The New Law Of Peaceful Protest

Export controls definitively impact international cooperation in outer space. Civil and commercial space actors that engage in international endeavors must comply with space technology export controls. In the general discourse, members of the civil and commercial space community have an understanding of their domestic export control regime. However, a careful reading of the literature on space technology export controls reveals that certain questions relevant to international engagements have not been identified or answered. What is the legal-political origin of space technology export controls? How do they relate to the current international legal structure? What steps can be taken to evolve our current unilateral paradigm of space technology within the context of peaceful exploration and use of outer space? In this book, these and other relevant questions on space technology export controls are identified and assessed through an insightful case-study of the U.S. commercial communication export control regime. The findings of this case-study are used in an international legal-political analysis of international space law, public international law, and international cooperation. Breaking new ground in international legal theory, a self-justified security dilemma that is manifest in international law is identified and explained as the origin for the current paradigm of space technology export controls.

The right to demonstrate is considered fundamental to any democratic system of government, yet in recent years it has received little academic attention. However, events following the recent G20 protests in April 2009 make this a particularly timely work. Setting out and explaining in detail the domestic legal framework that surrounds the right of peaceful protest, the book provides the first extensive analysis of the Strasbourg jurisprudence under Articles 10 and 11 of the European Convention on Human Rights, offering a critical look at recent cases such as Öllinger, Vajnai, Bukta, Oya Ataman, Patyi and Ziliberberg, as well as the older cases that form its bedrock. The principles drawn from this case-law are then synthesised into the remainder of the book to see how the right of protest enshrined in the Human Rights Act 1998 now operates. The five central chapters show how the right is defined: the restrictions on the choice of location of a protest; the constraints imposed on peaceful, persuasive protest; the near total intolerance of any form of obstructive or disruptive protest; the scope of preventive action by the police; and the extent to which commercial targets can avail themselves of private law remedies. This contemporary landscape is highlighted by critical analysis of the principles and case law -- including the leading decisions in Laporte, Austin, Jones and Lloyd and Kay. The book also highlights and develops themes that are currently under-theorised or ignored, including the interplay of the public and the private in regulating protest; the pivotal role played by land ownership rules; and the disjuncture between the law in the books and the law in action. While the book will appeal primarily to scholars, students and practitioners of law – as well as to campaigners and interest groups – it also offers political and socio-legal insights, which will be of interest equally to non-specialists.

The New Law of Peaceful ProtestRights and Regulation in the Human Rights Act Era

This book discusses selected frontier and hot theoretical and practical issues of international law in the 21st century and in the process of China's peaceful development strategy, such as interactions between harmonious world, international law and China s peaceful development; close connections of China rule of law with international rule of law; issues of international law resulted from the war of Former Yugoslavia, establishment of ICC, DPRK nuclear test, Iraq War, Independence of Crimea; features of WTO rule of law and its challenges as well as legal and practical disputes between China and other members in the WTO; recent tendency of regional trade agreements and characteristics of Chinese practices in this aspect; legal issues in relations between China and the European Union with a view of the framework of China–EU Comprehensive Strategic Partnership.

Drawing on the operational experience of United Nations naval peace operations, this book examines issues of authority for such operations as they relate to and impact upon the Territorial Sea.

