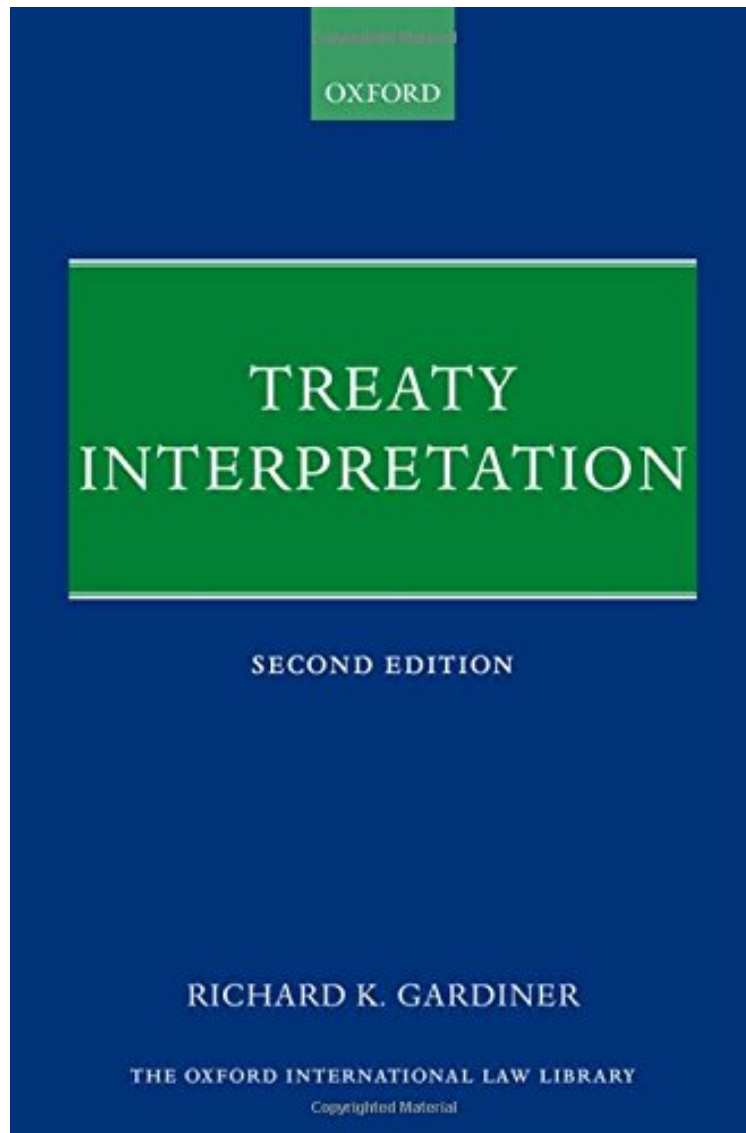


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Treaty Interpretation (Oxford International Law Library)

Richard Gardiner

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Richard Gardiner : Treaty Interpretation (Oxford International Law Library) before purchasing it in order to gauge whether or not it would be worth my time, and all praised Treaty Interpretation (Oxford International Law Library):

0 of 0 people found the following review helpful. DefinitiveBy Phillip Taylor MBEFOR INTERNATIONAL LAWYERS: THE DEFINITIVE WORK ON THE INTERPRETATION OF TREATIES -- NOW IN A NEW EDITIONAn appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green ChambersAs the world

