

Iba Global Insight

Hassane Cisse,N. R. Madhava Menon,Marie-Claire Cordonier Segger,Vincent O. Nmehielle

International Arbitration in the Energy Sector Maxi Scherer,2018-02-22 Disputes in the energy and natural resources sector are at the heart of international arbitration. With more arbitrations arising in the international energy sector than in any other sector, it is not surprising that the highest valued awards in the history of arbitration come from energy-related arbitrations. Energy disputes often involve complex and controversial issues relating to security, sovereignty, and public welfare. International Arbitration in the Energy Sector puts international energy disputes into a global context, providing broad coverage of different forms and systems of dispute resolution across both renewable and non-renewable sectors. With contributions from leading practitioners, arbitrators, academics, and industry experts from across the globe, the eighteen chapters in the book enable readers to compare the approaches to, and learnings from, energy arbitrations across various legal systems and geographic regions. After outlining the international energy arbitration legal framework, the text delves into a detailed analysis of the problems which regularly arise in practice. These include, among other things, commercial disputes in Part I (e.g. over the upstream oil sector and long-term gas supply contracts), investor-state disputes in Part II (e.g. under the Energy Charter Treaty), and public international law disputes in Part III (e.g. concerning international boundaries and the distribution of natural resources). Alongside recent developments in the international energy sector, attention is given to climate and sustainable development disputes, which raise important questions about enforcing sustainability objectives on individuals, corporations, and states. Backed by analyses of arbitral awards, national court and international tribunal decisions, treaties, and other international legal instruments, as well as current events and news in the energy industry, this text offers a unique contribution to international energy literature and provides insightful commentary on the prevalent issues in the field. It is essential reading for any practitioner or researcher in the energy and natural resources sector.

The Right to a Fair Trial in International Law Amal Clooney,Philippa Webb,2021-02-11 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.

Understanding and Proving International Sex Crimes Morten Bergsmo,Alf Butenschøn Skre,Elisabeth J. Wood,2012-04-25 [This anthology] addresses the gap between international standard-setting prohibiting international sex crimes and actual accountability for individuals who are responsible for such crimes. The book provides detailed analysis of the legal requirements of international sex crimes and types of fact that can be used to meet these requirements. It includes a unique knowledge-base that digests international case law on such crimes. The anthology also contains several studies of institutional and evidentiary challenges in the prosecution of international sex crimes--Series pref.

Virtual Currency Law V. Gerard Comizio,2021-12-14 Virtual Currency Law: The Emerging Legal and Regulatory Framework by V. Gerard Comizio is one of the first casebooks to explore the emerging legal and regulatory framework governing virtual currency activities under a wide range of federal and state laws, including securities, banking, commodities, money transmission, payments systems, commercial, anti-money laundering, fintech, cyber and data security, tax, Constitutional and international laws. Virtual Currency Law is one of the first books specifically suited for use in a law school course exploring the emerging legal and regulatory framework governing virtual currency activities. Since the advent of the first virtual currency (Bitcoin) in 2008, a new global financial ecosystem has emerged, composed of an increasing number and variety of digital assets. In this context, the book explores how governments, regulators and legal experts are increasingly looking to existing securities, banking, commodities, money transmission, payment systems, commercial, anti-money laundering, fintech, cyber and data security, tax, Constitutional and international laws to address the unique, novel, and complex issues presented by virtual currency. The book also explores how the ubiquitous nature of virtual currency has led to it being viewed as the legal and regulatory equivalent of a wide range of traditional corporate and financial services products, services, activities, and investments. Highlights of the First Edition: One of the first legal textbooks to address the wide range of emerging virtual currency law and regulation Chapter by chapter coverage of major areas of emerging corporate and financial institutions law and regulation governing virtual currency-related products, services, investments, and activities Cutting edge materials on emerging Constitutional law issues Professors and students will benefit from: Each chapter generally begins with a basic introduction to the fundamental legal and regulatory legal framework of the respective areas of law being applied to virtual currency. As such, for students, it is not only a useful primer on virtual currency regulation, but also provides a basic understanding of major areas of corporate and financial institutions laws. For professors who are not experts in all areas of law and regulation covered in the book, these chapter introductions will help provide a better understanding of the materials. The chapters, organized by the area of law and regulation analyzed, also provide useful comparative analysis of similar concepts under other laws and regulations discussed in other chapters. To provide a broader context and understanding of the materials presented, the book also covers current developments in policy areas related to virtual currency, including developments in government-backed virtual currencies, emerging quantum computer cyber threats to the blockchain and emerging free speech issues regarding social media restraints on virtual currency activities.

