

International Judicial Instance In Civil Matters

International Business Law Practice Series

This book offers an in-depth analysis of the differences between common law and civil law systems from various theoretical perspectives. Written by a global network of experts, it explores the topic against the background of a variety of legal traditions. Common law and civil law are typically presented as antagonistic players on a field claimed by diverse legal systems: the former being based on precedent set by judges in deciding cases before them; the latter being founded on a set of rules intended to govern the decisions of those applying them. Perceived in this manner, common law and civil law differ in terms of the (main) source(s) of law; who is to create them; who is (merely) to draw from them; and whether the law itself is pure each step of the way, or whether the law's purity may be tarnished when confronted with a set of contingent facts. These differences have deep roots in (legal) history – roots that allow us to trace them back to distinct traditions. Nevertheless, it is questionable whether the divide thus depicted is as great as it may seem: international and supranational legal systems unconcerned by national peculiarities appear to level the playing field. A normative understanding of constitutions seems to grant ever-greater authority to High Court decisions based on thinly worded maxims in countries that adhere to the civil law tradition. The challenges contemporary regulation faces call for ever-more detailed statutes governing the decisions of judges in the common law tradition. These and similar observations demand a structural reassessment of the role of judges, the power of precedent, the limits of legislation

and other features often thought to be so different in common and civil law systems. The book addresses this reassessment.

A desk reference for lawyers and their clients faced with the prospect of litigation in foreign jurisdictions, this book is a guide to the civil procedure rules and practices in thirty-two major countries and in the European Community. Local rules relating to arbitration and, where available, mediation are also covered.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this convenient volume provides comprehensive analysis of the legislation and rules that determine civil procedure and practice in the Czech Republic. Lawyers who handle transnational matters will appreciate the book's clear explanation of distinct terminology and application of rules. The structure follows the classical chapters of a handbook on civil procedure: beginning with the judicial organization of the courts, jurisdiction issues, a discussion of the various actions and claims, and then moving to a review of the proceedings as such. These general chapters are followed by a discussion of the incidents during proceedings, the legal aid and legal costs, and the regulation of evidence. There are chapters on seizure for security and enforcement of judgments, and a final section on alternative dispute resolution. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Succinct, scholarly, and practical, this book will prove a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in the Czech Republic will welcome this very useful guide, and academics and researchers will appreciate its comparative value as a contribution to the study of civil procedure in the international context.

The Right to a Fair Trial in International Law brings together the diverse sources of international law that define the right to a fair trial in the context of criminal (as opposed to civil, administrative or other) proceedings. The book provides a comprehensive explanation of what the right to a fair trial means in practice under international law and focuses on factual scenarios that practitioners and judges may face in court. Each of the book's fourteen chapters examines a component of the right to a fair trial as defined in Article 14 of the International Covenant on Civil and Political Rights and reviews the case law of regional human rights courts, international criminal courts as well as UN human rights bodies. Highlighting both consensus and divisions in the international jurisprudence in this area, this book provides an invaluable resource to practitioners and scholars dealing with breaches of one of the most fundamental human rights.

New Developments in Civil and Commercial Mediation

Civil Procedure in the Czech Republic

A World Court in the Light of the United States Supreme Court

National Courts and the International Rule of Law

Transformation of Civil Justice

This book focuses on four topical and interconnected, innovative pathways to civil justice within the context of securing and improving access to justice: the use of Artificial Intelligence and its interactions with judicial systems; ADR and ODR tracks in privatising justice systems; the effects of increased self-representation on access to justice; and court specialization and the establishment of commercial courts to counter

