The Law and Practice of the United Nations

Second Revised Edition

Benedetto Conforti

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The Law And Practice Of The United Nations Legal Aspects Of International Organization 36

August Reinisch

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Oppenheim's International Law: United Nations Rosalyn Higgins, Philippa Webb, Dapo Akande, Sandesh Sivakumaran, James Sloan, 2018-12-13 The United Nations whose specialized agencies were the subject of an Appendix to the 1958 edition of Oppenheim's International Law Peace has expanded beyond all recognition since its founding in 1945 This volume represents a study that is entirely new but prepared in the way that has become so familiar over succeeding editions of Oppenheim An authoritative and comprehensive study of the United Nations legal practice this volume covers the formal structures of the UN as it has expanded over the years and all that this complex organization does All substantive issues are addressed in separate sections including among others the responsibilities of the UN financing immunities human rights preventing armed conflicts and peacekeeping and judicial matters In examining the evolving structures and ever expanding work of the United Nations this volume follows the long held tradition of Oppenheim by presenting facts uncoloured by personal opinion in a succinct text that also offers in the footnotes a wealth of information and ideas to be explored It is book that while making all necessary reference to the Charter the Statute of the International Court of Justice and other legal instruments tells of the realities of the legal issues as they arise in the day to day practice of the United Nations Missions to the UN Ministries of Foreign Affairs practitioners of international law academics and students will all find this book to be vital in their understanding of the workings of the legal practice of the UN Research for this publication was made possible by The Balzan Prize which was awarded to Rosalyn Higgins in 2007 by the International Balzan Foundation Conventions on the Privileges and Immunities of the United Nations and its Specialized Agencies August Reinisch, Peter Bachmayer, 2016-03-24 The Convention on the Privileges and Immunities of the United Nations and the Convention on the Privileges and Immunities of the Specialized Agencies entered into force more than 60 years ago This Commentary offers for the first time a comprehensive discussion covering both Conventions in their entirety providing an overview of academic writings and jurisprudence for a legal field of particular practical relevance and gives both the academic researcher as well as the practitioner a unique source to understand the complexity of legal issues that the UN its Specialized Agencies their officials Member States representatives and experts face in today s world An Introduction to International **Organizations Law** Jan Klabbers, 2022-03-10 Provides a framework for understanding how organizations are set up and the logic behind international organizations law The Law and Practice of the United Nations Benedetto Conforti, Carlo Focarelli, 2010-09-24 The Law and Practice of the United Nations examines the law of the United Nations through an analysis of the Organization s practice from its inception until the present in particular to the transformations the UN has undergone since the end of the Cold War Special consideration is given to Chapter VII of the UN Charter and its interpretation the United Nations membership and organs competences along with the peaceful settlement of disputes and coercive action for the maintenance of international peace and security In addition this important new edition explores such areas as economic

