Interests
AU: Marboe, Irmgard
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 377-413(37)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00015
Click on the URL to access the article or to link to other issues of the publication.

Record 60.
TI: 14. Revocation and Cancellation of Concessions, Operating Licences, and Other Beneficial Administrative Acts
AU: Talus, Kim
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 453-475(23)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00017
Click on the URL to access the article or to link to other issues of the publication.

Record 61.

TI: 15. Public-Private Partnerships: Award, Performance, and Remedies
AU: Donnelly, Catherine
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 475-503(29)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00018
Click on the URL to access the article or to link to other issues of the publication.

Record 62.
TI: 17. Property Protection and Protection of Cultural Heritage
AU: Lenzerini, Federico
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 541-569(29)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00020
Click on the URL to access the article or to link to other issues of the publication.

Record 63.
TI: 18. Taxation and Investment: Constitutional Law Limitations on Tax Legislation in Context
AU: Tietje, Christian; Kampermann, Karoline
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 569-599(31)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00021
Click on the URL to access the article or to link to other issues of the publication.

Record 64.
TI: Part IV. Dispute Settlement, Arbitral Procedure, and Remedies
AU: Schill, Stephan W.
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 625-627(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00023
Click on the URL to access the article or to link to other issues of the publication.

Record 65.
TI: 21. Procedure in Investment Treaty Arbitration and the Relevance of Comparative Public Law
AU: Brown, Chester
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9

PG: 659-689(31)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00025
Click on the URL to access the article or to link to other issues of the publication.

Record 66.
TI: 22. The Need for Public Law Standards of Review in Investor-State Arbitrations
AU: Burke-White, William; Staden, Andreas von
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 689-721(33)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00026
Click on the URL to access the article or to link to other issues of the publication.

Record 67.
TI: 23. Primary and Secondary Remedies in International Investment Law and National State Liability: A Functional and Comparative View
AU: Aaken, Anne van
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 721-755(35)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00027
Click on the URL to access the article or to link to other issues of the publication.

Record 68.
TI: 24. Comparative Compensation for Expropriation
AU: Sabahi, Borzu; Birch, Nicholas J.
JN: International Investment Law and Comparative Public Law
PD: 14 October 2010
VO: 1
NO: 9
PG: 755-787(33)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7533876/2010/00000001/00000001/art00028
Click on the URL to access the article or to link to other issues of the publication.

Record 69.
TI: Full Text
AU: Darcy, Shane; Powderly, Joseph
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: i-391(392)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00000
Click on the URL to access the article or to link to other issues of the publication.

Record 70.
TI: Introduction. The International Criminal Tribunals and the Judicial Development of International Criminal Law
AU: Darcy, Shane; Powderly, Joseph
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 1-15(15)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00001
Click on the URL to access the article or to link to other issues of the publication.

Record 71.
TI: Part I. Sources of Law and Judicial Interpretation
AU: Darcy, Shane; Powderly, Joseph
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 15-17(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00002
Click on the URL to access the article or to link to other issues of the publication.

Record 72.
TI: 1. Judicial Interpretation at the Ad Hoc Tribunals: Method From Chaos?
AU: Powderly, Joseph
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 17-45(29)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00003
Click on the URL to access the article or to link to other issues of the publication.

Record 73.
TI: 2. General Principles of Law, Judicial Creativity, and the Development of International Criminal Law
AU: O Raimondo, Fabian
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 45-61(17)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00004
Click on the URL to access the article or to link to other issues of the publication.

Record 74.
TI: Part II. Definition of Crimes
AU: Darcy, Shane; Powderly, Joseph
JN: Judicial Creativity at the International Criminal Tribunals

PD: 16 December 2010
VO: 1
NO: 9
PG: 61-63(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00005
Click on the URL to access the article or to link to other issues of the publication.

Record 75.
TI: 3. Judicial Activism and the Crime of Genocide
AU: Schabas, William A
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 63-80(18)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00006
Click on the URL to access the article or to link to other issues of the publication.

Record 76.
TI: 4. Using Custom to Reconceptualize Crimes Against Humanity
AU: van den Herik, Larissa
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 80-106(27)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00007
Click on the URL to access the article or to link to other issues of the publication.

Record 77.
TI: 5. The Reinvention of War Crimes by the International Criminal Tribunals
AU: Darcy, Shane
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 106-129(24)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00008
Click on the URL to access the article or to link to other issues of the publication.

Record 78.
TI: 6. Creating a Definition of Rape in International Law: The Contribution of the International Criminal Tribunals
AU: Hayes, Niamh
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 129-157(29)
PB: Oxford University Press

URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00009
Click on the URL to access the article or to link to other issues of the publication.

Record 79.
TI: Part III. Forms of Criminal Liability
AU: Darcy, Shane; Powderly, Joseph
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 157-159(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00010
Click on the URL to access the article or to link to other issues of the publication.