the trend of vanishing court trials. Top academics and experts from Europe, the US and Canada address these topics in a critical and multidisciplinary manner, combining legal, socio-legal and empirical insights. The book is part of 'Building EU Civil Justice', a five-year research project funded by the European Research Council. It will be of interest to scholars and policymakers, as well as practitioners working in the areas of civil justice, alternative dispute resolution, court systems, and legal tech. The chapters "Introduction: The Future of Access to Justice – Beyond Science Fiction" and "Constituting a Civil Legal System Called "Just": Law, Money, Power, and Publicity" are available open access under a Creative Commons Attribution 4.0 International License via link.springer.com.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this convenient volume provides comprehensive analysis of the legislation and rules that determine civil procedure and practice in Denmark. Lawyers who handle transnational matters will appreciate the book's clear explanation of distinct terminology and application of rules. The structure follows the classical chapters of a handbook on civil procedure: beginning with the judicial organization of the courts, jurisdiction issues, a discussion of the various actions and claims, and then moving to a review of the proceedings as such. These general chapters are followed by a discussion of the incidents during proceedings, the legal aid and legal costs, and the regulation of evidence. There

are chapters on seizure for security and enforcement of judgments, and a final section on alternative dispute resolution. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Succinct, scholarly, and practical, this book will prove a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in Denmark will welcome this very useful guide, and academics and researchers will appreciate its comparative value as a contribution to the study of civil procedure in the international context.

Civil Procedure in Germany is an English-language description of the German system of civil procedure. After a summary of the political and legal systems and of the sources of German law, the book discusses the general features of the administration of justice in civil cases. Part I deals with the judicial organization of the German system. The courts and their members, the bars and the bailiffs are discussed. Part II deals with both the domestic and the international jurisdiction of German courts. Part III examines actions and claims brought before the courts, while Part IV analyzes the court proceedings, such as pre-trial proceedings, proceedings in first instance and review proceedings. Part V discusses specific incidents and Part VI addresses legal aid and legal cost. Parts VII and VIII deal with evidence and with such matters as burden of proof and evaluation, admissibility of evidence, and in particular administration of evidence. Part IX examines

seizure for security and the enforcement of judgements: both domestic and foreign proceedings (summary procedure with documentary evidence, collection proceedings, family matters, parents and child-cases and maintenance matters, simplified procedures in municipal courts and arbitration proceedings) are dealt with. Finally, Part X discusses both domestic and international arbitration.

By means of the analysis of more than 20 national jurisdictions of different legal and geographical origin this book provides a general understanding of the developments that civil and commercial mediation is currently undertaking across the world. The book combines 25 national reports with a General Report analyzing the major trends in civil and commercial mediation worldwide. A number of the key variables that make mediation so effective are studied in depth in the book. The concept of mediation, that varies from country to country. Its legal framework and the branches of public and private law in which it is used. The legal condition of the mediation agreement and its relevant conditions of form and content, the responsibilities of the parties in the event that they violate this agreement and the effects of this agreement on potential recourse to the courts or to arbitration, as well as with regard to pending cases. As well as the role played by the mediator, his or her appointment or designation, legal and ethical responsibilities, and the role of institutions in mediation. As well as the mediation process, its applicable rules and principles and its costs are analyzed on comparative basis. The book also pays

special attention to the outcome of mediation. The enforceability of the settlement reached both in domestic and cross-border mediations constitutes a basic element for the success of the institution and is thoroughly studied. This volume constitutes a unique instrument for those interested on mediation, either practitioners, judges or academics.

Global Comparative Perspectives

Access to Justice as a Human Right

Civil Procedure in Egypt

Common Law – Civil Law

International Judicial Institutions

Introduction 1: Conditions Jurisdiction Validity of International Law Standing Independence 2:

Techniques Direct Application Interpretation Review of Administrative Discretion Procedural

Law 3: Remedies Prevention or Determination of International Wrongs? Determination of

International Wrongs Key Features of the Implementation of International Responsibility

Remedies 4: Dilemmas Finality Legitimacy Effectiveness Fragmentation.

National civil justice systems are deeply rooted in national legal cultures and traditions.

However, in the past few decades they have been increasingly influenced by integration

processes at the regional, supra-national and international level. As a by-product of the

emergence of economic and political unions and globalisation processes there is pressure to

harmonise or even unify the way in which national civil justice systems operate. In an attempt to

create a ' genuine area of justice ' , new unified procedures are being developed, which operate in parallel with national civil procedures, and sometimes even strive to replace them. As a reaction to the forces that endeavour to harmonise and unify procedural laws and practices, an opposing trend is gaining momentum: one that insists on diversity and pluralism of national civil procedures. This book focuses on the evolution of procedural reforms in various jurisdictions and the ongoing transformation of national civil justice systems.

