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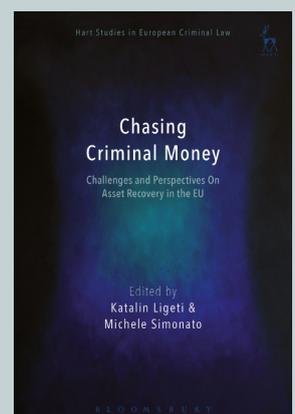
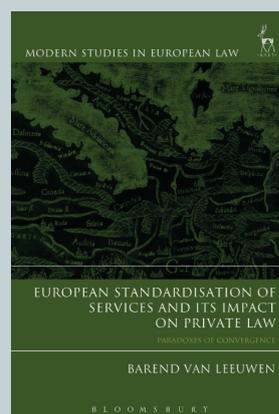
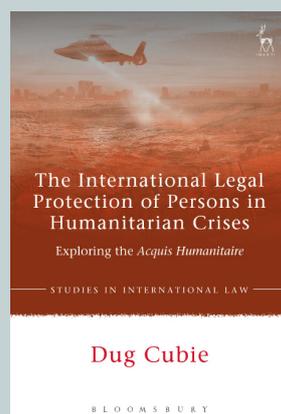
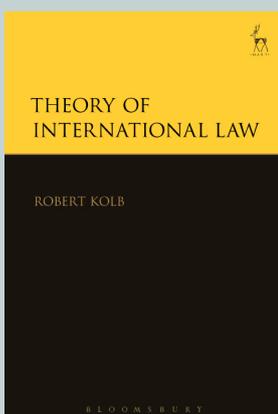
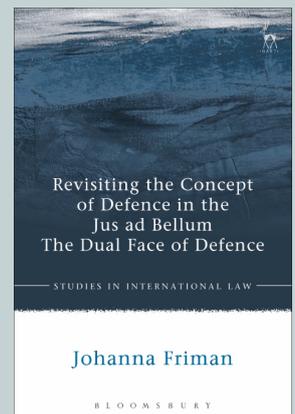
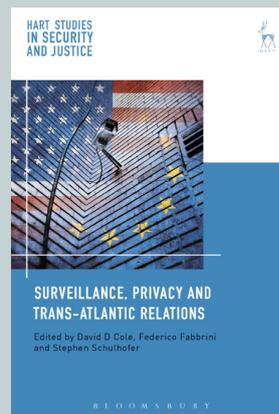
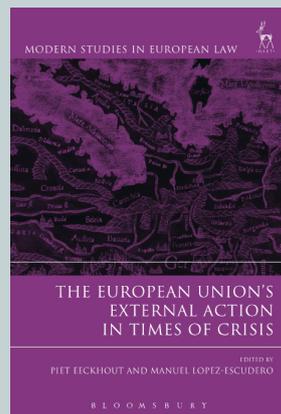
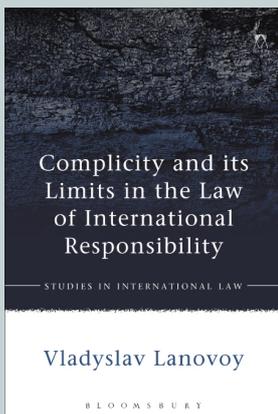
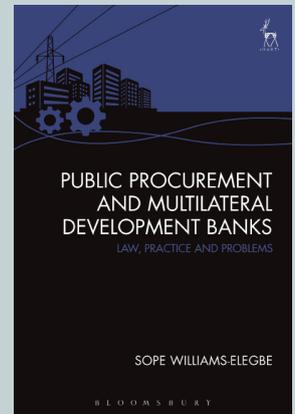
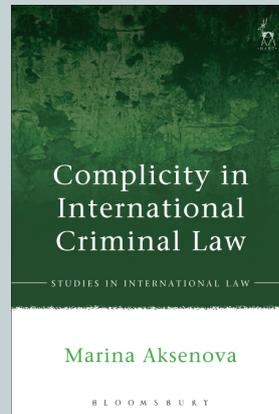
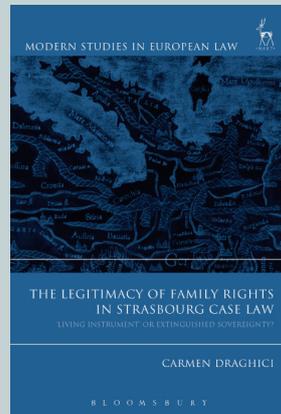
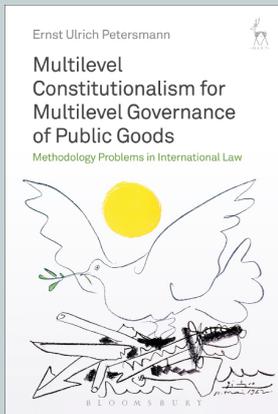
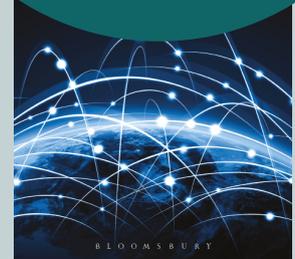
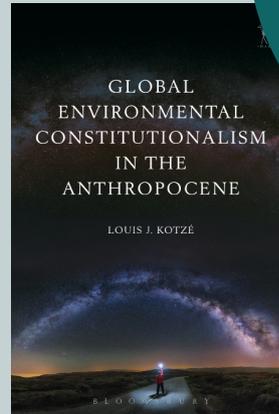
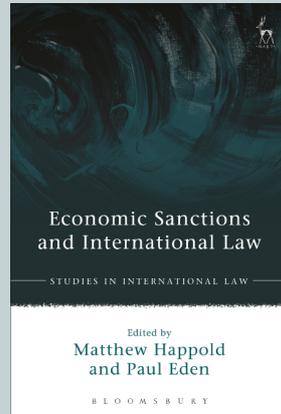
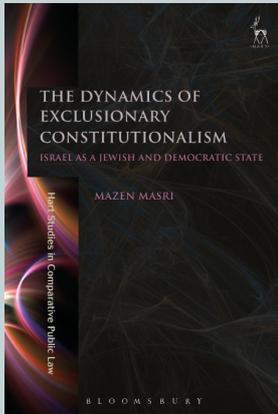
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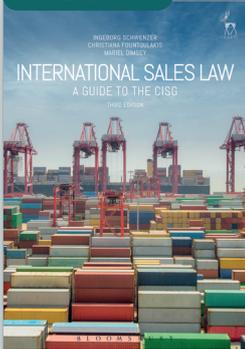
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3rd Edition



