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Proportionality Principles in American Law Controlling Excessive Government Actions Oxford University Press From the ancient origins of Just War doctrine to contemporary theories of punishment, concepts of proportionality have long been an instrumental part of the rule of law and an essential check on government power. Two renowned legal scholars seek to advance such a theory. **Fighting Tax Crime - The Ten Global Principles, Second Edition** OECD Publishing First published in 2017, **Fighting Tax Crime - The Ten Global Principles** is the first comprehensive guide to fighting tax crimes. It sets out ten essential principles covering the legal, institutional, administrative, and operational aspects necessary for developing an efficient and effective system for identifying, investigating and prosecuting tax crimes, while respecting the rights of accused taxpayers. **Toolkit to Combat Trafficking in Persons** United Nations Publications In the light of the urgent need for cooperative and collaborative action against trafficking, this publication presents examples of promising practice from around the world relating to trafficking interventions. It is hoped that the guidance offered, the practices showcased and the resources recommended in this Toolkit will inspire and assist policymakers, law enforcers, judges, prosecutors, victim service providers and members of civil society in playing their role in the global effort against trafficking in persons. The present edition is an updated and expanded version of the Toolkit published in 2006. **Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE Citizenship Policies in the New Europe** Amsterdam University Press Includes statistical data. **Public Preferences and Institutional Designs** Israel and Turkey Compared Springer Nature This book explores the existence of gaps between public preferences and institutional designs in democracies, and specifically cases in which such gaps are maintained for a long period of time without being challenged by the electorate. Gaps such as these can be seen in the complex relations between the state and religion in Israel and Turkey, and more specifically in their policies on marriage. This line of investigation is interesting both theoretically and empirically, as despite their poles apart policies, Israel and Turkey share a similar pattern of institutional dynamics. Existing explanations for this phenomenon suggested either civil society-based arguments or intra-institutional dynamics, as reasons for the maintenance of such gaps. This book enriches our understanding of policy dynamics in democratic systems by introducing a third line of argument, one that emphasizes the effective role state institutions play in maintaining such arrangements for long periods, often against the public will. **Media Reporting Facts, Nothing But Facts? Separating the facts from the fiction in today's media is becoming mission impossible.** In the era of the #fakenews hashtag, the internet, and the media in general, are concerned by the emergence of fiction which is sometimes much stranger than truth! So what rules and initiatives exist in Europe to help ensure the accuracy and objectivity of news and current affairs reporting? How far can the European and the various national legislators go to protect us from dubious reporting or at least ensure that codes of good conduct exist? **Complementarity and the Exercise of Universal Jurisdiction for Core International Crimes** Torkel Opsahl Academic EPublisher This book concerns the relationship between the principles of complementarity and universal jurisdiction. Territorial States are normally affected most strongly by core international crimes committed during a conflict or an attack directed against its civilian population. Most victims reside in such States. Most damaged or plundered property is there. Public order and security are violated most severely in the territorial States. It is also on their territory that most of the evidence of the alleged crimes can be found. There are, in other words, obvious policy and practical reasons why States should accord priority to territoriality as a basis of jurisdiction. But is there also an obligation for States to defer exercise of universal jurisdiction of core international crimes to investigation and prosecution of the same crimes by the territorial State? What - if any - is the impact of the principle of complementarity in this respect? These are among the questions discussed in this anthology. **Stopping Sexual Harassment in the Workplace** Militant Democracy Eleven International Publishing This book is a collection of contributions by leading scholars on theoretical and contemporary problems of militant democracy. The term 'militant democracy' was first coined in 1937. In a militant democracy preventive measures are aimed, at least in practice, at restricting people who would openly contest and challenge democratic institutions and fundamental preconditions of democracy like secularism - even though such persons act within