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World Bank Technical Paper no. 430. QUOTE Many countries are undertaking legal and judicial reforms as part of their overall development programs; there is increasing recognition that economic and social progress requires consolidation of democracy as well as respect for the rule of law and human rights; without these development is not sustainable. QUOTE Many developing countries find that their judiciaries are inconsistent in conflict resolution and carry a large backlog of cases, thus stifling private-sector growth, eroding individual and property rights, and perhaps even violating human rights. Delays affect both the fairness and the efficiency of the system. They impede the public's access to the courts, which, in effect, weakens democracies, the rule of law and the ability to enforce human rights. This paper aims to describe and explain the performance of court systems in a sample of developing and developed countries in order to provide data to those designing or evaluating reforms. The study also seeks to show areas in which international comparison of judicial performance can be fruitful, suggesting indicators that can be used in such comparisons. Finally, it endeavors to provide comparisons of performance within individual countries over time.

Civil Procedure in France

Court Performance Around the World

New Pathways to Civil Justice in Europe

Guide to Foreign and International Legal Citation

The Right to a Fair Trial in International Law

Created by the Journal of International Law and Politics at New York University, the Guide to Foreign and International Legal Citations is the most comprehensive source for international citations rules. Including 45 country citation systems, as well as citation rules for international organizations, tribunals, and treaties, the updated Second Edition offers updated and expanded coverage. The only reference that focuses entirely on international citation, Guide to Foreign and International Legal Citation, Second Edition, features: manageable length, convenient Wire-O binding, and easy-to-use page format logical three-part organization: Country Citation Guides Citation Guides for International Organizations Citation Guides for International and Regional Tribunals a Country Profile for each listing followed by its Citation Guide examples that reflect acceptable variability of citation in practice

This fully-updated and much expanded second edition provides a much needed, short and accessible introduction to the current debates in international humanitarian law. Written by a former UN Chief Prosecutor and a leading international law expert, this book analyses the legal and political underpinnings of international judicial institutions, it provides the reader with an understanding of both the historical development of institutions directed towards international justice, as well as an overview of the differences and similarities between such organizations. New to this edition: New updates on recently found records of the United

Nations War Crimes Commission. Updates on the recent judicial decisions of the International Criminal Tribunal for the former Yugoslavia and International Criminal Tribunal for Rwanda Updates on the Special Tribunal For Lebanon A re-evaluation of the future of the International Criminal Court International Judicial Institutions: Second Edition will be of great interest to students of International Politics, Criminology and Law. Derived from the renowned multi-volume International Encyclopaedia of Laws, this convenient volume provides comprehensive analysis of the legislation and rules that determine civil procedure and practice in South Korea. Lawyers who handle transnational matters will appreciate the book 's clear explanation of distinct terminology and application of rules. The structure follows the classical chapters of a handbook on civil procedure: beginning with the judicial organization of the courts, jurisdiction issues, a discussion of the various actions and claims, and then moving to a review of the proceedings as such. These general chapters are followed by a discussion of the incidents during proceedings, the legal aid and legal costs, and the regulation of evidence. There are chapters on seizure for security and enforcement of judgments, and a final section on alternative dispute resolution. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Succinct, scholarly, and practical, this book will prove a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in South Korea will welcome this very useful

guide, and academics and researchers will appreciate its comparative value as a contribution to the study of civil procedure in the international context.

Over the last century, international law has sought to keep pace with sweeping changes that have revolutionised the international community. It has done so in various ways: by developing new fields, adopting new legal instruments, and including new actors and entities in the international fora. Human rights law and environmental law have emerged to address essential issues raised by civil society. Treaties, judgments and soft law instruments have attempted to fill the gaps in regulation. International organisations, corporations, civil society organisations and individuals have all worked to make and enforce, also by judicial means, legal rules. But is all this sufficient? In an effort to answer this question, the chapters of this volume explore selected emerging issues in the fields of human rights, the environment, cultural heritage and law of the sea. Can state responsibility help to protect the environment? Can protecting human rights be reconciled with national security? Can the UN Security Council address climate change? Is law of the sea still fit for purpose? And how can we balance human rights and the environment, or cultural heritage and law of the sea? The international scholars and experienced practitioners who have contributed to this volume discuss these and other key questions. Given its scope, the book will appeal to researchers and scholars of international law, as well as those specialising in human rights law, environmental law, cultural heritage law, and law of the sea.