The Law of the Sea is a vast and multi-faceted area of international law. The 1982 United Nations Convention on the Law of the Sea and the Agreement relating to the implementation of Part XI of the Convention constitute essential instruments of the law of the sea governing a new maritime order for the international community. With its entry into force on November 16, 1994, the 1982 United Nations Convention on the Law of the Sea has virtually become the Magna Carta of the Oceans, or the Constitution for the Oceans. Testifying to its success is the number of Parties adhering to it, now totaling 132 States, including one international organization, the European Community. The world is entering the era of a New Maritime Order based on near-universal adherence to the United Nations Convention on the Law of the Sea. In the wake of the Convention's entry into force and its ratification by many States in Northeast Asia, a new maritime order is emerging in the region. The littoral States have enacted and promulgated new national legislation to incorporate the provisions of the UN Convention into their domestic legal order. The three littoral States China, Japan and South Korea concluded or initialed bilateral fisheries agreements based on the new concept of extended jurisdiction set forth by the UN Convention. The UN Convention will, however, present even more challenges than opportunities for the littoral States of Northeast Asia in their quest for a new maritime order. The maritime security situation in the region has been and will continue to be extremely volatile due to conflicting claims, disputed boundaries, unregulated pollution of the marine environment and widespread illegal activities at sea. The author has set the both pragmatic and ambitious aim of outlining the emerging maritime order in Northeast Asia. As a practitioner of the law of the sea who has participated in bilateral and multilateral negotiations on maritime affairs, the author sheds light on the new maritime order in the making at the international and regional levels. The author also delineates the main issues and disputes hindering the establishment of a new maritime order in the region and present policy options that could contribute to erecting a solid maritime order in the region by peaceful and cooperative means. Finally, the author presents a compilation of relevant legal texts, most of which were produced after the entry into force of the UN Convention, in the hope that this collection will prove useful for desk officers in charge of ocean affairs in promoting peaceful and constructive solutions for maritime issues in Northeast Asia. This work serves as a realistic analysis of the current law and State practice, as well as of the progressive development of the law of the sea and its codification in the wake of the entry into force of the 1982 UN Convention.

The celebration of the Centennial of the First International Peace Conference took longer than the original conference itself. For almost two years experts from all over the world exchanged views on the progress, failures, lacunae, and

prospects of international law. They focussed their attention on the three topics of the 1899 Hague Conference: disarmament, humanitarian law and laws of war, and peaceful settlement of disputes. Starting with preliminary reports by world-renowned experts in their respective fields of competence (Hans Blix on disarmament, Christopher Greenwood on humanitarian law and laws of war, and Francisco Orrego Vicuña and Christopher Pinto on peaceful settlement of disputes), discussions took place at regional legal advisers meetings, universities, NGO conferences, expert seminars, and over the internet. These culminated in 1999 in two major expert conferences in The Hague (The Netherlands), and St. Petersburg (Russia). The results were reported to the United Nations General Assembly at the closing of the Decade of International Law, later that year. The present volume, compiled by the Centennial organizers and edited by Frits Kalshoven (emeritus professor of international law at the University of Leiden and chairman of the International Fact-Finding Commission established under Article 90 of the 1977 Protocol I for the protection of victims of international armed conflicts), includes both the major documents produced in the course of the Centennial celebrations (printed) and the various discussion papers as they appeared on the internet (on complementary CD-ROM). In addition to the Centennial discussion documents, historical papers on the 1899 conference diplomacy have been provided by Governments representing the 1899 delegations (also on CD-ROM). Together, they provide invaluable information on the achievements of the last century as well as on the direction of international law at the threshold of the new millennium, for both practitioners and students. This is a study of how governments and their specialist advisers, in an age of free trade and the minimal state, attempted to create a viable legal framework for trade unions and strikes. It traces the collapse, in the face of judicial interventions, of the regime for collective labour devised by the Liberal Tories in the 1820s, following the repeal of the Combination Acts. The new arrangements enacted in the 1870s allowed collective labour unparalleled freedoms, contended by thenewly-founded Trades Union Congress. This book seeks to reinstate the view from government into an account of how the settlement was brought about, tracing the emergence of an official view - largely independent of external pressure - which favoured withdrawing the criminal law from peaceful industrialrelations and allowing a virtually unrestricted freedom to combine. It reviews the impact upon the Home Office's specialist advisers of contemporary intellectual trends, such as the assaults upon classical and political economy and the historicized critiques of labour law developed by Liberal writers. Curthoys offers an historical context for the major court decisions affecting the security of trade union funds, and the freedom to strike, while the views of the judges are integrated within theterms of a wider debate between proponents of contending views of 'free trade' and 'free labour'. New evidence sheds light on the considerations which impelled governments to grant trade unions a distinctive form of legal existence, and to protect strikers from the criminal law. This account