International Law Journal of London: Volume 1, Edition 1 International Law Journal of London,2014-07-24 The International Law Journal Of London was started by University of London law students and alumni aimed at providing both academia with new research, ideas, and sources in the fast developing world of international law. It is currently run by professionals who have extensive experience in law, publishing, and scholarship. We help you stay updated and in the front of the legal field. The journal publishes articles, essays, notes, book reviews, and commentaries on various areas of international, transnational, and comparative law which help shape the world today. We are committed to publishing thought quality, thought provoking, and cutting edge content which will contribute to development of jurisprudence. We aim to publish the highest quality of scholarship written by faculty, professionals, and students alike in a bi-annual publication. Website: www.internationallawjournaloflondon.com

Evolution and Adaptation Jean Kalicki,Mohamed Abdel Raouf,2019-12-17 What is it about international arbitration that makes it so open to evolution and adaptation? What are the main pressure points today and the unmet needs of stakeholders? What are the opportunities for expansion to new sectors and new audiences? What are the drivers for change, the obstacles and the risks? And equally important, what are the core principles that should never be lost? These were the topics of the Twenty-Fourth ICCA Congress, held in Sydney, Australia, in April 2018, the proceedings of which are collected in this volume. The volume highlights arbitration as a 'living organism' that has adapted in the past to various challenges, and that today - under attack from various quarters - might need to demonstrate its adaptability again. Accordingly, the contributions address the evolving needs of users, the impact of the rapidly changing face of technology, the expectations of the public, and the convergence and divergence of different aspects of legal traditions and cultures. Topical issues of interest for practitioners, academics, and students of

arbitration include the following: legitimacy and authority of arbitrators, institutions and professional organizations to act as lawmakers; investment treaty reform, with particular reference to the definition of ‘investment,’ the evolution of substantive treaty standards, and sustainable development obligations; commercial arbitration reform, including issues of public and private interest, the development of common law, and cost, delay and transparency concerns; revisiting party autonomy in choosing decision-makers, including through institutional appointments or investment courts; equality of arms, the economics of access, and the role of costs and third-party funding; public-private disputes and special issues that arise when State entities arbitrate; public participation and transparency, and their effect on both ISDS and commercial arbitration; revisiting conventional wisdom in organizing arbitral proceedings; lessons to be learned from other dispute resolution frameworks; technology as friend and enemy, including new tools, new threats, and cybersecurity; arbitration of disputes in conflict and post-conflict zones; inter-generational blame and praise in investment arbitration; and the emergence of sovereign wealth funds as arbitration participants. A special section on ‘New Frontiers in Arbitration’ offers enlightening perspectives on new types of claims and new types of stakeholders likely to affect the future of international arbitration, including the potential for climate change disputes and enlarged participation.

Practising Virtue David D. Caron, Stephan W. Schill, Abby Cohen Smutny, Epaminontas E. Triantafyllou, 2015-11-12 International arbitration has developed into a global system of adjudication, dealing with disputes arising from a variety of legal relationships: between states, between private commercial actors, and between private and public entities. It operates to a large extent according to its own rules and dynamics - a transnational justice system rather independent of domestic and international law. In response to its growing importance and use by disputing parties, international arbitration has become increasingly institutionalized, professionalized, and judicialized. At the same time, it has gained significance beyond specific disputes and indeed contributes to the shaping of law. Arbitrators have therefore become not only adjudicators, but transnational lawmakers. This has raised concerns over the legitimacy of international arbitration. *Practising Virtue* looks at international arbitration from the 'inside', with an emphasis on its transnational character. Instead of concentrating on the national and international law governing international arbitration, it focuses on those who practise international arbitration, in order to understand how it actually works, what its sources of authority are, and what demands of legitimacy it must meet. Putting those who practise arbitration into the centre of the system of international arbitration allows us to appreciate the way in which they contribute to the development of the law they apply. This book invites eminent arbitrators to reflect on the actual practice of international arbitration, and its contribution to the transnational justice system.

Water, Security and U.S. Foreign Policy David Reed, 2017-06-26 The prosperity and national security of the United States depend directly on the prosperity and stability of both partner and competing countries around the world. Today, U.S. interests are under rising pressure from water scarcity, extreme weather events and water-driven ecological change in key geographies of strategic interest to the U.S. Those water-driven stresses are undermining economic productivity, weakening governance systems and fraying social cohesion in scores of countries and, in the process, undermining the vitality of rural livelihoods, fostering local and ethnic conflicts, driving broad migratory movements and contributing to the growth of insurgencies and terrorist networks. While the U.S. intelligence community has steadily expanded natural resource concerns in their global threat analyses, our overseas development assistance remains locked into provision of water and hygienic services rather than responding to the full sweep of global water challenges including governance and policy failures, growing conflicts over water and the need for promoting sustainable transboundary water arrangements in partner countries. A fundamental departure from the past is urgently needed. Based on 18 case studies, *Water, Security and U.S. Foreign Policy* provides an analytical framework to help policy makers, scholars and researchers studying the intersection of U.S. foreign policy with the environment and sustainability issues, interpret the impacts of water-driven social disruptions on the stability of partner governments and U.S. interests abroad. The book also delivers specific recommendations to reorient U.S. development and diplomatic engagements that can forestall and prevent social disruptions and ensuing threats to U.S. prosperity and national security.