International Civil Procedure
International Trade in Machinery Belting
Civil Procedure in Denmark
German Civil Justice
Civil Procedure in Italy

This exploration of a vital issue includes: "The International Relations of Internal War," G. Modelski; "Internal War as an International Event," J. N. Rosenau; "Intervention in Internal War: Some Systemic Sources," M. A. Kaplan; "International Settlement of Internal War," G. Moclelski; "Internal Violence as an Instrument of Cold Warfare," A. M. Scott; "The Limits of International Blocs, States, Coalitions, and Negotiating Programs," K. W. Deutsch and M. A. Kaplan; "Janus Tormented: The International Law of Internal War," H. A. Falk; "The Morality and Politics of Intervention," M. Halpern; and "International Aspects of Internal War: A Working Paper," J. N. Rosenau.

Originally published in 1964. The Princeton Legacy Library uses the latest print-on-demand technology to again make available previously out-of-print books from the distinguished backlist of Princeton University Press. These editions preserve the original

texts of these important books while presenting them in durable paperback and hardcover editions. The goal of the Princeton Legacy Library is to vastly increase access to the rich scholarly heritage found in the thousands of books published by Princeton University Press since its founding in 1905. German Civil Justice is an English-language detailed description and comparative analysis of the legal framework and practical working of the modern German civil justice system. This comprehensive work presents German civil litigation, both procedural law doctrine and actual practice, in terms relevant and understandable to readers mainly familiar with the common-law systems of England and the United States. Authors Murray and Sturmer include detailed treatment of the various institutions of civil justice such as courts, judges and lawyers, discussion of the theoretical principles upon which German litigation is conducted, and a step-by-step analysis of German civil procedure, from the filing of suit to revision appeal. The work also includes coverage of specialized institutions of civil justice such as family law procedure, special streamlined warning and check procedures, execution, bankruptcy and

arbitration, as well as extended treatment of German civil justice in international matters. The book concludes with a comparative analysis of the salient features of German civil litigation with Anglo-American civil justice institutions and procedures. German Civil Justice is oriented to lawyers, law professors, and law students who wish to obtain a basic understanding of the workings of the German civil justice system, current law and policy issues of that system, and how the German system compares with systems in Great Britain and the United States. The work contains abundant citations to additional sources for readers who seek more detailed knowledge of individual topics and issues. Chapter 1 of the book contains a brief overview of the system as a whole that is suitable for introductory purposes in courses with some other main focus. "[T]his book is an outstanding treatise on the German system of civil justice. It fills a long-lasting gap in the judicial literature market because it is the first book in the English language to give a detailed description of the historical, cultural, institutional, and legal framework of civil litigation in Germany, and it is the first book in the English language to

give a comprehensive overview of the German law of civil procedure... [T]he book is exceptionally well written and structured in a way that is easily understandable for English-speaking lawyers." -- German Law Journal, March 2005 "[A]n attractive-looking, easy-to-read, and up-to-date book... Murray and Steiner have done their part by helping law professionals from other countries to learn from German experiences despite the language barrier." -- Juristen Zeitung, January 2006, translated from German "At once meticulous, comprehensive, and broad-minded, German Civil Justice is a welcome and valuable addition to the growing body of English-language writing on continental civil procedure in a comparative context. It provides a clear, thorough, and well-documented description of civil procedure in a country which many observers have reasonably argued is among the most successful civil justice systems in the world today." -- Civil Justice Quarterly, 2007 Derived from the renowned multi-volume International Encyclopaedia of Laws, this convenient volume provides comprehensive analysis of the legislation and rules that determine civil procedure and practice in Ecuador. Lawyers who