the existing limits of, and rely on the rights offered by, democracy. In the shadow of the current wars on terrorism, which can also involve rights restrictions, the overlapping though distinct problem of militant democracy seems to be lost, notwithstanding its importance for emerging and established democracies. This volume will be of particular significance outside the German-speaking world, since the bulk of the relevant literature on militant democracy is in the German language. The book is of interest to academics in the field of law, political studies and constitutionalism. **Minorities and Nationalism in Turkish Law** Routledge Examining the on-going dilemma of the management of diversity in Turkey from a historical and legal perspective, this book argues that the state's failure to accommodate ethno-religious diversity is attributable to the founding philosophy of Turkish nationalism and its heavy penetration into the socio-political and legal fibre of the country. It examines the articulation and influence of the founding principle in law and in the higher courts' jurisprudence in relation to the concepts of nation, citizenship, and minorities. In so doing, it adopts a sceptical approach to the claim that Turkey has a civic nationalist state, not least on the grounds that the legal system is generously littered by references to the Turkish ethnic and to Sunni Islam. Also arguing that the nationalist stance of the Turkish state and legal system has created a legal discourse which is at odds with the justification of minority protection given in international law, this book demonstrates that a reconstruction of the founding philosophy of the state and the legal system is necessary, without which any solution to the dilemmas of managing diversity would be inadequate. Adopting an interdisciplinary approach, this timely book will interest those engaged in the fields of Middle Eastern, Islamic, Ottoman and Turkish studies, as well as those working on human rights and international law and nationalism. **Direct Application of International Criminal Law in National Courts** T.M.C. Asser Press Collin V. Smith **Freedom of Expression and Freedom of Information Essays in Honour of Sir David Williams** Oxford University Press on Demand **Information, Sir Anthony Mason** The Role of Consent in Human Trafficking Routledge Human trafficking is consistently featured on the global political agenda. This book examines the trafficking of adult female victims for sexual exploitation, and specifically the understanding of consent and its influence in the identification and treatment of trafficking victims. Jessica Elliott argues that when applied to situations of human trafficking, migration and sexual exploitation, the notion of consent presents problems which current international laws are unable to address. Establishing the presence of 'coercion' and a lack of consent can be highly problematic, particularly in situations of human trafficking and exploitative prostitution; activities which may be deemed inherently coercive and problematically clandestine. By examining legal definitions of human trafficking in international instruments and their domestic implementation in different countries, the book explores victimhood in the context of exploitative migration, and argues that no clear line can be drawn between those who have been smuggled, trafficked, or 'consensually trafficked' into a situation of exploitation. The book will be great use and interest to students and researchers of migration law, transnational criminal law, and gender studies. **Extraterritorial Criminal Jurisdiction** Global Antisemitism: A Crisis of Modernity Martinus Nijhoff Publishers This volume contains a selection of essays based on papers presented at a conference organized at Yale University and hosted by the Yale Initiative for the Interdisciplinary Study of Antisemitism (YIISA) and the International Association for the Study of Antisemitism (IASA), entitled "Global Antisemitism: A Crisis of Modernity." The essays are written by scholars from a wide array of disciplines, intellectual backgrounds, and perspectives, and address the conference's two inter-related areas of focus: global antisemitism and the crisis of modernity currently affecting the core elements of Western society and civilization. **The Freedom of Peaceful Assembly in Europe** Nomos/Hart This volume presents an accessible overview of the current state of the legislation on the freedom of assembly in eleven selected member states of the Venice Commission: the UK, France, the US, Belgium, Germany, Turkey, the Russian Federation, the Ukraine, Poland, Hungary and Tunisia. The volume may serve as a work of reference for the researcher or practitioner who seeks specific information on the legal bases, restrictions, or implementation of the freedom of assembly in a specific country or on more recent themes such as the legal implications of flashmobs. It is also a helpful starting point for anyone interested in comparing the state of assembly legislation in Europe and beyond. Next to information on details of