International Sales Law

A Guide to the CISG
*Ingeborg Schwenzer,
Christiana Fountoulakis
& Mariel Dimsey*

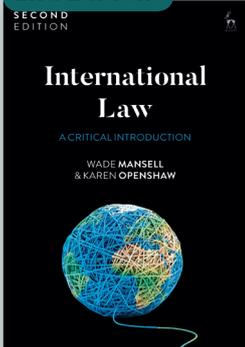
This is the third edition of the casebook providing an article-by-article analysis of the CISG Convention. Offering a fully updated range of materials, this casebook is an excellent starting point for learning about the Convention and will be particularly useful for international trade lawyers, practitioners and students. The commentary on each article is

accompanied by extracts from cases and associated comparative materials, as well as references to important trade usages such as the INCOTERMS® 2010. The book features an updated selection of the most significant cases, each of which has been abridged to enable the reader to focus on its essential features and the relevant questions arising from it. The case extracts are accompanied by a comprehensive overview of parallel provisions in other international instruments, uniform projects and domestic laws.

Ingeborg Schwenzer is Professor emerita of Private Law at the University of Basel, Switzerland. *Christiana Fountoulakis* is Professor of Private Law and European Private Law at the University of Fribourg, Switzerland. *Mariel Dimsey* is an arbitration and international sales law specialist and is currently based in Hong Kong.

Apr 2019 | 896pp | Pbk | 9781509919628 | RSP: £49.99

2nd Edition



International Law

A Critical Introduction
Wade Mansell and Karen Openshaw

This new edition provides a critical introduction to the concepts, principles and rules of international law through a consideration of contemporary international events. It provides ways of considering the relevance of international law to particular disputes and also an appreciation of both the possibilities and limitations of legal method in international disputes. This in turn necessitates an examination of the relationship between

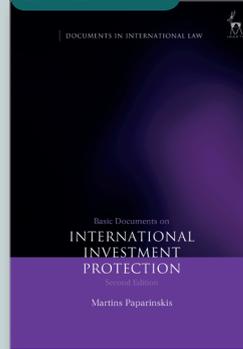
international law and power. Thus rather than studying international law as a system of rules that purports to govern, or at least constrain, the international community, this book considers the actual effects of international law upon international disagreements.

Underlying the book is the assertion that international law is political in content (in the sense of being concerned with the exercise of power) but that it draws much of its effectiveness from its self-portrayal as being apolitical, or at least politically neutral.

Wade Mansell is Professor Emeritus at the University of Kent. *Karen Openshaw* holds a PhD in international law from the University of Kent.

Aug 2019 | 208pp | Pbk | 9781509926725 | RSP: £19.99

2nd Edition



Basic Documents on International Investment Protection

Martins Papatrakis

International law of foreign investment is a field of public international law that has attracted considerable attention from practitioners, academics, and policy-makers in the last two decades. Its key characteristic is the extent of substantive and procedural decentralisation: while often sharing certain structural elements, both substantive obligations and mechanisms of international dispute

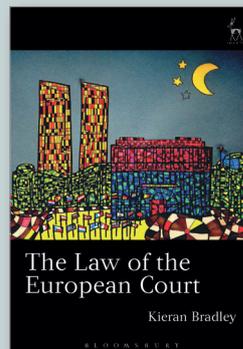
settlement are mostly opposable only between the particular parties, even when expressed in multilateral form. This makes a clear and comprehensive overview of the topic particularly important.

The second edition adopts a new structure that better reflects the concurrence of various reform proposals with the fairly stable stratum of instruments that inform the current practice. With this systemic dynamic in mind, the selected documents are divided into three parts: Past, Present, and Future.

This highly regarded book is aimed at teachers, students, practitioners, and policymakers in the area. It can be used both as a practitioners' handbook and as a classroom companion for courses on international dispute settlement and investment protection law.

Martins Papatrakis is Reader in Public International Law at University College London.

May 2019 | 704pp | Pbk | 9781509907854 | RSP: £65



The Law of the European Court

Kieran Bradley

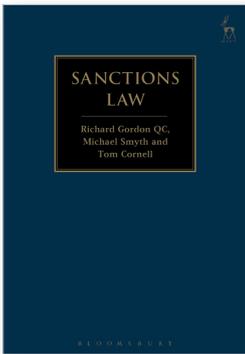
This book provides a clear and concise examination and analysis of the structure and functioning of the Court of Justice of the European Union. It explores the Court's place in the EU's institutional framework and those legal proceedings through which it carries out its judicial activity. In addition to looking at how the Court is composed and practical questions regarding its functions, it also shows how the Court has interpreted its own jurisdiction. By placing its examination in a wider context it will appeal to academics and students as well

as Union and national officials.

