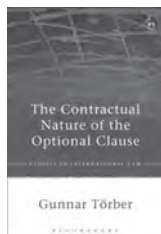


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## The Contractual Nature of the Optional Clause Gunnar Törber

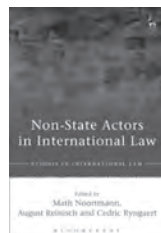
The International Law Commission's Guiding Principles for Unilateral Declarations and its Guide to Practice on Reservations to Treaties are among the recent developments in international law. These developments support a new assessment on how optional clauses (eg Article 62(1) of the American Convention on Human Rights) and especially the Optional Clause (Article 36(2) of the Statute of the

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Based, inter alia, on the jurisprudence of the Permanent Court of International Justice and the ICJ on the Optional Clause, but also on the relevant jurisprudence of the Inter-American Court of Human Rights and the European Court of Human Rights and the General Comments of the United Nations Human Rights Committee, this book provides a comprehensive assessment of all legal issues regarding the Optional Clause and also optional clauses in general. The book deals with the making of Optional Clause declarations, the interpretation of such declarations and reservations made to the declarations as well as the withdrawal or amendment of declarations.

**Gunnar Törber** is Legal Researcher at the University of Münster.

July 2015 9781849468664 410pp Hardback RSP: £63



## Non-State Actors in International Law Edited by Math Noortmann, August Reinisch and Cedric Ryngaert

The role and position of non-state actors in international law is the subject of a long-standing and intensive scholarly debate. This book explores the participation of this new category of actors in an international legal system that has historically been dominated by states. It explores the most important issues, actors and theoretical approaches with respect

to these new participants in international law. It provides the reader with a comprehensive and state-of-the-art overview of the most important legal and political developments and perspectives.

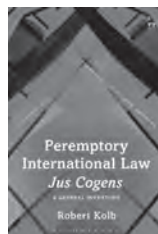
Relevant non-state actors discussed in this volume include, in particular, international governmental organisations, international non-governmental organisations, multinational companies, investors and armed opposition groups. Their legal position is considered in relation to specific issue-areas, such as humanitarian law, human rights, the use of force and international responsibility. The main legal theories on non-state actors' position in international law – neopositivism, the policy-oriented approach and transnational law – are covered at the beginning of the publication, and the essential political science perspectives – on non-state actors' role in international politics and globalisation, as well as their soft power – are presented at the end.

**Math Noortmann** is Professor of Transnational Law and Non-State Actors at the Centre for Trust, Peace and Social Relations at Coventry University.

**August Reinisch** is Professor of International and European Law at the University of Vienna.

**Cedric Ryngaert** is Professor of Public International Law at Utrecht University.

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## Peremptory International Law - Jus Cogens A General Inventory Robert Kolb

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**Robert Kolb** is Professor of Public International Law at the University of Geneva. He is also Counsel for Lalive Attorneys-at-Law, Geneva.

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## Statelessness The Enigma of the International Community William E Conklin

'Statelessness' is a legal status denoting lack of any nationality, a status whereby the otherwise normal link between an individual and a state is absent. The increasingly widespread problem of statelessness has profound legal, social, economic and psychological consequences but also gives rise to the paradox of an international community that claims universal standards for all natural persons while allowing its Member States to allow statelessness to occur. In this powerfully argued book, Conklin critically evaluates traditional efforts to recognise and reduce statelessness. The problem, he argues, rests in the obligatory nature of law, domestic or international. By closely analysing a broad spectrum of court and tribunal judgments from many jurisdictions, Conklin explains how confusion has arisen between two discourses as to the nature of the international community. One discourse, a surface discourse, describes a community in which international law justifies a state's freedom to confer, withdraw or withhold nationality. This international community incorporates state freedom over nationality matters, risking statelessness. The other discourse, an inner discourse, highlights a legal bond of socially experienced relationships. Such a bond, judicially referred to as 'effective nationality', is binding upon all states, and where such a bond exists, harm to a stateless person represents harm to the international community as a whole.

**William E Conklin** is a Professor in the Faculty of Law and Faculty of Graduate Studies, University of Windsor.

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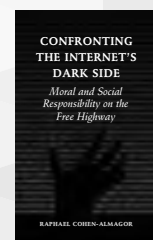
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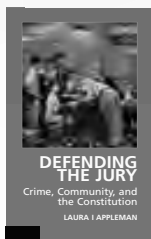
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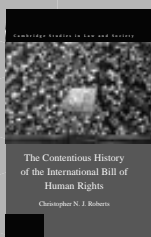
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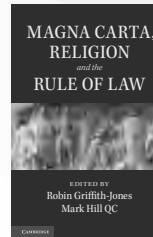
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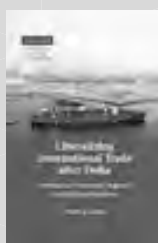
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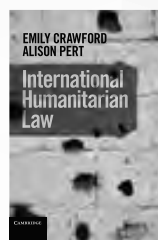
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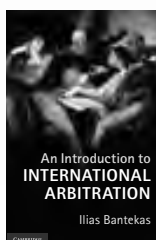
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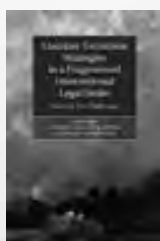
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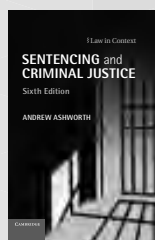
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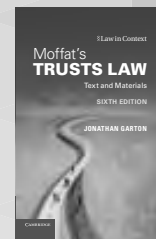
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