of themaking of labour law affords many wider insights into the nature and inner workings of the Victorian state as it dismantled the remnants of feudalism (symbolized by the Master and Servant Acts) and sought to reconcile competing conceptions of citizenship in an age of franchise extension.After the repeal of the Combination Acts in the 1820s collective labour enjoyed limited freedoms. When this regime collapsed under judicial challenge, governments were obliged to devise a new legal framework for trade unions and strikes, enacted between 1871 and 1876. Drawing extensively upon previously unused governmental sources, this study affords many wider insights into the nature and inner workings of the mid-Victorian state, tracing the impact upon policy-makers of contemporary assaultsupon classical political economy, and of the historicized critiques of labour law developed by Liberal writers. As contending views of 'free trade' and 'free labour' came into collision, an official view was formed which favoured allowing an unrestricted freedom to combine and sought to withraw thecriminal law from peaceful industrial relations.

The right to demonstrate is considered fundamental to any democratic system of government, yet in recent years it has received little academic attention. However, events following the recent G20 protests in April 2009 make this a particularly timely work. Setting out and explaining in detail the domestic legal framework that surrounds the right of peaceful protest, the book provides the first extensive analysis of the Strasbourg jurisprudence under Articles 10 and 11 of the European Convention on Human Rights, offering a critical look at recent cases such as Ilinger, Vajnai, Bukta, Oya Ataman.

This book offers a legal perspective of settlement of China’s territorial and boundary disputes against the new background of China’s increasingly integrating itself into global economic, political and legal systems.

This book offers students a clear and systematic overview of procedures for peaceful dispute settlement in international law.

This bibliography, the fourth in a series on the United Nations, contains only English-language monographs published between 1945 and 2002. It does not include articles from journals or any titles that were published by or under the auspices of the United Nations and its Specialized Agencies.

The relevance and substance of space law as a branch of public international law continues to expand. The fourth edition of this long-time classic in the field of space law has been substantially rewritten to reflect new developments in space law and technology of the past ten years. This updated text includes new or expanded material on the proliferation of non-state and commercial entities as space actors, the appearance of innovations in space technology, the evolving international law of satellite telecommunications in a networked world, and the adoption of national laws and international soft law mechanisms that complement the international treaty regime. In this up-to-date overview of space law, the authors offer a clear analysis of the legal challenges that play a role in new and traditional areas of space activity, including the following: - the peaceful uses of outer space; - protection of the space environment; - the emergence of new legal mechanisms in space law; - the role of Europe in space; -

telecommunications; - the commercial use of space resources; - human space flight; - small satellites; - remote sensing; and - global navigation satellite systems. Additionally, the five United Nations Treaties on space are included as Annexes for easy reference by students and professionals alike. In light of the many new developments in the field, this thoroughly updated Introduction to Space Law provides a clear overview of the legal aspects of a wide array of current and emerging space activities. Lawyers, policy-makers, diplomats, students, and professionals in the telecommunication and aerospace sectors, with or without a legal background, will find concise yet comprehensive guidance in this book that will help them understand and address legal issues in the ever-changing field of space activities. The authors are close former collaborators of the late pioneers of space law and authors of the earlier editions of this volume, Isabella Diederiks-Verschoor and Vladimír Kopal.

"Abstract: With the rapid rise of China and the relative decline of the United States, the topic of power transition conflicts is back in popular and scholarly attention. The discipline of International Relations offers much on why violent power transition conflicts occur, yet very few substantive treatments exist on why and how peaceful changes happen in world politics. This Handbook is the first comprehensive treatment of the subject of peaceful change in International Relations. It contains some 41 chapters, all written by scholars from different theoretical and conceptual backgrounds examining the multi-faceted dimensions of this subject. In the first part, key conceptual and definitional clarifications are offered and in the second part, papers address the historical origins of peaceful change as an International Relations subject matter during the Inter-War, Cold War, and Post-Cold War eras. In the third part, each of the IR theoretical traditions and paradigms in particular Realism, liberalism, constructivism and critical perspectives and their distinct views on peaceful change are analyzed. In the fourth part papers tackle the key material, ideational and social sources of change. In the fifth part, the papers explore selected great and middle powers and their foreign policy contributions to peaceful change, realizing that many of these states have violent past or tend not to pursue peaceful policies consistently. In part six, the contributors evaluate the peaceful change that occurred in the world's key regions. In the final part, the editors address prospective research agenda and trajectories on this important subject matter. Keywords: Peaceful Change; War; Security; International Relations Theory; Sources of Change; Systemic Theory; Realism; Liberalism; Constructivism; Critical Theories"--