Kieran Bradley is a Judge of the European Union Civil Service Tribunal.

Jan 2020 | 352pp | Pbk | 9781509900718 | RSP: £28.99

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Sanctions Law

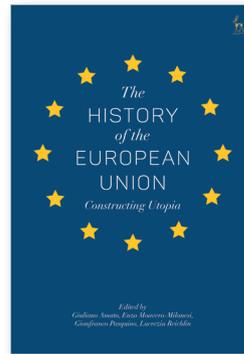
Richard Gordon QC,
Michael Smyth and Tom Cornell

This book creates a user-friendly, accessible guide to the complex area of sanctions law. In particular, the book examines how sanctions restrictions work in practice, and what the implications are for multinational businesses operating across numerous sanctions regimes. To this extent, the book considers the interrelationship between sanctions at the supranational and national levels, including the impact of the far-reaching US sanctions regime.

The book's aim is not to provide an exhaustive list of sanctions regulations, but rather a framework for engaging with the relevant legislation and the main issues arising therefrom. Reinforcing this practical and commercially-focused approach, each chapter is written in a format that enables easy reading and rapid assimilation. Where there are relevant materials, be they legislative or case-law, these are outlined at the start of each chapter. In addition, the chapters dealing with challenges to sanctions designations each include a section with key principles, providing the clearest possible treatment of the subject.

Richard Gordon QC is a leading public law silk and barrister at Brick Court Chambers. **Michael Smyth CBE** is a former partner at Clifford Chance and QC (*honoris causa*). **Tom Cornell** is a barrister and associate at Debevoise & Plimpton.

Jan 2019 | 336pp | Hbk | 9781509900145 | RSP: £85



The History of the European Union

Constructing Utopia
Edited by Giuliano Amato,
Enzo Moavero-Milanesi,
Gianfranco Pasquino
and Lucrezia Reichlin

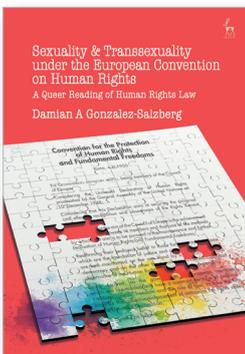
The European Union celebrated its 60th anniversary in 2017, but celebrations were muted by Brexit and the growing sense of a crisis of identity. However, as this seminal work shows, the history and ambition of the European Union are considerable.

Written by key stakeholders who, between them, acted as architects, adjudicators and arbitrators of the project, it presents the definitive history of the first two generations of the European Union.

This book revisits the birth and consolidation of the great project of a united Europe and the political, institutional, judicial and economical frameworks of the European Union: from the process towards integration, to the advancements and the impasses in building a political union.

Giuliano Amato is a Judge at the Italian Constitutional Court. **Enzo Moavero-Milanesi** is the Minister of Foreign Affairs and International Cooperation of the Italian Republic. **Gianfranco Pasquino** is Emeritus Professor of Political Science, University of Bologna and Senior Adjunct Professor, Hopkins SAIS-Europe as well as a Fellow at Accademia dei Lincei. **Lucrezia Reichlin** is Professor at London Business School.

Feb 2019 | 592pp | Hbk | 9781509917419 | RSP: £120



Sexuality and Transsexuality Under the European Convention on Human Rights

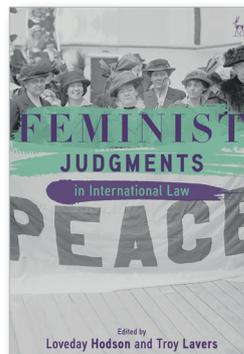
A Queer Reading of Human Rights Law
Damian A Gonzalez-Salzberg

This book undertakes a critical analysis of international human rights law through the lens of queer theory. It pursues two main aims: first, to make use of queer theory to illustrate that the field of human rights law is underpinned by several assumptions that determine a conception

of the subject that is gendered and sexual in specific ways. This gives rise to multiple legal and social consequences, some of which challenge the very idea of universality of human rights. Second, the book proposes that human rights law can actually benefit from a better understanding of queer critiques, since queer insights can help it to overcome heteronormative beliefs currently held. In order to achieve these main aims, the book focuses on the case law of the European Court of Human Rights, the leading legal authority in the field of international human rights law. The use of queer theory as the theoretical approach for these tasks serves to deconstruct several aspects of the Court's jurisprudence dealing with gender, sexuality, and kinship, to later suggest potential paths to reconstruct such features in a queer(er) and more universal manner.

Damian A Gonzalez-Salzberg is a Lecturer in Law at the University of Sheffield.

Feb 2019 | 248pp | Hbk | 9781509914937 | RSP: £60



Feminist Judgments in International Law

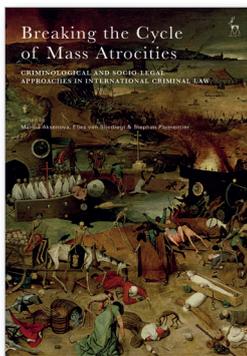
Edited by Loveday Hodson
and Troy Lavers

One of the more interesting recent developments in legal methodology has been the emergence of feminist rewriting of key judgments. This unique enterprise has seen scholars collaborate in the 'real world' task of reassessing jurisprudence in light of feminist perspectives. This important new volume makes a significant contribution to the endeavour, exploring as it does how key judgments in international

law might have differed if women's voices were given more prominence. This collection asks if feminist perspectives can offer meaningful and viable alternatives to international law norms. Does that application result in distinguishable differences in outcomes? It looks at the question with particular reference to: sources of international law; the public and private divide; state responsibility; human rights protection; ethics of care; boundaries and the concept of violence in international law. This landmark publication offers a truly innovative reassessment of international law.