the domestic regulation of assemblies, each study contains information on recent events, changes and debates on the laws on assemblies. Examples are the handling of the Arab spring in Tunisia, freedom of assembly-implications and management of the Gezi Park protests in Turkey, or the constitutional upheavals in the Ukraine. **Prison Narratives from Boethius to Zana** Springer **Prison Narratives from Boethius to Zana** critically examines selected works of writers, from the sixth century to the twenty-first century, who were imprisoned for their beliefs. Chapters explore figures' lives, provide close analyses of their works, and offer contextualization of their prison writings. **CIHR Best Practices for Protecting Privacy in Health Research** SLAPPs Getting Sued for Speaking Out Temple University Press In a democracy that for over 200 years has prided itself on public participation and citizen involvement in government, thousands have been and will be the targets of multi-million-dollar lawsuits. They will be sued for such "all-American" activities as circulating a petition, writing a letter to the editor, testifying at a public hearing, reporting violations of the law, filing an official complaint, lobbying for legislation, or otherwise communicating their views. Such cases, named "Strategic Lawsuits Against Public Participation," with their apropos acronym, SLAPPs, are a shocking abuse of one of our most basic political rights - the Right to Petition. So extensive and grievous is the phenomenon that Justice Nicholas Colabella remarked, "Short of a gun to the head, a greater threat to First Amendment expression can scarcely be imagined." George W. Pring and Penelope Canan explore the full range of SLAPP stories in this first study of SLAPPs - retaliatory lawsuits by real estate developers; teachers; police; politicians; opponents of civil rights; consumers' rights; women's rights; and many others. This comprehensive book examines what happens to the targets of SLAPPs and what is happening to public participation in American politics. Addressing the ultimate dilemma - what can be done to turn the tables and fight back - Pring and Canan offer concrete, well-supported, balanced solutions for preventing, managing, and curing SLAPPs at all levels of government. Author note: George W. Pring is Professor of Law at the University of Denver. >P>Penelope Canan is Associate Professor of Sociology at the University of Denver. They are the co-directors of the Political Litigation Project at the University of Denver. **Understanding Cybercrime Phenomena, Challenges and Legal Response** UN Cyber attacks are on the rise. The media constantly report about data breaches and increasingly sophisticated cybercrime. Even governments are affected. At the same time, it is obvious that technology alone cannot solve the problem. What can countries do? Which issues can be addressed by policies and legislation? How to draft a good law? The report assists countries in understanding what cybercrime is about, what the challenges are in fighting such crime and supports them in drafting policies and laws. **The French Code of Criminal Procedure** Fred B Rothman & Company This volume supersedes Volume 7 of the series. **Politics and the Slavic Languages** Routledge During the last two centuries, ethnolinguistic nationalism has been the norm of nation building and state building in Central Europe. The number of recognized Slavic languages (in line with the normative political formula of language = nation = state) gradually tallied with the number of the Slavic nation-states, especially after the breakups of Czechoslovakia, the Soviet Union and Yugoslavia. But in the current age of borderless cyberspace, regional and minority Slavic languages are freely standardized and used, even when state authorities disapprove. As a result, since the turn of the 19th century, the number of Slavic languages has varied widely, from a single Slavic language to as many as 40. Through the story of Slavic languages, this timely book illustrates that decisions on what counts as a language are neither permanent nor stable, arguing that the politics of language is the politics in Central Europe. The monograph will prove to be an essential resource for scholars of linguistics and politics in Central Europe. **Multiple Nationality And International Law** Martinus Nijhoff Publishers This book is a comprehensive overview of multiple nationality in international law, and contains a survey of