handle transnational matters will appreciate the book's clear explanation of distinct terminology and application of rules. The structure follows the classical chapters of a handbook on civil procedure: beginning with the judicial organization of the courts, jurisdiction issues, a discussion of the various actions and claims, and then moving to a review of the proceedings as such. These general chapters are followed by a discussion of the incidents during proceedings, the legal aid and legal costs, and the regulation of evidence. There are chapters on seizure for security and enforcement of judgments, and a final section on alternative dispute resolution. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Succinct, scholarly, and practical, this book will prove a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in Ecuador will welcome this very useful guide, and academics and researchers will appreciate its comparative value as a contribution to the study of civil procedure in the international context.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this convenient volume provides comprehensive analysis of the legislation and rules that determine civil procedure and practice in Egypt. Lawyers who handle transnational matters will appreciate the book's clear explanation of distinct terminology and application of rules. The structure follows the classical chapters of a handbook on civil procedure: beginning with the judicial organization of the courts, jurisdiction issues, a discussion of the various actions and claims, and then moving to a review of the proceedings as such. These general chapters are followed by a discussion of the incidents during proceedings, the legal aid and legal costs, and the regulation of evidence. There are chapters on seizure for security and enforcement of judgments, and a final section on alternative dispute resolution. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Succinct, scholarly, and practical, this book will prove a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests

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The International Covenant on Civil and Political Rights
Cynical International Law?

International Law and Domestic Human Rights Litigation in Africa
Unity and Diversity

International Aspects of Civil Strife

In modern times, the civil procedural laws of every country have been influenced by those of other countries. For instance, the Japanese legal system was itself influenced by Chinese culture and later developed independently under the policy of national isolation. And since 1868, Japan has modernized its civil procedural law, using French, German, and American law as its models. Japan has recently tried to contribute by way of legislative and legal educational assistance to other Asian countries (Vietnam, Cambodia, etc.) in civil and procedural law. The civil procedural laws of different countries should be expected to harmonize with each other in the global society. This book is the outcome of the Congress of the International Association of Procedural Law at the Ritsumeikan University in Kyoto,

Japan. In this book, various outstanding contributors are treating a contemporary legal problem in their own civil procedural systems, including examples from India, the Netherlands, Korea, Italy, China, Japan, etc.

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Norway will welcome this very useful guide, and academics and researchers will appreciate its comparative value as a contribution to the study of civil procedure in the international context. Derived from the renowned multi-volume International Encyclopaedia of Laws, this convenient volume provides comprehensive analysis of the legislation and rules that determine civil procedure and practice in Italy. Lawyers who handle transnational matters will appreciate the book's clear explanation of distinct terminology and application of rules. The structure follows the classical chapters of a handbook on civil procedure: beginning with the judicial organization of the courts, jurisdiction issues, a discussion of the various actions and claims, and then moving to a review of the proceedings as such. These general chapters are followed by a discussion of the incidents during proceedings, the legal aid and legal costs, and the regulation of evidence. There are chapters on seizure for security and enforcement of judgments, and a final section on alternative dispute resolution. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Succinct, scholarly, and practical, this book will prove a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in Italy will welcome this very useful guide, and academics and

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Derived from the renowned multi-volume International Encyclopaedia of Laws, this convenient volume provides comprehensive analysis of the legislation and rules that determine civil procedure and practice in Belgium. Lawyers who handle transnational matters will appreciate the book's clear explanation of distinct terminology and application of rules. The structure follows the classical chapters of a handbook on civil procedure: beginning with the judicial organization of the courts, jurisdiction issues, a discussion of the various actions and claims, and then moving to a review of the proceedings as such. These general chapters are followed by a discussion of the incidents during proceedings, the legal aid and legal costs, and the regulation of evidence. There are chapters on seizure for security and enforcement of judgments, and a final section on alternative dispute resolution. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Succinct, scholarly, and practical, this book will prove a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in Belgium will welcome this very useful guide, and academics and researchers will appreciate its comparative value as a contribution to

the study of civil procedure in the international context.

