

A PRINCIPLED APPROACH TO STATE FAILURE

INTERNATIONAL COMMUNITY ACTIONS
IN EMERGENCY SITUATIONS

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A Principled Approach To State Failure Developments In International Law

**Frank Haldemann, Thomas
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A Principled Approach to State Failure Chiara Giorgetti, 2010 This book is the first legal study of state failure in international law Dr Giorgetti specifically analyses health environmental and human rights emergencies and suggests concrete instruments for international actors facing emergencies in failing states Her Principles for Action are an important contribution to the development of international law International Development Organizations and Fragile States Marie von Engelhardt, 2017-12-14 This book addresses a conundrum for the international development community The law of development cooperation poses major constraints on delivering aid where it is needed most The existence of a state with an effective government is a basic condition for the transfer of aid making development cooperation with fragile nations particularly challenging The author explores how international organizations like the World Bank have responded by adopting formal and informal rules to engage specifically with countries with weak or no governments Von Engelhardt provides a critical analysis of the discourse on fragile states and how it has shaped the policy decision making of international organizations By demonstrating how perceptions of fragility can have significant consequences both in practice and in law the work challenges conventional research that dismisses state fragility as a phenomenon beyond law It also argues that the legal parameters for effective global policy play a crucial role and offers a fresh approach to a topic that is central to international security and development Self-Determination, International Law and Post-Conflict Reconstruction Manuela Melandri, 2018-10-03 The right to self determination has played a crucial role in the process of assisting oppressed people to put an end to colonial domination Outside of the decolonization context however its relevance and application has constantly been challenged and debated This book examines the role played by self determination in international law with regard to post conflict state building It discusses the question of whether self determination protects local populations from the intervention of international state builders in domestic affairs With a focus on the right as it applies to the people of an independent state it explores how self determination concerns that arise in the post conflict period play out in relation to the reconstruction process The book analyses the situation in Somalia as a means of drawing out the impact and significance of the legal principle of self determination in the process of rebuilding post conflict institutions In so doing it seeks to highlight how the relevance of self determination is often overlooked in this context International Law Sanford Silverburg, 2018-04-19 This book offers diverse multinational perspectives on traditional and emergent issues in the practice and study of international law It deals with the evolving foundations of international law and covers a wide range of issues that link international politics to international law The World Bank Legal Review Hassane Cissé, Daniel D. Bradlow, Benedict Kingsbury, 2011-11-04 This book focuses on the legal challenges and opportunities for International Financial Institutions in the post crisis world It includes contributions from academics practitioners and Bank staff The contributions cover a broad array of issues included governance reform and constitutional framework of IFIs privileges and

immunities responsibility of international organizations issues related to fragile and conflict affected states climate finance and the recent financial crisis The book is organized in three main areas namely i Law of International Organizations Issues Confronting IFIs ii Legal Obligations and Institutions of Developing Countries Rethinking Approaches of IFIs and iii International Finance and the Challenges of Regulatory Governance **War, State and Sovereignty** Grégory Daho, Yann Richard, 2023-07-28 This book addresses the links between war state and sovereignty using an interdisciplinary approach The authors and editors investigate the transformation of the state through the practices of security governance an effective way to question the evolution of authority and legitimacy of state violence and the organisation of human societies This work contributes to the understanding of the transformation of state through the prism of security challenges and provides the means to identify the evolution of their regal contours the legal and technical forms of regulating violence and the legitimisation of public power This volume shows that the contribution of the social sciences is decisive for understanding the changes of the role and insertion of armed forces in their political social and professional environment State Legitimacy and Failure in International Law Mario Silva, 2014-02-06 Failing states share characteristics of inadequate structural competency including inter alia the inability to advance human welfare and security Economic inequalities and corruption are present as well as a loss of legitimacy and reduced social cohesion Failure of rule of law is manifested in areas of judicial adjudication security reduced territorial control and systemic political instability The international community often confronts these challenges in a manner that actually complicates issues further through lack of consensus among state actors Consequently a new and emerging concept of sovereignty requires review in terms of the postmodern state Through scholarly consideration State Legitimacy and Failure in International Law evaluates gaps in structural competency that precipitate state failure and examines the resulting consequences for the world community *Sustainable Development Principles in the Decisions of International Courts and Tribunals* Marie-Claire Cordonier Segger, Judge C.G. Weeramantry, 2017-05-08 The 2002 New Delhi Declaration of Principles of International Law relating to Sustainable Development set out seven principles on sustainable development as agreed in treaties and soft law instruments from before the 1992 Rio Earth Summit UNCED to the 2002 Johannesburg World Summit on Sustainable Development to the 2012 Rio UNCS Recognition of the New Delhi principles is shaping the decisions of dispute settlement bodies with jurisdiction over many subjects the environment human rights trade investment and crime among others This book explores the expanding international jurisprudence incorporating principles of international law on sustainable development Through chapters by respected experts the volume documents the application and interpretation of these principles demonstrating how courts and tribunals are contributing to the world's Sustainable Development Goals by peacefully resolving disputes It charts the evolution of these principles in international law from soft law standards towards recognition as customary law in certain instances assessing key challenges to further judicial consideration of the principles and discussing for instance how their

relevance for compliance and disputes related to the 2015 Paris Agreement on climate change The volume provides a unique contribution of great interest to law and policy makers judges academics students civil society and practitioners concerned with sustainable development and the law globally Extracting Accountability from Non-State Actors in International Law Lee James McConnell, 2016-11-10 The human rights of communities in many resource rich weak governance States are adversely affected not only by the acts of States and their agents but also by powerful non State actors Contemporary phenomena such as globalisation privatisation and the proliferation of internal armed conflict have all contributed to the increasing public influence of these entities and the correlative decline in State power This book responds to the persistent challenges stemming from non State actors linked to extractive industries In light of the intersecting roles of multinational enterprises and non State armed groups in this context these actors are adopted as the primary analytical vehicles The operations of these entities highlight the practical flaws of existing accountability regimes and permit an exploration of the theoretical challenges that preclude their direct legal regulation at the international level Drawing insights from discursive democracy compliance theories and the Pure Theory of Law the book establishes a conceptual foundation for the creation of binding international obligations addressing non State actors Responding to the recent calls for a binding business and human rights treaty at the UN Human Rights Council and the growing influence of armed non State actors the book makes a timely contribution to debates surrounding the direction of future developments in the field of international human rights law

Climate Refugees Simon Behrman, Avidan Kent, 2018-02-06 Current estimates of the numbers of people who will be forced from their homes as a result of climate change by the middle of the century range from 50 to 200 million Therefore even the most optimistic projections envisage a crisis of migration that will dwarf any we have seen so far And yet attempts to develop legal mechanisms to deal with this impending crisis have reached an impasse that shows little sign of being overcome This is in spite of the rapidly growing academic study and policy development in the area of climate change generally Climate Refugees Beyond the Legal Impasse addresses a fundamental gap in academic literature and policy making namely the legal no man s land in which the issue of climate refugees currently resides Past proposals for the regulation of climate induced migration are evaluated inter alia by their original authors and the volume also looks at current attempts to regulate climate induced migration including by officials from the International Organization for Migration IOM the office of the United Nations High Commissioner for Refugees UNHCR and the Platform on Displacement Disaster PDD Bringing together experts from a variety of academic fields as well as officials from leading international organisations this book will be of great interest to students and researchers of Environmental Law Refugee Law Human Rights Law Environmental Studies and International Relations

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