Theory, Law and Practice of Maritime Arbitration Eva Litina, 2020-12-10 *Theory, Law and Practice of Maritime Arbitration The Case of International Contracts for the Carriage of Goods by Sea* Eva Litina It is estimated that over 80% of global trade by volume is carried by sea, making maritime transport a cornerstone of the global economy. Most disputes in the shipping industry are settled by distinctive, private arbitral proceedings that are best understood by a close examination of the standard form contracts that are used in practice and of the case law arising therefrom. Extrapolating insightfully from these sources, the author of this book examines in depth the phenomenon of maritime arbitration with a specific focus on contracts for the carriage of goods by sea. She offers the first comprehensive and comparative analysis of arbitral practice in the three jurisdictions where the most frequently selected maritime arbitral seats are located: London, New York, and Singapore. An analysis of the applicable rules and relevant case law in each jurisdiction provides the basis from which a comparative assessment of maritime arbitral seats is achieved. The book addresses the following key aspects of maritime arbitration: maritime arbitration’s definition, origins, theoretical underpinnings, socioeconomic context, and significance; the maritime-specific reasons for wide use of ad hoc versus institutional arbitration; the international instruments governing arbitration in contracts for the carriage of goods by sea; the shipping industry’s pursuit of self-regulation via standard form contracts; the arbitration agreement contained in standard form charterparties and bills of lading; maritime arbitration’s unique approach to judicial review, confidentiality, and arbitrator impartiality; the specific dispute resolution objectives that compel a comparative assessment of maritime arbitral seats; and the future of maritime arbitration in light of international political, financial, and technological developments. In addition to the three main maritime arbitral seats, the analysis touches on maritime arbitration in other relevant jurisdictions, such as Hong Kong, Greece, Japan, and Korea, thus affording a comparison of the process in common and civil law jurisdictions. The book concludes by considering the potential impact of the current international political landscape, and suggesting future perspectives and research in international maritime arbitration. An important addition to scholarship in this field of law, the book’s thorough assessment of the merits of the competing maritime arbitral seats—and its specific focus on maritime disputes—will prove of significant importance to arbitrators, law firms, in-house counsel of shipping companies, international organizations, and arbitration institutions and associations. Practitioners will discover all tools necessary to examine any case before the main maritime arbitral seats with full awareness of each applicable legal regime and its distinguishing features.

The Good Chinese Lawyer , 2023-01-31

Inside Lawyers' Ethics Christine Parker, Adrian Evans, 2018-06-14 *Inside Lawyers' Ethics* offers a practical examination of the moral and ethical dilemmas that legal professionals may encounter in the professional environment. The text provides comprehensive coverage and analysis of general philosophical approaches to morality as well as the legal frameworks which govern ethical decision-making and practice.

The Rome Statute of the ICC at Its Twentieth Anniversary Pavel Šturma, 2019-01-03 This edited volume presents the most up to date topics of international criminal law and discusses possible future developments of the Rome Statute and the International Criminal Court.

Doping in Sport and the Law Ulrich Haas, Deborah Healey, 2016-09-22 This unique international legal and cross-disciplinary edited volume contains analysis of the legal impact of doping regulation by eminent and well known experts in the legal fields of sports doping regulation and diverse legal fields which are intrinsically important areas for consideration in the sports doping

landscape. These are thoughtful extended reflections by experts on theory and policy and how they interact with law in the context of doping in sport. It is the first book to examine the topical and contentious area of sports doping from a variety of different but very relevant legal perspectives which impact the stakeholders in sport at both professional and grass roots levels. The World Anti-Doping Code contains an unusual mix of public and private regulation which is of more general interest and fully explored in this work. Each of the 14 chapters addresses doping regulation from a legal perspective such as tort, corporate governance, employment law, human rights law, or a scientific area. Legal areas are generally considered from an international and not national perspective. Issues including fairness, logic and the likelihood of compliance are explored. It is vital reading for anyone interested in the law, regulation and governance of sport.