Record 80.
TI: 7. The Ad Hoc Tribunals and the Law of Command Responsibility: A Quiet Earthquake
AU: Cryer, Robert
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 159-184(26)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00011
Click on the URL to access the article or to link to other issues of the publication.

Record 81.
TI: 8. Judicial Creativity and Joint Criminal Enterprise
AU: Shahabuddeen, Mohamed
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 184-204(21)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00012
Click on the URL to access the article or to link to other issues of the publication.

Record 82.
TI: 9. Omission Liability at the International Criminal TribunalsA Case for Reform
AU: Boas, Gideon
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 204-227(24)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00013
Click on the URL to access the article or to link to other issues of the publication.

Record 83.
TI: Part IV. Defences and Fair Trial Rights
AU: Darcy, Shane; Powderly, Joseph

JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 227-229(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00014
Click on the URL to access the article or to link to other issues of the publication.

Record 84.
TI: 10. Judicial Development of the Law of Defences by the International Criminal Tribunals
AU: Fournet, Caroline
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 229-252(24)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00015
Click on the URL to access the article or to link to other issues of the publication.

Record 85.
TI: 11. The Development of the Right to Self-Representation before the International Criminal Tribunals
AU: Higgins, Gillian
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 252-286(35)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00016
Click on the URL to access the article or to link to other issues of the publication.

Record 86.
TI: 12. The Right to be Informed of the Nature and Cause of the Charges: A Potentially Formidable Jurisprudential Legacy
AU: Jordash, Wayne; Coughlan, John
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 286-313(28)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00017
Click on the URL to access the article or to link to other issues of the publication.

Record 87.
TI: Part V. Procedure
AU: Darcy, Shane; Powderly, Joseph
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9

PG: 313-315(3)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00018
Click on the URL to access the article or to link to other issues of the publication.

Record 88.
TI: 13. Procedural Lawmaking at the International Criminal Tribunals
AU: Sluiter, Goran
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 315-332(18)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00019
Click on the URL to access the article or to link to other issues of the publication.

Record 89.
TI: 14. Trying Cases at the International Criminal Tribunals in the Absence of the Accused?
AU: Friman, Hakan
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 332-353(22)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00020
Click on the URL to access the article or to link to other issues of the publication.

Record 90.
TI: 15. The Judicial Role in the Definition and Implementation of the Completion Strategies of the International Criminal Tribunals
AU: Donlon, Fidelma
JN: Judicial Creativity at the International Criminal Tribunals
PD: 16 December 2010
VO: 1
NO: 9
PG: 353-391(39)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7596017/2010/00000001/00000001/art00021
Click on the URL to access the article or to link to other issues of the publication.

Record 91.
TI: 6. Migration and Global Mobility
AU: Wee, Lionel
JN: Language without Rights
PD: 24 November 2010
VO: 1
NO: 9
PG: 123-144(22)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7374485/2010/00000001/00000001/art00006
Click on the URL to access the article or to link to other issues of the publication.

Record 92.
TI: 1. Introduction: The Grey Goose
AU: Barden, Garrett; Murphy, Tim
JN: Law and Justice in Community
PD: 19 August 2010
VO: 1
NO: 9
PG: 1-19(19)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7480025/2010/00000001/00000001/art00001
Click on the URL to access the article or to link to other issues of the publication.

Record 93.
TI: 7. Piracy off Somalia: The Emperors and the Thieves of the Oceans in the 21st Century
AU: Papastavridis, Efthymios
JN: Protecting Human Security in Africa
PD: 23 September 2010
VO: 1
NO: 9
PG: 122-155(34)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7574263/2010/00000001/00000001/art00008
Click on the URL to access the article or to link to other issues of the publication.

Record 94.
TI: 7. Japans New Clinical Programs: A Study of Light and Shadow
AU: miyagawa, shigeo; suami, takao; joy, peter a; weisselberg, charles d
JN: The Global Clinical Movement
PD: 3 November 2010
VO: 1
NO: 9
PG: 105-121(17)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7456181/2010/00000001/00000001/art00008
Click on the URL to access the article or to link to other issues of the publication.

Record 95.
TI: 25. The Global Alliance for Justice Education
AU: santow, edward; mukundi wachira, george
JN: The Global Clinical Movement
PD: 3 November 2010
VO: 1
NO: 9
PG: 370-400(31)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7456181/2010/00000001/00000001/art00028
Click on the URL to access the article or to link to other issues of the publication.

Record 96.
TI: Full Text
AU: Wellman, Carl
JN: The Moral Dimensions of Human Rights
PD: 31 December 2010
VO: 1

NO: 9
PG: i-238(239)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7446434/2010/00000001/00000001/art00000
Click on the URL to access the article or to link to other issues of the publication.