Loveday Hodson and **Troy Lavers** are both Associate Professors at Leicester Law School.

Oct 2019 | 432pp | Hbk | 9781509914456 | RSP: £90



Breaking the Cycle of Mass Atrocities

Criminological and Socio-Legal Approaches in International Criminal Law

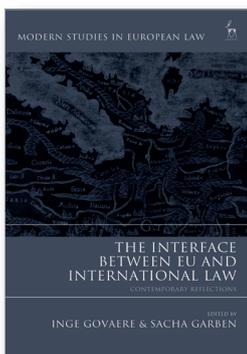
Edited by Marina Aksenova, Elies van Sliedregt and Stephan Parmentier

The collection investigates the role of international criminal law at different stages of mass atrocities, shifting away from its narrow understanding solely

as an instrument of punishment of those most responsible. The book is premised on the idea that there are distinct phases of collective violence, and international criminal law contributes in one way or another to each phase. The authors therefore explore various possibilities for international criminal law to be of assistance in breaking the vicious cycle at its different junctures.

Marina Aksenova is a Postdoctoral Research Fellow at the University of Copenhagen. **Elies van Sliedregt** is Professor of International and Comparative Criminal Law at Leeds University. **Stephan Parmentier** is Professor of Criminal Law and Criminology at KU Leuven.

May 2019 | 288pp | Hbk | 9781509919444 | RSP: £65



The Interface Between EU and International Law

Contemporary Reflections

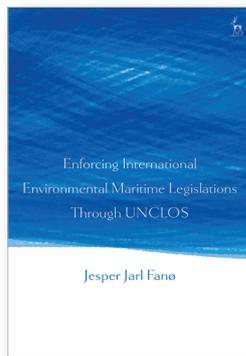
Edited by Inge Govaere and Sacha Garben

Despite their many obvious interconnections, EU and international law are all too often studied and practised in different spheres. While it is natural for each to insist on its own unique characteristics, and in particular for the EU to emphasise its sui generis nature, important insights might be lost because of this exclusionary approach. This book aims to break through

some of those barriers and to show how more interaction between the two spheres might be encouraged. In so doing, it offers a constitutional dimension but also a substantive one, identifying policy areas where EU and international law and their respective actors work alongside each other. Offering a 360-degree view on both EU and international institutional and substantive law, this collection presents a refreshing perspective on a longstanding issue.

Inge Govaere is Professor of European Law, Jean Monnet Chair in EU Legal Studies and Director, Ghent European Law Institute (GELI), at Ghent University as well as Director of the European Legal Studies Department at the College of Europe. **Sacha Garben** is Professor of EU Law at the College of Europe.

Apr 2019 | 348pp | Hbk | 9781509923380 | RSP: £75



Enforcing International Maritime Legislations on Air Pollution Through UNCLOS

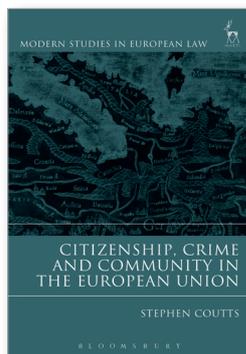
Jesper Jarl Fanø

This book explores the scope and applicability of The United Nations Conventions on Law of the Sea ('UNCLOS'), chapter XII, relating to the enforcement of international environmental maritime legislation. In so doing, it clarifies the increased enforcement and information obligations placed on flag States and the

broadened jurisdictional basis for port and coastal States. Its examination extends the enforcement provisions in The International Convention for the Prevention of Pollution from Ships ('Marpol'), Annex VI, including by port States on the high seas. The book also applies the same principles of enforcement through chapter XII of UNCLOS on both existing and future environmental regulation. Finally, given increased environmental challenges, the book offers an analysis of whether certain international environmental legislation in the future could be considered peremptory norms protected by the jus cogens principle to counter global warming, climate change and overall air pollution.

Jesper Jarl Fanø is an expert on environmental enforcement working at the Danish Environmental Protection Agency, then at the Danish Maritime Authority and teaching international law at Copenhagen University. He currently works at A.P.Møller Mærsk.

Aug 2019 | 272pp | Hbk | 9781509927760 | RSP: £120



Citizenship, Crime and Community in the European Union

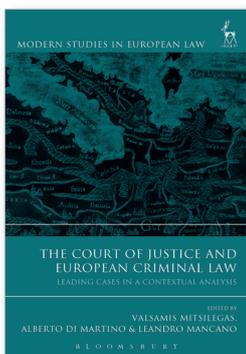
Stephen Coutts

Discussions on Union citizenship tend to focus on two areas: firstly, that of the rights of free movement and non-discrimination of migrant citizens, especially in relation to welfare benefits; secondly on the political dimension of Union citizenship and its role in the European Union's governance and constitution. This book offers an innovative approach to the study of Union citizenship. It looks at the rights of Union citizenship

and the place of citizenship in the European constitution and the European integration process, but does so through an analysis of its interaction with another, highly relevant, area of law: that of criminal law. In doing so it contributes to and enriches our understanding of Union citizenship by drawing out heretofore neglected aspects and implications.

Stephen Coutts is a Lecturer in Law at Dublin City University.

