

AMERICAN JOURNAL OF INTERNATIONAL LAW

Sitio web: <http://www.asil.org/ajil.cfm>

VOL. 106

October 2012, N° 4

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Pinochet's Legacy Reassessed

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This article analyzes developments in the customary international law of immunity since the House of Lords' famous rulings in Pinochet. Subsequent decisions have limited the potential impact of Pinochet in human rights cases involving state and status-based immunities. Under customary international law as it stands today, and contrary to conventional wisdom, there is no human rights or international crimes exception to the functional immunity of current and former officials..

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Alexandra Huneus

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Although the regional human rights courts have no criminal jurisdiction and cannot find individual responsibility, the Inter-American Court of Human Rights regularly orders states to investigate and punish gross human rights violations, and monitors the progress of the resulting prosecutions. Today, it is monitoring the progress of fifty-one prosecutions across fifteen states for acts that amount to international crimes. The article explores the evolution of such quasicriminal jurisdiction in the regional rights courts, and juxtaposes this development to the work of the international criminal tribunals.

Clash of Paradigms: Actors and Analogies Shaping the Investment Treaty System

Anthea Roberts

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When seeking to understand the nature of the investment treaty system, participants routinely draw analogies from and with public international law, international commercial arbitration, public law, trade law, and human rights law. However, these analogies frequently point to distinct (and sometimes clashing) conclusions as a result of differences in their underlying paradigms. This article examines what each paradigm reveals and obscures about the investment treaty system and how the backgrounds and interests of different actors inform their choice of analogies

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