global village grows progressively smaller, the scope, reach and importance of international law looms correspondingly larger -- hence the need for the international lawyer to be able to interpret treaties in accordance with modern rules. Interestingly enough, interpreting treaties is regarded as an art by many who are expert in this field, including the author of this book, Richard Gardiner. The increasing number and significance of treaties, he says, has given added importance to the art of their interpretation. Certain critics have referred to this assessment as rather too glib and have asked whether there were any rules for practising that art. Yes, asserts the author: there are such rules. These are set out in the Vienna Convention of the Law of Treaties signed at Vienna in May 1969, known as The Vienna Rules. Those who would practice the art need to understand the rules, says the author, who, as a practising barrister, was a legal adviser at the Foreign and Commonwealth Office and a member of the Faculty of Law at University College, London. Now in its second edition, the book sets out to explain the Vienna Rules, giving examples of interpretations reached by applying them. At the same time, no claim is made that the Vienna Rules resolve all the problems of interpretation. However, it is pointed out that the rules of treaty interpretation differ somewhat from typical rules for interpreting legal instruments and legislation within national legal systems. Even more importantly, the rules of treaty interpretation codified in the Vienna Convention are now applicable to virtually all treaties, both internationally and within individual national legal systems, where treaties have an impact on a wide range of matters which now grows ever larger. Published by the Oxford University Press as part of their International Law Library, this fully updated edition features case law from a broad range of jurisdictions and gives an account of the work of the International Law Commission in its relation to interpretative declarations. An impressive work of scholarship regarded as a classic in this field, the book builds its close and minute analysis with the support of references to real-life examples as part of its practical approach. And there are any number of these from the trades union closed shop, to the principle of freedom of speech, to anti-dumping. With its extensive footnoting, numbered paragraphs throughout and astoundingly lengthy and very useful bibliography of some twelve pages, this book also provides tables of cases, treaties and legislation, plus a detailed table of contents and index at the back. As a valuable resource for researchers, academics and diplomats as well as international lawyers, it will certainly be regarded as indispensable for anyone professionally involved in the law of treaty interpretation. The publication date is cited as at 28 February 2015.

This series features works on substantial topics in international law which provide authoritative statements of the chosen areas. Taken together they map out the whole of international law in a set of scholarly reference works and treatises intended to be of use to scholars, practitioners, and students. This book provides a guide to interpreting treaties properly in accordance with the modern rules for treaty interpretation which are codified in the 'Vienna Convention on the Law of Treaties'. These rules now apply to virtually all treaties both in an international context and within many national legal systems where treaties have an impact on a large and growing range of matters. Lawyers, administrators, diplomats, and officials at international organisations are increasingly likely to encounter issues of treaty interpretation which require not only knowledge of the relevant rules but also how these rules have been, and are to be, applied in practice. There is now a considerable body of case law on application of the codified rules. This case law, combined with the history and analysis of the rules, provides a basis for understanding this most important task in the application of treaties internationally and within national systems of law. Any lawyer who ever has to consider international matters, and increasingly any lawyer whose work involves domestic legislation with any international connection, is at risk nowadays of encountering a treaty provision which requires interpretation, whether the treaty provision is explicitly in issue or is the source of the relevant legislation. This expanded edition includes consideration of a range of recent cases, takes account of relevant work of the International Law Commission, and has new material addressing matters raised in the growing body of literature on treaty interpretation.

from previous edition: "Gardiner has structured his material in a lucid and intelligible manner...the book reads well, is informative and rich in useful material, and manages to tackle an issue that, at least to this reviewer, seems tremendously difficult, if not terrifying: that of intelligibly interpreting the rules on treaty interpretation. It should be of good use to advanced students and practitioners alike." --Antonios Tzanakopoulos, *German Yearbook of International Law* 2010. from previous edition: "Treaty interpretation is analysed in the wider context of the law of treaties, of which Gardiner has unparalleled knowledge. It is very rarely that the whole subject of treaty interpretation is dealt with in such detail in one study, and the achievement of the author is therefore even more significant...The book will undoubtedly become a classic study on the interpretation of treaties - of great use to both practitioners and academics." --Malgosia Fitzmaurice, *European Journal of International Law* 2009
About the Author Richard Gardiner, Visiting Professor, University College London Richard Gardiner practiced as a barrister, was a legal adviser at the Foreign and Commonwealth Office, and is a Visiting Professor at University College London.