This book focuses on understanding the characteristics of the marine environment; overall characteristic of the marine resources (especially the marine new energy) and their current utilization; important routes, channels, and ports; and the Maritime Silk Road from the perspective of international law. It also discusses the significance and opportunities of the Maritime Silk Road initiative, analyzes the challenges involved in the construction of the Maritime Silk Road and provides corresponding countermeasures. Based on the above research, this book also proposes to construct a comprehensive application platform for the Maritime Silk Road that will be a practical tool for decision-making. This book is one of the series publications on the 21st century Maritime Silk Road (shortened as “Maritime Silk Road”). This series publications cover the characteristics of the marine environment and marine new energy, remote islands and reefs construction, climate change, early warning of wave disasters, legal escort,

marine environment and energy big data construction, etc. contributing to the safe and efficient construction of the Maritime Silk Road. It aims to improve our knowledge of the ocean, thus to improve the capacity for marine construction, enhance the viability of remote islands and reefs, ease the energy crisis and protect the ecological environment, improve the quality of life of residents along the Maritime Silk Road, and protect the rights, interests of the countries and regions participating in the construction of the Maritime Silk Road. It will be a valuable reference for decision-makers, researchers, and marine engineers working in the related fields.

International law has made remarkable progress during the last decades. But law-making is one thing, ensuring compliance quite another. While the enthusiasm and support for international law-making are considerable, caution and mistrust soon re-emerge when disputes arise over implementation. To persuade member States of the OSCE to resort to international conciliation and arbitration, there must be the will to use the Court on the part of States. This work takes stock of the obstacles, whether they be institutional (different mechanisms for the peaceful settlement of disputes), structural (actual limitations to the settlement of disputes between States) or relate to competition (between means of diplomatic settlement and adjudication). This work is based on a Symposium held in Geneva to mark the Constitution of the Court of Conciliation and Arbitration within the OSCE. The contributions deal in particular with a variety of topics which could arise within the framework of the new OSCE Court, such as political and judicial means of settlement, subsidiarity of the new Court, and conciliation and arbitration before that Court.

Peace operations are the UN ?s flagship activity. Over the past decade, UN blue helmets have been dispatched to ever more challenging environments from the Congo to Timor to perform an expanding set of tasks. From protecting civilians in the midst of violent conflict to rebuilding state institutions after war, a new range of tasks has transformed the business of the blue helmets into an inherently knowledge-based venture. But all too often, the UN blue helmets, policemen, and other civilian officials have been "flying blind" in their efforts to stabilize countries ravaged by war. The UN realized the need to put knowledge, guidance and doctrine, and reflection on failures and successes at the center of the institution. Building on an innovative multi-disciplinary framework, this study provides a first comprehensive account of learning in peacekeeping. Covering the crucial past decade of expansion in peace operations, it zooms into a dozen cases of attempted learning across four crucial domains: police assistance, judicial reform, reintegration of former combatants, and mission integration. Throughout the different cases, the study analyzes the role of key variables as enablers and stumbling blocks for learning: bureaucratic politics, the learning infrastructure, leadership as well as power and interests of member states. Building on five years of research and access to key documents and decision-makers, the book presents a vivid portrait of an international bureaucracy struggling to turn itself into a learning organization. Aimed at policy-makers, diplomats, and a wide academic audience (including those working in international relations, peace research, political science, public administration, and organizational sociology), the book is an indispensable resource for anyone interested in the evolution of modern peace operations.