Civil Procedure in Czech Republic

Civil Procedure in South Korea

Selected Issues in Human Rights, Cultural Heritage, Environment and Sea

Post-War International Civil Aviation Policy and the Law of the Air

The architecture of international justice at home and abroad

"International Civil Procedure", Volume I, 2007 edition, with more than 700 pages in two volumes, provides a detailed analysis of civil procedures in 16 jurisdictions: Austria, Canada, Denmark, England, Finland, France, Germany, Greece, India, Ireland, Italy, Mexico, Spain, Switzerland, the European Union, and the United States. Attention focuses on jurisdiction, ascertainment of applicable law, trial and post-trial motions, appeals, and conclusiveness of judgments. Purchase Volume II to complete the set. Purchase of print version includes CD version and 24/7 online access. A 10% discount applies to a subscription for next year's update. A 25% discount applies to a subscription for three years of updates. Discounts are applied after purchase by rebate from publisher.

3. The 'Victim' requirement

In international law, as in any other legal system, respect and protection of human rights can be guaranteed only by the availability of effective judicial remedies. When a right is violated or damage is caused, access to justice is of fundamental importance for the injured individual and it is an essential component of the rule of law. Yet, access to justice as a human right remains problematic in international law. First, because individual access to international justice remains exceptional and based on specific treaty arrangements, rather than on general principles of international law; second, because even when such right is guaranteed as a matter of treaty obligation, other norms or doctrines of international law may effectively impede its exercise, as in the case of sovereign immunity or non reviewability of UN Security Council measures directly affecting individuals. Further, even access to domestic legal remedies is suffering because of the constraints put by security threats, such as terrorism, on the full protection of freedom and human rights. This collection of essays offers seven distinct perspectives on the present status of access to justice: its development in customary international law, the

stress put on it in times of emergency, its problematic exercise in the case of violations of the law of war, its application to torture victims, its development in the case law of the UN Human Rights Committee and of the European Court of Human Rights, its application to the emerging field of environmental justice, and finally access to justice as part of fundamental rights in European law.

"African civil law countries are traditionally described as monist and common law countries as dualist. This book illustrates that the monism-dualism dichotomy is too simplistic, in particular in the field of human rights. Academics and practitioners from across the continent illustrate how domestic courts in Africa have engaged with international human rights law to interpret or fill gaps in national bills of rights. The authors also consider the challenges encountered in increasing the use of international human rights law by African domestic courts."--Back cover.

Civil Procedure in Norway

The Great Divide?

The Reception and Transmission of Civil Procedural Law in the

Global Society

Challenges of Access to Justice

Abuse and Circumvention in Public International and European Law

Derived from the renowned multi-volume International Encyclopaedia of Laws, this convenient volume provides comprehensive analysis of the legislation and rules that determine civil procedure and practice in the European Union. Lawyers who handle transnational matters will appreciate the book's clear explanation of distinct terminology and application of rules. The structure follows the classical chapters of a handbook on civil procedure: beginning with the judicial organization of the courts, jurisdiction issues, a discussion of the various actions and claims, and then moving to a review of the proceedings as such. These general chapters are followed by a discussion of the incidents during proceedings, the legal aid and legal costs, and the regulation of evidence. There are chapters on seizure for security and enforcement of judgments, and a final section on alternative dispute resolution. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Succinct, scholarly, and practical, this book will prove a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in the European Union will welcome

this very useful guide, and academics and researchers will appreciate its comparative value as a contribution to the study of civil procedure in the international context.

Analysing international law through the prism of "cynicism" makes it possible to look beyond overt disregard for international law, currently discussed in terms of a backlash or crisis. The concept allows to analyse and criticise structural features and specific uses of international law that seem detrimental to international law in a more subtle way. Unlike its ancient predecessor, cynicism nowadays refers not to a bold critique of power but to uses and abuses of international law that pursue one-sided interests tacitly disregarding the legal structure applied. From this point of view, the contributions critically reflect on the theoretical foundations of international law, in particular its relationship to power, actors such as the International Law Commission and international judges, and specific fields, including international human rights, humanitarian, criminal, tax and investment law.

