

Comparative Public Law

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Historical development of comparative law

- The term comparative law is recent; it was first used in the 19th century when it became evident that comparing legal systems required a systematic approach in order to advance legal progress and foster greater knowledge of other cultures.

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Substantive Protection under Investment Treaties Jonathan Bonnitcha, 2014-08-14 Substantive Protection under Investment Treaties provides the first systematic analysis of the consequences of the substantive protections that investment treaties provide to foreign investors It proposes a new framework for identifying and evaluating the costs and benefits of differing levels of investment treaty protection and uses this framework to evaluate the levels of protection for foreign investors implied by different interpretations of the fair and equitable treatment and indirect expropriation provisions of investment treaties The author examines the arguments and assumptions of both supporters and critics of investment treaties seeks to test whether they are coherent and borne out by evidence and concludes that the economic justifications for investment treaty protections are much weaker than is generally assumed As such the economic objectives of investment treaties are not necessarily in tension with other non economic objectives These findings have important implications for the drafting and interpretation of investment treaties

Mega-Regional Trade Agreements: CETA, TTIP, and TiSA Stefan Grillner, Walter Obwexer, Erich Vranes, 2017-08-24 The Comprehensive Economic and Trade Agreement between the EU and Canada CETA proposed Transatlantic Trade and Investment Partnership between the EU and the US TTIP and the plurilateral Trade in Services Agreement TiSA between the EU and 22 other States have sparked a great deal of academic and public interest This edited collection brings together leading experts in the field of international economic law to address the legal complexities of these treaties and provide an explanation of their core principles In the first two chapters this book examines changing conceptions of international economic law and the main motivations for negotiating mega regional agreements In nine further contributions international experts examine sectoral issues such as the trade investment and dispute settlement procedures envisaged in these mega regional agreements The book goes on to consider the progress made in intellectual property protection the problems associated with data protection human rights labour and environmental standards issues of transparency and legitimacy and the relationship between CETA TTIP and TiSA on the one hand and EU law on the other It concludes with four chapters that discuss globalization and other fundamental questions surrounding these mega regional agreements from economic political science and legal perspectives

The Transatlantic Colossus Daniel Cardoso, Philani Mthembu, Marc Venhaus, Miguel Ángel Verde Garrido, 2014-01-17 Now available online The Transatlantic Colossus Global Contributions to Broaden the Debate on the EU US Free Trade Agreement 2014 a publication from the Berlin Forum on Global Politics BFoGP in collaboration with the Internet Society Collaboratory and FutureChallenges.org of the Bertelsmann Stiftung The free trade agreement TAFTA TTIP currently being negotiated between the United States and the European Union has the potential to significantly impact the lives of people on both sides of the Atlantic and across the world Because it is crucial to broaden the debate on this topic of global importance the Berlin Forum on Global Politics decided to send out an international call for papers in order to collect a strong plurality of views on TAFTA

TTIP as part of the Collaboratory's Initiative on Globalization and the Internet The result is an open knowledge publication freely accessible under its Creative Commons BY license which includes 22 articles written by a multitude of well informed global stakeholders members of civil society academia think tanks consumer and activist groups and business organizations

Shifting Paradigms in International Investment Law Steffen Hindelang, Markus Krajewski, 2016-01-21 International investment law is in transition Whereas the prevailing mindset has always been the protection of the economic interests of individual investors new developments in international investment law have brought about a paradigm shift There is now more than ever before an interest in a more inclusive transparent and public regime *Shifting Paradigms in International Investment Law* addresses these changes against the background of the UNCTAD framework to reform investment treaties The book analyses how the investment treaty regime has changed and how it ought to be changing to reconcile private property interests and the state's duty to regulate in the public interest In doing so the volume tracks attempts in international investment law to recalibrate itself towards a more balanced less isolated and increasingly diversified regime The individual chapters of this edited volume address the contents of investment agreements the system of dispute settlement the interrelation of investment agreements with other areas of public international law constitutional questions and new regional perspectives from Europe South Africa the Pacific Rim Region and Latin America Together they provide an invaluable resource for scholars practitioners and policymakers The individual chapters of this edited volume address the contents of investment agreements the system of dispute settlement the interrelation of investment agreements with other areas of public international law constitutional questions and new regional perspectives from Europe South Africa the Pacific Rim Region and Latin America Together they provide an invaluable resource for scholars practitioners and policymakers

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Spang-Hanssen,2008 It has never been more important for the world s law students and lawyers to speak the same language of the law This book introduces European legal research methods to Americans and American legal research methods to Europeans From this introductory text joint enterprises and international collaborations can begin to take root With the growing interest in international law and the growing number of advanced legal research courses developing to meet the demands beyond the first year of law school the book will find a welcoming audience It contains chapters on U S Common Law and Civil Law legal research methods an overview of the European legal families where to find International and European Union material and on Comparative Law methods Anyone who practices teaches or studies law today will want to have this book in their reference library Are Laws Needed for Public Management Reforms? Ian Lienert,2005

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Spang-Hanssen,2006 SCOLAG ,2002 *Latvia's View of the Future of the European Union* Žaneta Ozoliņa,2007 A Possible Peace Between Israel and Palestine Menachem Klein,2007 In 2003 after two years of negotiations a group of prominent Israelis and Palestinians signed a model peace treaty The document popularly called the Geneva Initiative contained detailed provisions resolving all outstanding issues between Israel and the Palestinian people including drawing a border between Israel and Palestine dividing Jerusalem and determining the status of the Palestinian refugees The negotiators presented this citizens initiative to the Israeli and Palestinian peoples and urged them to accept it One of the Israeli negotiators was Menachem Klein a political scientist who has written extensively about the Jerusalem issue in the context of peace negotiations Although the Geneva Initiative was not endorsed by the governments of either side it became a fundamental term of reference for solving the Middle East conflict In this firsthand account Klein explains how and why these groups were able to achieve agreement He directly addresses the formation of the Israeli and Palestinian teams how they managed their negotiations and their communications with both governments He also discusses the role of third party facilitators and the strategy behind marketing the Geneva Initiative to the public A scholar and participant in the Geneva negotiations Klein is able to provide both an inside perspective and an impartial analysis of the diplomatic efforts behind this historic compromise He compares the negotiations to previous Israeli Palestinian talks both formal and informal and the resolution of conflicts in South Africa and Algeria Klein hopes that by treating the event as a case study we can learn a tremendous amount about the needs and approaches of both parties and the necessary shape peace must take between them

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