Peace is an elusive concept, especially within the field of international law, varying according to historical era and between contextual applications within different cultures,

institutions, societies, and academic traditions. This Research Handbook responds to the gap created by the neglect of peace in international law scholarship. Explaining the normative evolution of peace from the principles of peaceful co-existence to the UN declaration on the right to peace, this Research Handbook calls for the fortification of international institutions to facilitate the pursuit of sustainable peace as a public good.It sets forth a new agenda for research that invites scholars from a broad array of disciplines and fields of law to analyse the contribution of international institutions to the construction and implementation of sustainable peace. With its critical examination of courts, transitional justice institutions, dispute resolution and fact-finding mechanisms, this Research Handbook goes beyond the traditional focus on post-conflict resolution, and includes areas not usually found in analyses of peace such as investment and trade law. Bringing together contributions from leading researchers in the field of international law and peace, this Research Handbook analyses peace in the context of law applicable to women, refugees, environmentalism, sustainable development, disarmament, and other key contemporary issues.This thoughtful Research Handbook will be a crucial tool for policymakers, practitioners, and academics in the fields of international law, human rights, jus post bellum, and development. Its comprehensive insights to the field will also be of benefit for students of political science, law, and peace studies.

This new edition has been fully revised to include up-to-date coverage of essential issues of the international law of the sea. Covering a number of new and important issues, such as the headline debate of migrant movement across the seas, and the definition of islands in light of the South China Sea Arbitration, it also includes chapters on conservation of marine living resources and biological diversity, protection of the marine environment, and international peace and security at sea, as well as building further on such topics as the impact of climate change on the oceans. A precise and readable book, with many figures and tables, The International Law of the Sea continues to be the best choice for students wanting to understand the law of the sea.

Scholarly Research Paper from the year 2006 in the subject Law - European and International Law, Intellectual Properties, grade: B+, University of Dar es Salaam (Faculty of Law), course: Law of the Sea, 66 entries in the bibliography, language: English, abstract: Hailed as a milestone in the development of international relations and sparked by the remarks of the Ambassador of Malta - Arvid Pardo - at the United Nations General Assembly, besides the 1982 United Nations Convention on the Law of the Sea, the principle of Common Heritage of Mankind found entry in numerous international treaties. Changing the conception of the Freedom of the High Seas as brought about some 400 years ago by Dutch Lawyer Hugo Grotius and 'ruling the world' ever since, this paper analyzes the legal significance of the principle from an African perspective. Based on the notions brought forward by the Group of 77, of which the African contribution to the Third United Nations Conference on the Law of the Sea was part, Nasila S. Rembe formulated the following African demands for the translation of the concept of Common Heritage of Mankind into the envisaged New Law of the Sea. These are namely: the usage of the seabed for exclusively peaceful purposes, ensuring the rational exploitation of the resources, and the minimization of likely adverse economic effects. Following the historical developments between the 1958 Geneva Conventions and the aftermath of the 1994 Agreement Relating to the Implementation

of Part XI of the 1982 United Nations Convention on the Law of the Sea, adopted as United Nations General Assembly Resolution 48/263, the paper examines the legal character of the principle of Common Heritage of Mankind in different stages and to which extend the African demands were met. The significant changes mainly to Part XI of the 1982 United Nations Convention on the Law of the Sea brought about by the 1994 Agreement Relating to the Implementation of Part XI of the 1982 United Nations
This book explores the effects of institutional fragmentation in international human rights law, by comparing the rights jurisprudence of three human rights courts and bodies, namely the European Court for Human Rights, the Inter-American Court for Human Rights and the Human Rights Committee. Contributions cover the areas of freedom of expression (journalism and the media), right to privacy, freedom of assembly and freedom of association (political parties), and measure the extent of fragmentation of human rights protection. Moreover, the volume argues that, while the conflict of laws approach, favoured by the International Law Commission, might work in avoiding outright conflict in obligation, in practice it is not an approach that presents a viable research agenda when it comes to understanding the causes and consequences of institutional fragmentation. This is especially evident in areas like international human rights, where the possibility of a silent drift between the jurisprudence of the three courts is a real possibility. This book was originally published as a special issue of the Nordic Journal of Human Rights.