Professor Jolowicz's comparative analysis of civil procedure concentrates on the purposes served by the institution of litigation rather than on the intentions of those who litigate. Stressing that those purposes go beyond mere dispute resolution by non-violent means, Jolowicz surveys a variety of topics of procedural law, making

substantial use of the comparative method, in the attempt to examine and explain the ideas which underlie some of the most important of its constituent elements. In the final section, he deals with the reform of English law and ventures a prediction of the consequences that the new Civil Procedure Rules, together with the reforms which more or less immediately preceded them, will have on the character of English procedural law.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this convenient volume provides comprehensive analysis of the legislation and rules that determine civil procedure and practice in Argentina. Lawyers who handle transnational matters will appreciate the book's clear explanation of distinct terminology and application of rules. The structure follows the classical chapters of a handbook on civil procedure: beginning with the judicial organization of the courts, jurisdiction issues, a discussion of the various actions and claims, and then moving to a review of the proceedings as such. These general chapters are followed by a discussion of the incidents during proceedings, the legal aid and legal costs, and the regulation of evidence. There are chapters on seizure for security and enforcement of judgments, and a final section on alternative dispute resolution. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their

meaning and significance. Succinct, scholarly, and practical, this book will prove a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in Argentina will welcome this very useful guide, and academics and researchers will appreciate its comparative value as a contribution to the study of civil procedure in the international context.

Civil Procedure in Ecuador

Civil Procedure in the European Union

Abuse of Procedural Rights: Comparative Standards of Procedural
International Civil Procedure [2007] I

The Oxford Handbook of the History of International Law

In a very meaningful way, the health of a judicial system may be judged by the care with which its procedural rights are observed. Now, in a book that takes stock of this important element as it is currently used or abused in a number of the world's legal systems, eighteen outstanding scholars approach the subject through an analysis of the following factors: the theoretical and moral implications of procedural abuses the subjects who commit them the typologies of abusive practices the consequences of abusive practices Several authors report on practices in their own countries, revealing distinct evidence of

a significant degree of lowered procedural standards in the United States, several European countries, Australia, Japan, and Latin America. General and final reports provide a comparative framework for an analytical study that will repay the study of anyone concerned with the fairness of our legal institutions. The Oxford Handbook of the History of International Law provides an authoritative and original overview of the origins, concepts, and core issues of international law. The first comprehensive Handbook on the history of international law, it is a truly unique contribution to the literature of international law and relations. Pursuing both a global and an interdisciplinary approach, the Handbook brings together some sixty eminent scholars of international law, legal history, and global history from all parts of the world. Covering international legal developments from the 15th century until the end of World War II, the Handbook consists of over sixty individual chapters which are arranged in six parts. The book opens with an analysis of the principal actors in the history of international law, namely states, peoples and nations, international organisations and courts, and civil society actors. Part Two is devoted to a

number of key themes of the history of international law, such as peace and war, the sovereignty of states, hegemony, religion, and the protection of the individual person. Part Three addresses the history of international law in the different regions of the world (Africa and Arabia, Asia, the Americas and the Caribbean, Europe), as well as 'encounters' between non-European legal cultures (like those of China, Japan, and India) and Europe which had a lasting impact on the body of international law. Part Four examines certain forms of 'interaction or imposition' in international law, such as diplomacy (as an example of interaction) or colonization and domination (as an example of imposition of law). The classical juxtaposition of the civilized and the uncivilized is also critically studied. Part Five is concerned with problems of the method and theory of history writing in international law, for instance the periodisation of international law, or Eurocentrism in the traditional historiography of international law. The Handbook concludes with a Part Six, entitled "People in Portrait", which explores the life and work of twenty prominent scholars and thinkers of international law, ranging from

Muhammad al-Shaybani to Sir Hersch Lauterpacht. The Handbook will be an invaluable resource for students and scholars of international law. It provides historians with new perspectives on international law, and increases the historical and cultural awareness of scholars of international law. It is the standard reference work for the global history of international law.

A Comparative Perspective

Legislative and Legal Educational Assistance to Other Countries
in Procedural Law

International Encyclopedia of Comparative Law

Cases, Materials, and Commentary

Civil Procedure in Argentina