

1. Record Nr.	UNINA9910798121703321
Titolo	Law, territory and conflict resolution : law as a problem and law as a solution // edited by Matteo Nicolini, Francesco Palermo, Enrico Milano
Pubbl/distr/stampa	Leiden, [Netherlands] ; ; Boston, [Massachusetts] : , : Brill Nijhoff, , 2016 ©2016
ISBN	90-04-31129-7
Descrizione fisica	1 online resource (391 p.)
Collana	Studies in Territorial and Cultural Diversity Governance, , 2213-2570 ; ; Volume 6
Disciplina	341.4/2
Soggetti	Arbitration (International law) Boundary disputes Pacific settlement of international disputes Dispute resolution (Law)
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Includes index.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Preliminary Material / Matteo Nicolini , Francesco Palermo and Enrico Milano -- Territory and Conflicts: Is International Law the Problem? / Beatrice I. Bonafè -- Territory and the Law of Ownership: From Misunderstanding to Opportunity / Francesco Palermo -- Beyond Majoritarian Autonomy? Legislative and Executive Power-Sharing in European Regions / Karl Kössler -- Studying Territorial Autonomy as a Multiplicity of Ways to Institutionalise Ethnicity / Alexander Osipov -- In Search of a Fair Balance between the Inviolability of Borders, Self-determination and Secession in International Law / Antonello Tancredi -- Territorial Entitlement and Exit Scenarios / Jure Vidmar -- Internationalised Territorial Regimes as Solution to Conflicts? / Maria Chiara Vitucci -- Transferring Crimea from Russia to Ukraine: Historical and Legal Analysis of Soviet Legislation / Oleksandr Yarmysh and Alina Cherviatsova -- Constitutions and Territorial Claims: Lessons from the Former Soviet Space / Caterina Filippini -- Territorial (Se)Cession in Light of Recent Events in Crimea / Veronika Bílková -- Multiple Identities in a Unitary State: Tracing the Origins of the Ukrainian Crisis Back / Simone Stefan -- Shrinking Autonomy for Tatarstan and

Gagauzia: The Perils of Flexible Institutional Design / Federica Prina -- The Intractable Case of Northern Kosovo in the Light of the 2013 Brussels Agreement / Enrico Milano -- Territorial and Ethnic Divide: A New Legal Geography for Cyprus / Matteo Nicolini -- International Economic Law and Conflict Resolution: The West Bank between Dominium, Land Ownership and Land Grabbing / Federica Cristani -- Dutch-German Boundary Relations in the Eems-Dollard (Ems-Dollart) Estuary: An Implicit Condominium? / Harry H.G. Post -- Conclusion: Laws and Conflicts over Territories / Giuseppe Nesi -- Index / Matteo Nicolini , Francesco Palermo and Enrico Milano.

---

Sommario/riassunto

Prompted by the de facto secession of Crimea in early 2014, Law, Territory and Conflict Resolution explores the role of law in territorial disputes, and therefore sheds light on the legal 'realities' in territorial conflicts. Seventeen scholars with backgrounds in comparative constitutional law and international law critically reflect on the well-established assumption that law is 'part of the solution' in territorial conflicts and ask whether the law cannot equally be 'part of the problem'. The volume examines theory, practice, legislation and jurisprudence from various case studies, thus offering further insights on the following complex issue: can law act as an effective instrument for the governance of territorial disputes and conflicts?

---