Aug 2019 | 256pp | Hbk | 9781509915361 | RSP: £70



The Court of Justice and European Criminal Law

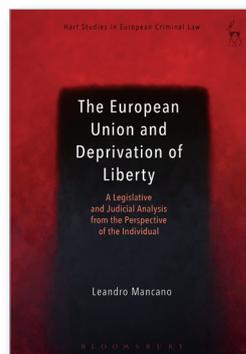
Leading Cases in a Contextual Analysis
Edited by Valsamis Mitsilegas, Alberto di Martino and Leandro Mancano

The aim of this book is to provide an insight into the landmark rulings of the Court of Justice of the European Union (CJEU) in European Criminal Law (ECL). As in other areas of EU law, the decisions of the CJEU have been a motor of development and

integration. This can be seen in the impact on EU primary and secondary law produced by the Greek Maize case, as well as the 2005 and 2007 decisions. By analysing the most important judgments of the Court in the area of criminal law, the book provides a diachronic and multifaceted picture of the EU's and the Court's approach to criminal law.

Valsamis Mitsilegas is Professor of European Law at Queen Mary's University of London. **Alberto di Martino** is Professor of Criminal Law, Scuola Superiore Sant'Anna, Pisa. **Leandro Mancano** is a Researcher at the University of Copenhagen.

Dec 2019 | 416pp | Hbk | 9781509911172 | RSP: £90



The European Union and Deprivation of Liberty

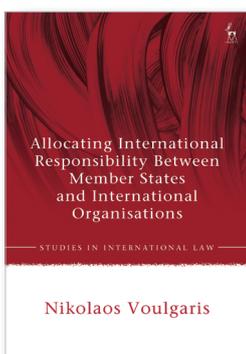
A Legislative and Judicial Analysis from the Perspective of the Individual
Leandro Mancano

The European Union and Deprivation of Liberty examines the EU legislative and judicial approach to deprivation of liberty from the perspective of the following fundamental rights and principles: the principle of legality and proportionality of penalties; the right to liberty; and the

principle that criminal penalties must aim for the social reintegration of the offenders. The book measures the relevant EU law against those rights; this constitutes the very core of the relationship between public powers and individual liberty. The analysis shows that the ultimate goal of the Union is the creation and preservation of the EU as a borderless area. The holistic approach adopted in the book explains how different legal phenomena connected to deprivation of liberty have come into being in EU law. It also shows that those phenomena call for solutions suitable for the peculiarities of the EU legal order.

Leandro Mancano is Lecturer in European Union Law at the University of Edinburgh.

May 2019 | 272pp | Hbk | 9781509908080 | RSP: £60



Allocating International Responsibility Between Member States and International Organisations

Nikolaos Voulgaris

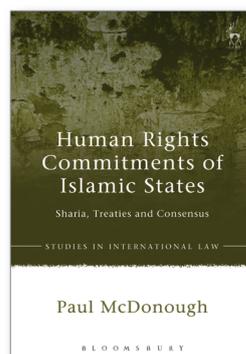
The ever-growing interaction between member States and International Organisations results, all the more often, in situations of non-conformity with international law (eg peacekeeping operations, international economic adjustment programmes, counter-terrorism sanctions). Seven years after

the finalisation of the International Law Commission's Articles on the Responsibility of International Organisations (ARIO), international law on the allocation of international responsibility between these actors still remains unsettled. The confusion around the nature and normative calibre of the relevant rules, the paucity of relevant international practice supporting them and the lack of a clear and principled framework for their elaboration impair their application and dent their ability to act as effective regulatory formulas.

This study aims to offer doctrinal clarity in this area of law and purports to serve as a point of reference for all those with a vested interest in the topic. For the first time after the publication of the ARIO all international responsibility issues dealing with interactions between member States and International Organisations are put together in one book under a common approach. Structured around a systematisation of the interactions between these actors, the study provides an analytical framework for the regulation of indirect responsibility scenarios. Based on the ideas of the intellectual fathers of international law, such as G Scelle's 'dédoublement fonctionnel theory' and R Ago's 'derivative responsibility' model, the book employs old ideas to offer original argumentation to a topic that has been dealt with extensively by recent commentators

Nikolaos Voulgaris is a lecturer at the European Law and Governance School and Head of the Treaty Division of the European Public Law Organization.

May 2019 | 240pp | Hbk | 9781509925728 | RSP: £70



Human Rights Commitments of Islamic States

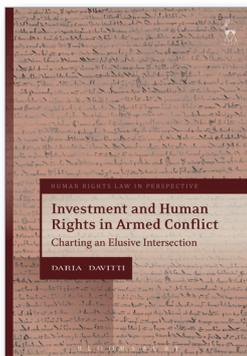
Sharia, Treaties and Consensus
Paul McDonough

This book examines the legal nature of "an" Islamic state and the human rights it commits to uphold. It offers the first study into Islamic constitutions to map the relationship between Sharia and the state in terms of institutions. This also supports an assessment of the place of Sharia in the national legal order. The book unites three strands of analysis: the compatibility of Sharia with the rights enunciated in UN

treaties; the patterns of adherence of Islamic states to human rights treaties; and the compatibility of international Islamic human rights declarations with UN standards. By exploring all formal human rights commitments of all Islamic states within a single analytical framework, it will appeal to international human rights and constitutional scholars with an interest in Islamic law and states.

Paul McDonough is a 2017-2018 Max Weber Fellow at the European University Institute.

Feb 2020 | 208pp | Hbk | 9781509919703 | RSP: £60



Investment and Human Rights in Armed Conflict

Charting an Elusive Intersection

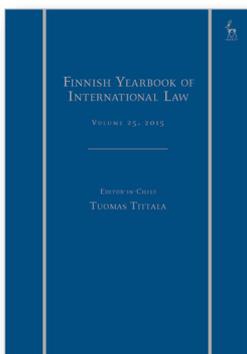
Daria Davitti

This book analyses the way in which international human rights law (IHRL) and international investment law (IIL) are deployed – or fail to be deployed – in conflict countries within the context of natural resources extraction. It specifically analyses the way in which IIL protections impact on the parallel protection of economic, social and cultural rights (ESC rights) in the host state, especially the right to water.