Record 97.
TI: 1. An Approach to Human Rights
AU: Wellman, Carl
JN: The Moral Dimensions of Human Rights
PD: 31 December 2010
VO: 1
NO: 9
PG: 3-17(15)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7446434/2010/00000001/00000001/art00001
Click on the URL to access the article or to link to other issues of the publication.

Record 98.
TI: 4. Moral Dimensions of Human Rights Documents
AU: Wellman, Carl
JN: The Moral Dimensions of Human Rights
PD: 31 December 2010
VO: 1
NO: 9
PG: 53-71(19)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7446434/2010/00000001/00000001/art00004
Click on the URL to access the article or to link to other issues of the publication.

Record 99.
TI: 5. The Nature of International Human Rights
AU: Wellman, Carl
JN: The Moral Dimensions of Human Rights
PD: 31 December 2010
VO: 1
NO: 9
PG: 71-85(15)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7446434/2010/00000001/00000001/art00005
Click on the URL to access the article or to link to other issues of the publication.

Record 100.
TI: 6. Grounds of International Human Rights
AU: Wellman, Carl
JN: The Moral Dimensions of Human Rights
PD: 31 December 2010
VO: 1
NO: 9
PG: 85-101(17)
PB: Oxford University Press
URL: http://www.ingentaconnect.com/content/oso/7446434/2010/00000001/00000001/art00006
Click on the URL to access the article or to link to other issues of the publication.

IV. Blogs (select items)

Peter Spiro, US and Pakistan in Diplomatic Immunity Dust Up, Opinio Juris (Feb. 2, 2011)

Joseph Weiler, Dispatch from the Euro Titanic: And the Orchestra Played On, EJIL: Talk! (Feb. 2, 2011)

ERI Comments on the UN's Draft Guiding Principles on Business and Human Rights, EarthRights International (Feb. 2, 2011)

Christine Bell + Catherine O'Rourke, Impact of Resolution 1325 on Peace Accords, IntLawGrrls (Feb. 1, 2011)

Masahiro Kawai, A Closer Look at East Asia's Free Trade Agreements, East Asia Forum (Feb. 1, 2011)

Richard Baldwin, Global Trade Talks: Doha is Doable This Year, East Asia Forum (Feb. 1, 2011)

Qiuyan Zhao & Gregory E. Wannier, A Proposal for China to Monitor its GHG Emissions, Climate Law Blog (Feb. 1, 2011)

Dapo Akande, The Genocide Convention and the Arrest Warrants Issued by the ICC, EJIL: Talk! (Jan. 31, 2011)

Rick Herz, Refuting One Line of Corporate Attack on the ATS, EarthRights International (Jan. 31, 2011)

Jacob Park, Debate 2.0: Is Sustainable Development Still Relevant? OurWorld 2.0 (Jan. 28, 2011)

Joel Johnson, Is Internet Access a Human Right, Gizmodo (Jan. 28, 2011)

Fiona de Londras, Some Thoughts on Securing the Future of the European Court of Human Rights, IntLawGrrls (Jan. 28, 2011)

Anne-Marie Slaughter, Leading Through Civilian Power: The First Quadrennial Diplomacy and Development Review, 21st Century Statecraft (Jan. 27, 2011)

Elvira, Is Sudan Set for a Divorce?, Peace Palace Library (Jan. 27, 2011)

Megan Farley, Whither Now the United States and the ICC, IntLawGrrls (Jan. 27, 2011)

Joseph Weiler, In the Dock, In Paris, EJIL Talk! (Jan. 25, 2011)

William A. Scabas, Genocide Convention and the International Criminal Court, PhD Studies in Human Rights (26 Jan 2011)

Christopher R. Albon, The Razing of Tarok Kolache, UN Dispatch (Jan. 26, 2011)

Jonathan Kaufmann, Three Updates on the Fight Against Shell in Nigeria, EarthRights International (Jan. 25, 2011)

V. Gray Literature/Newsletters

U.S. Reference Service Public Affairs Section U.S. Embassy in Australia, USA Web Alert (January 2011)

Security Council Report, Monthly Update (Feb. 2011)

Jan-Gustav Strandeneas, Sustainable Development Governance towards Rio+20: Framing the Debate, Stakeholder Forum (2011)

FAO, Infosylva Forestry News Clippings – No. 2/2011

UNHCR, Refuge*e-news* (Jan. 2011)

United Nations Democracy Fund, UNDEF Update No. 9 (Jan. 2011)

WWF, United Nations Freshwater Agreements Initiative, New Update, No. 13 (Jan. 2011)

PILPG, War Crimes Prosecution Watch, Vol. 5, Issue 22 (Jan. 31, 2011)

Jan Darpö - On Costs in the Environmental Procedure of the Aarhus Convention (31 Jan 2011)

Development Gateway, Newsletter (Winter 2010/11)

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