current State practice covering over 75 countries. It examines the topic in light of the historical treatment of multiple nationality by States, international bodies and commentators, setting out the general trends in international law and relations that have influenced nationality. While the book's purpose is not to debate the merits of multiple nationality, but to present actual state practice, it does survey arguments for and against multiple nationality, and considers States' motivations in adopting a particular attitude toward the topic. As a reference work, the volume includes a detailed examination of the nature of nationality under international law and the concepts of nationality and citizenship under municipal law. The survey of State practice also constitutes a valuable resource for practitioners. The 'Militant Democracy' Principle in Modern Democracies Routledge This collection provides an up-to-date analysis of key country approaches to Militant Democracy. Featuring contributions from some of the key people working in this area, including Mark Tushnet and Helen Irving, each chapter presents a stocktaking of the legal measures to protect the democracy against its enemies within. In addition to providing a description of the country's view of Militant Democracy and the current situation, it also examines the legal and political provisions to defend the democratic structure against attacks. The discussion also presents proposals for the development of the Militant Democracy principle or its alternatives in policy and legal practice. In the final chapter the editor compares the different arrangements and formulates a minimum consensus as to what measures are indispensable to protect a democracy. Highly topical, this book is a valuable resource for students, academics and policy-makers concerned with democratic principles. Civil Disobedience and the German Courts The Pershing Missile Protests in Comparative Perspective Routledge In the 1980s the West German Peace Movement -- fearing that the stationing of NATO nuclear missiles in Germany threatened an imminent nuclear war in Europe -- engaged in massive protests, including sustained civil disobedience in the form of sit-down demonstrations. Civil Disobedience and the German Courts traces the historical and philosophical background of this movement and follows a group of demonstrators through their trials in the German criminal courts up to the German Constitutional Court -- in which their fate was determined in two important constitutional cases. In this context, the volume also analyzes the German Constitutional Court, as a crucial institution of government, in comparative perspective. The book is the first full-length English language treatment of these events and constitutional decisions, and it also places the decisions at an important turning-point in German constitutional history. Researching Country of Origin Information Training Manual By the Sweat and Toil of Children A Report to the Committees on Appropriations, United States Congress Turkmenistan's Foreign Policy Positive Neutrality and the consolidation of the Turkmen Regime Routledge Turkmenistan, an independent nation since 1991, is a strategically important Central Asian state. This book covers the most significant period of the establishment of the Turkmen political regime. At the core of this book is the Doctrine of Positive Neutrality, which, from 1995 onwards, constituted the theoretical backbone for the foreign policy of post-Soviet Turkmenistan. The author analyses the reason and aim of the concept, its significance for and impact on the country's domestic and foreign relations, its practical implementation and its transformation into a tool of strengthening of absolute personal authority. Furthermore, he establishes whether Positive Neutrality has to be seen as a 'domestic-oriented' foreign policy, which has been used by the Turkmen regime to reinforce its internal position. . This is the first book-length and thorough analysis of Turkmenistan's foreign policy. It furthers our understanding of Turkmenistan, and provides an informed background for the study of its foreign policy. It fills a void in the current literature, and it will constitute an essential reference for most scholars and researcher focusing on contemporary Central Asia, Russian foreign policy, Foreign Policy, International Relations and Comparative Politics. Health in Prisons A WHO Guide to the Essentials in Prison Health WHO Regional Office Europe Based on the experience of many countries in the WHO European Region and the advice of experts, this guide outlines some of the steps prison systems should take to reduce the public health risks from compulsory detention in often unhealthy situations, to care for prisoners in need and to promote the health of prisoners and prison staff. This requires that everyone working in prisons understand how imprisonment affects health, what prisoners' health needs are, and how evidence-based health services can be provided for everyone needing treatment, care and prevention in prison. Other essential elements are being aware of and accepting internationally recommended standards for prison health; providing professional care with the same adherence to professional ethics as in other health services; and, while seeing individual needs as the central feature of the care provided, promoting a whole-prison approach to care and promoting the health and well-being of people in custody. "Targets of Both Sides" Violence Against Students, Teachers, and Schools in Thailand's Southern Border Provinces Since separatist insurgents renewed regular attacks in 2004 in Thailand's southern provinces of Pattani, Yala, and