Arguing that current responses have been unsatisfactory, it considers the emergence of the 'Protect, Respect and Remedy' framework and the Guiding Principles for Business and Human Rights (jointly the Framework) as a possible analytical instrument. In so doing, it proposes a different approach to the way in which the Framework is generally interpreted, and then investigates the possible applicability of this 'recalibrated' Framework to the study of the IHRL-IIL interplay in a host country in a protracted armed conflict: Afghanistan. Through the emblematic example of Afghanistan, the book presents a practical dimension to its legal analysis. It uniquely portrays the elusive intersection between these two bodies of international law within a host country where the armed conflict continues to rage and a full economic restructuring is taking place away from the public eye, not least through the deployment of IIL and the inaction – or merely partial consideration – of IHRL. The book will be of interest to academics, policy-makers, and practitioners of international organisations involved in IHRL, IIL and/or deployed in contexts of armed conflict.

Daria Davitti is a Research Fellow at Lund University in Sweden and an Assistant Professor at the University of Nottingham, UK.

May 2019 | 262pp | Hbk | 9781509911660 | RSP: £65



Finnish Yearbook of International Law,

Volume 25, 2015

Edited by Tuomas Tiittala

The *Finnish Yearbook of International Law* aspires to honour and strengthen the Finnish tradition in international legal scholarship. Open to contributions from all over the world and from all persuasions, the *Finnish Yearbook* stands out as a forum for theoretically informed, high-quality publications on all aspects of public international law, including the international relations law of the European Union.

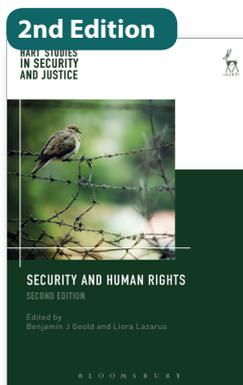
The *Finnish Yearbook* publishes in-depth articles and shorter notes, commentaries on current developments, book reviews and relevant overviews of Finland's state practice. While firmly grounded in traditional legal scholarship, it is open for new approaches to international law and for work of an interdisciplinary nature.

The *Finnish Yearbook* is published for the Finnish Society of International Law by Hart Publishing. Earlier volumes may be obtained from Martinus Nijhoff, an imprint of Brill Publishers.

Further information may be found at www.fsil.fi/fybil

Tuomas Tiittala is a Doctoral Candidate and Research Fellow at the Erik Castrén Institute of International Law and Human Rights, University of Helsinki.

Sep 2019 | 240pp | Hbk | 9781509927159 | RSP: £140



Security and Human Rights

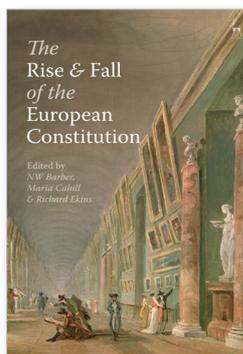
Edited by Benjamin J Goold and Liora Lazarus

This is the second edition of the acclaimed *Security and Human Rights*, first published in 2007. Reconciling issues of security with a respect for fundamental human rights has become one of the key challenges facing governments throughout the world. The first edition broke the disciplinary confines in which security was often analysed before and after the events of 11 September 2001. The second edition continues in this tradition, presenting a

collection of essays from leading academics and practitioners in the fields of criminal justice, public law, privacy law, international law, and critical social theory. The collection offers genuinely multidisciplinary perspectives on the relationship between security and human rights. In addition to exploring how the demands of security might be reconciled with the protection of established rights, *Security and Human Rights* provides fresh insight into the broader legal and political challenges that lie ahead as states attempt to control crime, prevent terrorism, and protect their citizens. The volume features a set of new essays that engage with the most pressing questions facing security and human rights in the twenty-first century and is essential reading for all those working in the area.

Benjamin J Goold is a Professor of Law at the University of British Columbia. **Liora Lazarus** is Associate Professor of Law at the University of Oxford, and Fellow of St Anne's College, Oxford.

Aug 2019 | 240pp | Pbk | 9781849467308 | RSP: £35



The Rise and Fall of the European Constitution

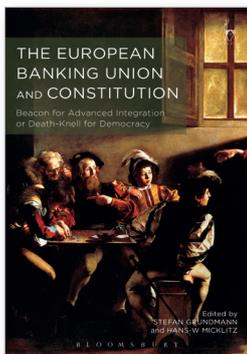
Edited by NW Barber, Maria Cahill and Richard Ekins

The Draft European Constitution was arguably both an attempt to constitutionalise the Union, re-framing that project in the language of the state, and an attempt to stretch the boundaries of constitutionalism itself, re-imagining that concept to accommodate the sui generis European Union. The (partial) failure of this project is the subject of this collection of essays. The collection brings

together leading EU constitutional scholars to consider, with the benefit of hindsight, the purportedly constitutional character of the proposed Constitutional Treaty, the reasons for its rejection by voters in France and the Netherlands, the ongoing implications of this episode for the European project, and the lessons it teaches us about what constitutionalism really means.

NW Barber is Professor of Constitutional Law and Theory at the University of Oxford. **Maria Cahill** is Lecturer in Law at the University College Cork. **Richard Ekins** is Associate Professor of Law at the University of Oxford.