Cybernetics and Systems Sergio Barile,Raul Espejo,Igor Perko,Marialuisa Saviano,2018-12-07 Society is now facing challenges for which the traditional management toolbox is increasingly inadequate. Well-grounded theoretical frameworks, such as systems thinking and cybernetics, offer general level interpretation schemes and models that are capable of supporting understanding of complex phenomena and are not impacted by the passage of time. This book serves the knowledge society to address the complexity of decision making and problem solving in the 21st century with contributions from systems and cybernetics. A multi-disciplinary approach has been adopted to support diversity and to develop inter- and trans-disciplinary knowledge within the shared thematic of problem solving and decision making in the 21st century. Its conceptual thread is cyber/systemic thinking, and its realisation is supported by a wide network of scientists on the basis of a highly participative agenda. The book provides a platform of knowledge sharing and conceptual frameworks developed with multi-disciplinary perspectives, which are useful to better understand the fast changing scenario and the complexity of problem solving in the present time.

The Good Lawyer Adrian Evans,2014-08-29 The Good Lawyer encourages the development of a sense of social and moral responsibility as the foundation of better practice.

The Oxford Handbook of the Brazilian Economy Edmund Amann,Carlos Azzoni,Werner Baer,2018-08-01 Brazil is a globally vital but troubled economy. This volume offers comprehensive insight into Brazil's economic development, focusing on its most salient characteristics and analyzing its structural features across various dimensions. This innovative Oxford Handbook provides an understanding of the economy's evolution over time and highlights the implications of the past trajectory and decisions for current challenges and opportunities. The opening section covers the country's economic history, beginning with the colonial economy, through import-substitution, to the era of neoliberalism. Second, it analyses Brazil's broader place in the global economy, and considers the ways in which this role has changed, and is likely to change, over coming years. Particular attention is given to the productive sectors of Brazil's economy, for example manufacturing, agriculture, services, energy, and infrastructure. In addition to discussions of regional differences within Brazil, socio-economic dimensions are examined. These include income distribution, human capital, environmental issues, and health. Also included is a discussion of Brazil in the world economy, such as the increase in South-South cooperation and trade as well as foreign direct investment. Last but not least is a discussion of the role of the Brazilian state in the economy, whether through state enterprises, competition policy, or corruption.

The World Bank Legal Review, Volume 5 Hassane Cisse,N. R. Madhava Menon,Marie-Claire Cordonier Segger,Vincent O. Nmehielle,2013-11-26 This volume explores the potentially transformative role of effective laws and legal institutions in providing people with more opportunity that is both inclusive and equitable.

The Principles and Practice of International Commercial Arbitration Margaret L. Moses,2008-03-17 This title provides the reader with immediate access to understanding the world of international arbitration. Arbitration has become the dispute resolution method of choice in international transactions. This book explains how and why arbitration works. It provides the legal and regulatory framework for international arbitration, as well as practical strategies to follow and pitfalls to avoid. It is short and readable, but comprehensive in its coverage of the basic requirements, including changes in arbitration laws, rules, and guidelines. In the book, the author includes insights from numerous international arbitrators and counsel, who tell firsthand about their own experiences of arbitration and their views of the best arbitration practices. Throughout the book, the principles of arbitration are supported and explained by the practice, providing a concrete approach to an important means of resolving disputes.

The EU after Lisbon Lucia Serena Rossi,Federico Casolari,2014-06-25 The book contains a collection of high-quality academic and expert contributions dealing with the central question of whether the Lisbon Treaty needs further revision. Due to the difficulties European Union actors have encountered in implementing the Lisbon Treaty's reform and the inadequacies of the current legal framework brought to light by post-Lisbon practice, the volume focuses on possible innovations and functional approaches to improve the Union's response to the challenges confronting it. In doing so, the volume first takes a horizontal approach to the Treaty' revision and considers some constitutional features showing the interaction between the EU and its Member States (namely, the parameters of constitutional developments, the allocation of competences, the principles of solidarity and loyal cooperation). Then, the focus shifts to the question of fundamental rights within the EU's constitutional framework, one of the most relevant innovations of the Lisbon Treaty being the incorporation of the Charter of Fundamental Rights into the Union's primary law. The last part of the volume is devoted to another domain significantly reshaped by the Lisbon reform, namely, the Union's external dimension. ECJ Advocate General Paolo Mengozzi's conclusions highlight the common themes emerging from the various contributions, stressing the need for a more general supranational approach to the political crisis the Union is going through. The content of this book will be of great value to academics, students, judges, practitioners and all others interested in the legal discourse on the progressive development of the European Union legal order.

Breaking the Zero-Sum Game Aldo Boitano,Raúl Lagomarsino Dutra,H. Eric Schockman,2017-09-07 Escaping the win-lose dynamics of zero-sum game approaches is crucial for finding integrated, inclusive solutions to complex issues. This book uncovers real-life examples of inclusive leaders that have broken the zero-sum game, providing insights that help the reader develop their inclusive leadership skills.

Ignite the flame of optimism with is motivational masterpiece, Find Positivity in **Iba Global Insight** . In a downloadable PDF format (PDF Size: *), this ebook is a beacon of encouragement. Download now and let the words propel you towards a brighter, more motivated tomorrow.

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