Narathiwat, students, teachers, and schools have been caught up in violence by both the insurgents and government security forces. The insurgents, who view the educational system as a symbol of Thai Buddhist state oppression, have burned and bombed government schools, harassed and killed teachers, and spread terror among students and their parents. The vast majority of teachers killed have been ethnic Thai Buddhists, and their deaths are often intended as a warning to others. Yet Muslim teachers have not been spared; insurgents have also targeted Muslim teachers at government schools, and Islamic school administrators who resist insurgents' efforts to use classrooms for indoctrination and recruiting. In some areas, insurgents have also pressured Malay Muslim families not to send children to government schools. The government faces the challenge of protecting children and teachers. Yet in some villages, government security forces have set up long-term military and paramilitary camps or bases in school buildings and on school grounds, interfering with education and student life and potentially attracting attacks as much as deterring them. When security forces have suspected that insurgents are using Islamic schools to hide or shelter, or that insurgents are seeking to indoctrinate school students into their separatist ideology and recruit new supporters and fighters, the government's response has included raids on schools, involving mass arbitrary arrests of students. Some raids have turned violent, endangering students and teachers. Such heavy-handed tactics may succeed in only further alienating the Muslim Malay community from the government. The result is that students, teachers, and schools are caught in the untenable position of facing a risk of violence from both insurgents and government security forces. Violations by both sides in the conflict disrupt access to a quality education for hundreds of thousands of children in the southern border provinces, Thai Buddhist and Malay Muslim alike. Diversity and Unity in Federal Countries McGill-Queen's Press - MQUP In Diversity and Unity in Federal Countries, leading scholars and practitioners analyse the current political, socio-economic, spatial, and cultural diversity in the countries under consideration before delving into the role that social, historical, and political factors have had in shaping the balance of diversity and unity. The authors assess the value placed on diversity by examining whether present institutional arrangements and public policies restrict or enhance diversity and address the future challenges of balancing diversity and unity in an increasingly populated and mobile world. Suppressing the Financing of Terrorism A Handbook for Legislative Drafting International Monetary Fund In recent years, the IMF has become deeply involved in the international movement to prevent the abuse of financial systems and to protect and enhance the integrity of the international financial system. The IMF's involvement has been expanded beyond anti-money-laundering efforts to include those aimed at combating the financing of terrorism. This handbook will facilitate the provision of relevant technical assistance by providing a compendium of essential materials for officials drafting legislation designed to combat such financing. The relevant international standards and obligations are presented, together with examples of existing legislation designed to meet them. The issues discussed in this book are relevant to all countries, regardless of their individual geopolitical situations. Adapting to Protest Nurturing the British Model of Policing European Human Rights Law Review The title has been fully updated to reflect amendments to the Insolvency Act 1986 by the Legislative Reform (Insolvency) (Miscellaneous Provisions) Order 2010 and to the Insolvency Rules 1986 by the Insolvency (Amendment) Rules 2010. Significant new case materials have been added to cover the important decisions of *Re Madoff*, *Re Lehman Brothers*, *Masri V consolidated Contractors International, Nationwide Building Society v Wright*, *re Stanford International Bank* as well as Personal insolvency authorities such as *Paulin v Paulin*. The title covers the final amendments to the Companies Act 2006 (registration of charges, overseas companies, dissolution and restoration to the register, and director disqualification under foreign jurisdictions) and discusses the changes made by the Banking Act 2009 introducing new insolvency and administration regime for banks and building societies. It provides expert commentary on new Part 7A and Schedules 4ZA and 4ZB into the Insolvency Act providing for the new Debt Relief Order The New Law of Peaceful Protest Rights and Regulation in the Human Rights Act Era Bloomsbury Publishing The right to demonstrate is considered fundamental to any democratic system of government, yet in recent years it has received little academic attention. However, events following the recent G20 protests in April 2009 make this a particularly timely work. Setting out and explaining in detail the domestic