Jan 2019 | 248pp | Hbk | 9781509910984 | RSP: £60



The European Banking Union and Constitution

Beacon for Advanced Integration or Death-Knell for Democracy?

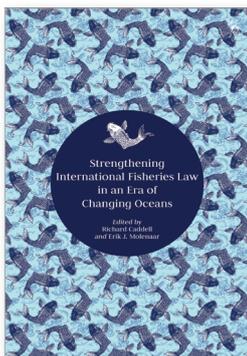
Edited by Stefan Grundmann and Hans-W Micklitz

In 2012, at the height of the sovereign debt crisis, European decision makers pushed for developing an 'ever closer union' with the formation of a European Banking Union (BU). Although it provoked widespread debate, to date there has been no coherent discussion of the political and

constitutional dimensions of the European Banking Union. This important new publication fills this gap. Drawing on the expertise of recognised experts in the field, it explores banking union from legal, economic and political perspectives. It takes a four-part approach. Firstly, it sets the scene by examining the constitutional foundations of banking union. Then in parts 2 and 3, it looks at the implications of banking union for European integration and for democracy. Finally it asks whether banking union might be more usefully regarded as a trade-off between integration and democracy. This is an important, timely and authoritative collection.

Stefan Grundmann is Professor of Transnational Private Law and Theory at the European University Institute, Florence. **Hans-W Micklitz** is Professor of Economic Law at the European University Institute, Florence.

Jan 2019 | 336pp | Hbk | 9781509907540 | RSP: £75



Strengthening International Fisheries Law in an Era of Changing Oceans

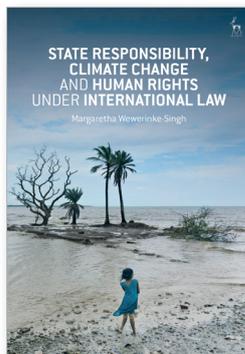
Edited by Richard Caddell and Erik J. Molenaar

This collection addresses the central question of how the current international framework for the regulation of fisheries may be strengthened in order to meet the challenges posed by changing fisheries and ocean conditions, in particular climate change. International fisheries law has developed significantly since the 1990s,

through the adoption and establishment of international instruments and bodies at the global and regional levels. Global fish stocks nevertheless remain in a troubling state, and fisheries management authorities face a wide array of internal and external challenges, including operational constraints, providing effective management advice in the face of scientific uncertainty and non-compliance by States with their international obligations. This book examines these challenges and identifies options and pathways to strengthen international fisheries law. While it has a primarily legal focus, it also features significant contributions from specialists drawn from other disciplines, notably fisheries science, economics, policy and international relations, in order to provide a fuller context to the legal, policy and management issues raised. Rigorous and comprehensive in scope, this will be essential reading for lawyers and non-lawyers interested in international fisheries regulation in the context of profoundly changing ocean conditions.

Richard Caddell is a Lecturer at Cardiff Law School. **Erik J Molenaar** is Deputy Director, Netherlands Institute for the Law of the Sea (NILOS), Utrecht University & Professor, UiT The Arctic University of Norway.

Apr 2019 | 512pp | Hbk | 9781509923342 | RSP: £85



State Responsibility, Climate Change and Human Rights under International Law

Margaretha Wewerinke-Singh

The last decade has witnessed an increasing focus on the relationship between climate change and human rights. Several international human rights bodies have expressed concern about the negative implications of climate change for the enjoyment of human rights, and the Paris Agreement is the first multilateral climate agreement to refer explicitly to states' human rights obligations in

connection with climate change. Yet despite this, there are still significant gaps in our understanding of the role of international human rights law in enhancing accountability for climate action or inaction. As the Paris Agreement has shifted the focus of the climate change regime towards voluntary action, and the humanitarian impacts of climate change are increasingly being felt around the world, accountability for climate change has become an increasingly salient issue. This book offers a timely and comprehensive analysis of the legal issues related to accountability for the human rights impact of climate change, drawing on the state responsibility regime. It explains when and where state action relating to climate change may amount to a violation of human rights, and evaluates various avenues of legal redress available to victims. The overall analysis offers a perceptive insight into the potential of innovative rights-based climate actions to shape climate and energy policies around the world.

Margaretha Wewerinke-Singh is an Assistant Professor of International Law at Leiden University and an Adjunct Senior Lecturer in Environmental Law at the University of the South Pacific.

Mar 2019 | 216pp | Hbk | 9781509918447 | RSP: £70



The Triangular Constitution

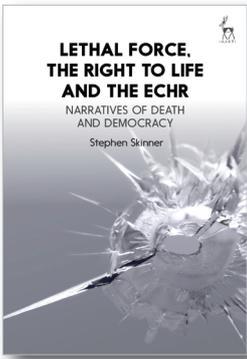
Tom Flynn

This book offers a new account of modern European constitutionalism. It uses the Irish constitutional order to demonstrate that right across the European Union, the national constitution can no longer be understood on its own, in isolation from the EU legal order or from the European Convention on Human Rights. The constitution is instead triangular, with these three legal orders forming the points

of a triangle, and the relationship and interactions between them forming the triangle's sides. It takes as its starting point the theory of constitutional pluralism, which suggests that overlapping constitutional orders are not necessarily arranged 'on top of' each other, but that they may be arranged heterarchically or flatly, without a hierarchy of superior and subordinate constitutions. But it departs from conventional accounts of this theory by emphasising that we must still pay close attention to jurisdictional specificity in order to understand the norms that regulate pluralist constitutions. It shows, through application of the theory to case studies, that any attempt to extract universal principles from the jurisdictionally contingent interactions between specific legal orders is fraught with difficulty. The book is an important contribution to constitutional theory in general, and constitutional pluralism in particular, and will be of great interest to scholars in the field.