sanctions peacekeeping authorizations of the Security Council territorial administrations self determination human rights financing of the Organization acts adoptable by the UN organs and a review of their legality Offering a fully revised and updated analysis of the main legal issues surrounding the United Nations practice The Law and Practice of the United Nations will be of interest to all those involved with legal issues surrounding the United Nations the analysis of said issues and their impacts on international practice The Statute of the International Court of Justice Andreas Zimmermann, Christian Tomuschat, Karin Oellers-Frahm, Christian J. Tams, 2012-10-11 The International Court of Justice is the principal judicial organ of the United Nations and plays a central role in the settlement of disputes and the development of international law This commentary analyses the Statute of the Court and the related provisions of the UN charter and the Court s Rules of Procedure The Triggering Procedure of the International Criminal Court Héctor Olásolo, 2005 The Rome Statute unlike the statutes of the International Criminal Tribunals for the former Yugoslavia and for Rwanda creates a permanent court whose dormant jurisdiction covers the territory and includes the nationals of States Parties and is universal in cases where the Security Council makes a referral Besides unlike the ad hoc tribunals which have jurisdiction over specific crisis situations whose personal territorial and temporal parameters have been defined in their respective statutes by the UN Security Council in the case of the ICC it is not possible to determine a priori in which situations the ICC will be involved As a result the most relevant activity of the Court is the determination of those situations regarding which the dormant jurisdiction of the Court will be triggered The book The Triggering Procedure of the International Criminal Court constitutes the first comprehensive analysis of the proceedings that prior to any criminal investigation aim to make such a fundamental determination An Institutional And Normative Analysis of the World Trade Organization Mary E. Footer, 2006 This book establishes a framework for analysis of the institutional and normative character of the WTO by locating the organization in a broader theory of international institutional law and in determining the basis for the conferral and exercise of powers in relation to its executive legislative and adjudicative functions The WTO is also read as an international regime in order to go beyond its formal legal and constitutional bases and to observe the Members practice in the context of the former semi institutionalised GATT treaty regime with which it retains strong links WTO decision making which underpins and informs its institutional and normative acts is analysed in order to better understand the dynamics of the organization Normative developments in the WTO are reviewed from the perspective of the creation maintenance and revision of legally binding and non binding or soft law norms in the sense of principles rules and standards contained in primary treaty rules which set out the rights and obligations of the Members and subsidiary rule making activity by WTO bodies The Cambridge Companion to International Organizations Law Jan Klabbers, 2022-04-07 Offers an overview of international organizations law including how they work and how they affect their member states A Changing United Nations W. Knight, 2000-10-19 The United Nations is at a critical juncture It is faced with two distinct choices to remain a decision frozen in time or to develop a long term adaptation agenda and strategy that would allow it to be a relevant institution of global governance for the twenty first century Reform and reflexive institutional adjustments have failed to address underlying problems facing this organization After fifty five years of existence it is still considered an inefficient and ineffective world body Worse yet its relevance is being questioned This study offers a critique of existing UN change processes and then shifts focus to considerations of institutional learning strategies that would allow the UN to maintain relevance amidst the evolution of global governance arrangements **International Organizations Before National Courts** August Reinisch.2000-04-13 A radical empirical investigation of how national courts react to disputes involving international organizations Through comprehensive analysis of the attitudes and techniques of national courts and underlying political motives Professor Reinisch first describes various legal approaches that result in adjudication or non adjudication of disputes concerning international organizations Secondly he discusses policy issues pro and contra the adjudication of such disputes His study then scrutinizes the rationale for immunizing international organizations from domestic litigations especially the functional need for immunity and substantially debates the implications of a human rights based right of access to court on immunizing international organizations against national jurisdictions Finally he identifies contemporary trends seeking to ascertain whether a more flexible principle exempting certain types of disputes from domestic adjudication might substitute for the traditional immunity concept which would simultaneously guarantee the functioning and independence of international organizations without impairing private parties access to a fair dispute settlement procedure Historical Dictionary of Multinational Peacekeeping Terry M. Mays, 2021-04-10 Conflicts require a process to guide the belligerents from the battle field to mutual cooperation But how does one provide the conflict stabilization for this peace process to operate Peacekeeping emerged as one of these tools and has evolved to become an important element to support the peace process between belligerents in major inter state and intra state conflict This book takes a broad definition of multinational peacekeeping in order to provide a basis for comparison and permit researchers to review operations labeled as peacekeeping by international organizations The goal of this work is to assist researchers scholars and others who are interested in peacekeeping and humanitarian operations to sort through the myriad of peacekeeping or peace operations since 1920 and consider some of the trends and issues behind these missions This fourth edition of Historical Dictionary of Multinational Peacekeeping contains a chronology an introduction and an extensive bibliography The dictionary section has more than 700 cross referenced entries peacekeeping operations people organizations countries and events associated with peacekeeping This book is an excellent resource for students researchers and anyone wanting to know more about peacekeeping Contemporary Diplomatic and Consular Relations Paraskevi Naskou-Perraki, 2025-09-13 This Open Access book presents the evolution of diplomacy from its historical roots to its modern day practices It explores how diplomacy has been shaped by key events such as the Congress of Vienna 1815 and the establishment of the United Nations

1945 It provides an in depth analysis of the Vienna Conventions on Diplomatic 1961 and Consular Relations 1963 codifying the global rules governing diplomatic and consular relations The book also examines the role of diplomacy within various international institutions and highlights the emergence of new forms of diplomacy in the 21st century These include the diplomacy of international organizations the European Union and specialized areas such as climate sports culture energy health judicial economic entrepreneurial and parliamentary diplomacy Through a collection of scholarly essays this work offers a comprehensive overview of the institutional developments that continue to shape the practice of diplomacy today It will appeal to students scholars and researchers of international relations law and political science in general and diplomacy and foreign policy in particular as well as to practitioners policy makers and diplomats interested in a better understanding of diplomacy its historical roots and modern practices The United Nations Security Council in the Post-Cold War Era Kenneth Manusama, 2006-06-01 The United Nations Security Council is meant to be the central international organ for maintaining international peace and security and it has a profound impact on the rights and duties of states under international law However it has been severely criticized throughout its existence This book examines the role of international law in its decisions and decision making process since the end of the Cold War with the principle of legality as theoretical framework It explores the limits that international law places on the Security Council i e what it is allowed to demand of and impose on states More importantly however this study provides great insight into how states use international legal arguments in the Council's decision making process and whether the Security Council has in practice respected and observed these legal limits Selected case studies include Iraq the former Yugoslavia Haiti East Timor and international International Organizations and the Law of the Sea 2000 Barbara Kwiatkowska, Harm Dotinga, Erik J. terrorism Molenaar, Alex G. Oude Elferink, Alfred H.A. Soons, 2021-10-25 Now in its 16th year the NILOS Documentary Yearbook provides the reader with an excellent collection of documents related to ocean affairs and the law of the sea issued each year by organizations organs and bodies of the United Nations system Documents of the UN General Assembly Meeting of States Parties to the UN Law of the Sea Convention CLCS ISBA ITLOS Follow Up to the UN Small Island States Conference ECOSOC UNEP and UNCTAD are included first followed by the documents of FAO IAEA ILO IMO and UNESCO IOC As in the previous volumes documents which were issued in the course of 2000 are reproduced while other relevant documents are listed The NILOS Documentary Yearbook has proved to be of invaluable assistance in facilitating access by the international community of scholars and practitioners in ocean affairs and the law of the sea to essential documentation The entry of the 1992 UN Law of the Sea Convention into force on 16 November 1994 and of the Part XI Agreement on 28 July 1996 as well as of the UN Fish Stocks Agreement on 11 December 2001 coupled with the review of the UNCED Agenda 21 at the 2002 Johannesburg World Summit make continuation of this assistance of particular significance in the years to come The members of the Yearbook's Advisory Board are Judges Abdul Koroma and Shigeru Oda of the ICJ UNDOALOS Director Mrs