legal framework that surrounds the right of peaceful protest, the book provides the first extensive analysis of the Strasbourg jurisprudence under Articles 10 and 11 of the European Convention on Human Rights, offering a critical look at recent cases such as *Öllinger, Vajnai, Bukta, Oya Ataman, Patyi and Ziliberberg*, as well as the older cases that form its bedrock. The principles drawn from this case-law are then synthesised into the remainder of the book to see how the right of protest enshrined in the Human Rights Act 1998 now operates. The five central chapters show how the right is defined: the restrictions on the choice of location of a protest; the constraints imposed on peaceful, persuasive protest; the near total intolerance of any form of obstructive or disruptive protest; the scope of preventive action by the police; and the extent to which commercial targets can avail themselves of private law remedies. This contemporary landscape is highlighted by critical analysis of the principles and case law -- including the leading decisions in *Laporte, Austin, Jones and Lloyd and Kay*. The book also highlights and develops themes that are currently under-theorised or ignored, including the interplay of the public and the private in regulating protest; the pivotal role played by land ownership rules; and the disjuncture between the law in the books and the law in action. While the book will appeal primarily to scholars, students and practitioners of law - as well as to campaigners and interest groups - it also offers political and socio-legal insights, which will be of interest equally to non-specialists. Transforming Tajikistan State-building and Islam in Post-Soviet Central Asia Bloomsbury Publishing Tajikistan is a key state in Central Asia, and will become crucial to the regional power balance as it transitions away from Soviet government systems and responds to the rise of Chinese financial power alongside the continuing presence of Russian military might and instability in neighboring Afghanistan. This book demonstrates how the Soviet atheist legacy continues to influence current state structures, the regulation of religion, the formation of national identities, and the understanding of the place of religion in society. Helene Thibault focuses on the differences between secular nationhood in Tajikistan, and an increasingly popular and influential Muslim identity. Featuring extensive and original primary-source material, including 12 months of ethnographic fieldwork, Thibault demonstrates the profound and lasting influence of Soviet power structures and attitudes, and how secular and religious identities clash in a context of tightening authoritarianism. Freedom in the World 2015 The Annual Survey of Political Rights and Civil Liberties Rowman & Littlefield Freedom in the World, the Freedom House flagship survey whose findings have been published annually since 1972, is the standard-setting comparative assessment of global political rights and civil liberties. The survey ratings and narrative reports on 195 countries and fourteen territories are used by policymakers, the media, international corporations, civic activists, and human rights defenders to monitor trends in democracy and track improvements and setbacks in freedom worldwide. The Freedom in the World political rights and civil liberties ratings are determined through a multi-layered process of research and evaluation by a team of regional analysts and eminent scholars. The analysts used a broad range of sources of information, including foreign and domestic news reports, academic studies, nongovernmental organizations, think tanks, individual professional contacts, and visits to the region, in conducting their research. The methodology of the survey is derived in large measure from the Universal Declaration of Human Rights, and these standards are applied to all countries and territories, irrespective of geographical location, ethnic or religious composition, or level of economic development. The Age of Consent Young People, Sexuality and Citizenship Palgrave Macmillan The Age of Consent; Young People, Sexuality and Citizenship addresses the contentious issue of how children's sexual behaviour should be regulated. The text includes: ·A unique history of age of consent laws in the UK, analysed via contemporary social theory ·A global comparative survey of age of consent laws and relevant international human rights law ·A critical analysis of how protectionist agendas shaped new age of consent laws in England and Wales in the Sexual Offences Act 2003 ·In-depth theoretical discussion of the rationale for age of consent laws ·An original proposal to reduce the age of consent to 14 for young people who are less than two years apart in age Responding to contemporary concerns about young people's sexual behaviour, sexual abuse and paedophilia, this book will engage readers in law and socio-legal studies, sociology, history, politics, social policy, youth and childhood studies, and gender and sexuality studies; and professionals and practitioners working with young people.