Tom Flynn is a Lecturer in the School of Law at the University of Essex.

May 2019 | 264pp | Hbk | 9781509916160 | RSP: £70



Lethal Force, the Right to Life and the ECHR

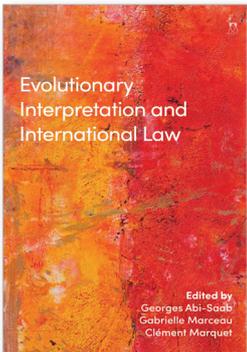
Narratives of Death and Democracy
Stephen Skinner

In its case law on the use of lethal force the European Court of Human Rights declares a fundamental connection between the right to life in Article 2 of the European Convention on Human Rights and democratic society. This book discusses how that connection can be understood by using narrative theory to explore Article 2 law and its deeper historical, social and political significance. Focusing on lethal

(and potentially lethal) force in the domestic policing and law enforcement context, the book draws on an extensive analysis of case law from 1995 to 2017. It shows how the connection with democratic society in Article 2's substantive and procedural dimensions underlines the right to life's problematic duality, as an expression of a basic value demanding a high level of protection and a contextually limited provision allowing states leeway in the use of force. Emphasising the need to identify clear standards in the interpretation and application of the right to life, the book argues that Article 2 law's narrative dimensions bring to light its core purposes and values. These are its role in making meaning from pain and death, grounding democratic society's foundational distinction between force and violence, and indicating democratic society's essential attributes as a restrained, responsible and reflective system.

Stephen Skinner is Associate Professor of Comparative Legal History and Human Rights at the University of Exeter.

Aug 2019 | 208pp | Hbk | 9781849464062 | RSP: £65



Evolutionary Interpretation and International Law

Edited by *Georges Abi-Saab, Gabrielle Marceau and Clément Marquet*

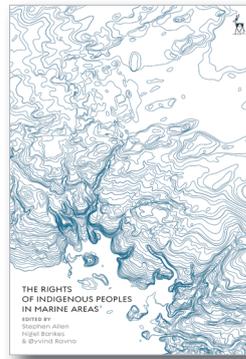
This unique book brings together leading experts from diverse areas of public international law to offer a comprehensive overview of the variety of approaches to evolutionary interpretation in different international legal systems. It begins with the basic question of what interpretation is, offering the views of expert authors on the question, its components and

definitions. It then comments on situations that have called for evolutionary interpretation in different international legal systems, including general international law, environmental law, human rights law, EU law, investment law, international trade law and how domestic courts have, on occasions, interpreted treaties and other international legal instruments in an evolutionary manner.

This timely, authoritative compendium offers an in-depth understanding of the processes at work in evolutionary interpretation as well as a prime selection of the current main trends and future challenges.

Georges Abi-Saab is Honorary Professor at the Graduate Institute, Geneva, and former Chairman of the Appellate Body, World Trade Organization. **Gabrielle Marceau** is Associate Professor at the Law Faculty, University of Geneva and Senior Counsellor, World Trade Organization Secretariat. **Clément Marquet** is Research and Teaching Assistant at the Law Faculty, University of Geneva.

Oct 2019 | 400pp | Hbk | 9781509929887 | RSP: £85



The Rights of Indigenous Peoples in Marine Areas

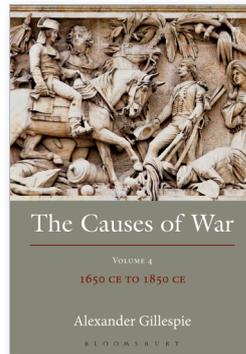
Edited by *Stephen Allen, Nigel Bankes and Øyvind Ravna*

The question of what rights might be afforded to indigenous peoples has preoccupied the municipal legal systems of settler states since the earliest colonial encounters. Sustained initiatives by international institutions have seen national legal regimes and the international legal order accept that they possess an extensive array of legal rights. However, despite this, claims advanced by

indigenous peoples relating to rights to marine spaces have been met with marked lack of receptiveness. This book offers the first sustained study of these rights and their reception. Taking a three part approach, it looks firstly at the international aspects of indigenous entitlement in marine spaces. It then goes on to explore specific country examples, before looking at some cross cutting themes of crucial importance to the question. Drawing on the expertise of leading scholars, this is a rigorous and long overdue exploration of a significant lacuna in indigenous peoples' rights.

Stephen Allen is a Senior Lecturer in Law and a Co-Director of the Centre for European and International Legal Affairs at Queen Mary, University of London. **Nigel Bankes** is Professor and Chair of Natural Resources Law at the University of Calgary. **Øyvind Ravna** is Professor of Law at the University of Tromsø.

Sep 2019 | 352pp | Hbk | 9781509928644 | RSP: £85



The Causes of War

Volume IV: 1650 - 1850
Alexander Gillespie

This is the fourth volume of a projected five-volume series charting the causes of war from 3000 BCE to the present day, written by a leading international lawyer, and using as its principal materials the documentary history of international law, largely in the form of treaties and the negotiations which led up to them. These volumes seek to show why millions of people, over thousands of years, slew each other. In departing from the various

theories put forward by historians, anthropologists and psychologists, Gillespie offers a different taxonomy of the causes of war, focusing on the broader settings of politics, religion, migrations and empire-building. These four contexts were dominant and often overlapping justifications during the first four thousand years of human civilisation, for which written records exist.

Alexander Gillespie is Pro Vice-Chancellor for Research and Professor of Law at the University of Waikato, New Zealand.

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