Annick de Marffy Judges Thomas Mensah Dolliver Nelson and Tullio Treves of the ITLOS as well as Rosalie Balkin Edward Brown Lee Kimball Bernard Oxman and Shabtai Rosenne The Oxford Handbook of International Security Alexandra Gheciu, William C. Wohlforth, 2018-03-08 This Oxford Handbook is the definitive volume on the state of international security and the academic field of security studies It provides a tour of the most innovative and exciting news areas of research as well as major developments in established lines of inquiry It presents a comprehensive portrait of an exciting field with a distinctively forward looking theme focusing on the guestion what does it mean to think about the future of international security The key assumption underpinning this volume is that all scholarly claims about international security both normative and positive have implications for the future By examining international security to extract implications for the future the volume provides clarity about the real meaning and practical implications for those involved in this field Yet contributions to this volume are not exclusively forecasts or prognostications and the volume reflects the fact that within the field of security studies there are diverse views on how to think about the future Readers will find in this volume some of the most influential mainstream positivist voices in the field of international security as well as some of the best known scholars representing various branches of critical thinking about security The topics covered in the Handbook range from conventional international security themes such as arms control alliances and Great Power politics to new security issues such as global health the roles of non state actors cyber security and the power of visual representations in international security The Oxford Handbooks of International Relations is a twelve volume set of reference books offering authoritative and innovative engagements with the principal sub fields of International Relations The series as a whole is under the General Editorship of Christian Reus Smit of the University of Queensland and Duncan Snidal of the University of Oxford with each volume edited by specialists in the field The series both surveys the broad terrain of International Relations scholarship and reshapes it pushing each sub field in challenging new directions Following the example of Reus Smit and Snidal s original Oxford Handbook of International Relations each volume is organized around a strong central thematic by scholars drawn from different perspectives reading its sub field in an entirely new way and pushing scholarship in challenging new directions

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twenty first century International Environmental Policy Lynton Keith Caldwell, Paul Stanley Weiland, 1996 In this newly revised and expanded edition of the award winning International Environmental Policy Lynton Keith Caldwell updates his comprehensive survey of the global international movement for protection of the environment Serving as a history of international cooperation on environmental issues this book focuses primarily on the development of international agreements and institutional arrangements both governmental and nongovernmental along with the impact of science technology trade and communication on environmental policy With implications for multinational commerce population policy agriculture energy issues biological and cultural diversity transnational equity ideology and education this book takes a broad view of the policy outcomes of what may be the most important social movement of the 20th century and addresses the events and politics that have significantly affected the movement over the last twenty years and will continue to affect it into the next century Research Handbook on Disasters and International Law Susan C. Breau, Katja L.H. Samuel, 2016-09-30 International laws role in governing disasters is undergoing a formative period in its development and reach in parallel with concerted efforts by the international community to respond more effectively to the increasing number and intensity of disasters across the world This Research Handbook examines a broad range of legal regimes directly and indirectly relevant to disaster prevention mitigation and reconstruction across a spectrum of natural and manmade disasters National Contingents in United Nations Peace-Keeping Forces Robert C R Siekmann, 1991-09 including armed conflict Are member states obliged to provide troops for United Nations peace keeping operations What criteria apply for the composition of UN forces Does the host state have any say in this respect And may national contingents be withdrawn at any time Who pays the cost of participation How are criminal trials of military personnel organized and what is their status What influence do troop contributing states have in the operational phase with regard to their own contingent and their members This book sets out to answer these and many other relevant questions examining operational practice in detail and assessing the results according to international law criteria With the growing role of UN peace keeping forces Siekmann has produced an essential handbook for diplomats legal advisers and the military

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