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The Form of Legislation and the Rule of Law Ronan Cormacain, 2022-12-22 What does the rule of law mean in practical terms for the way that legislation is prepared drafted and presented It is a cornerstone of the UK legal order and requires certain things from the legal system such as that the law must be intelligible predictable and accessible This book examines what those requirements mean for the form that legislation must take Using the rule of law as the starting point the author uses deductive reasoning to determine what flows from this in terms of the form of legislation Each element of the rule of law is analysed to establish principles about the form that legislation ought to take and the book examines how each principle can be given concrete effect The originality lies in the nexus between the rule of law and the form of legislation Much has been written about the nature and content of the rule of law but relatively little has been devoted to legisprudence the theory and practice of legislation This book now draws these two subjects together in a detailed and innovative way Comparative Law Yearbook of International Business Volume 43 Christian Campbell, 2021-11-11 The Comparative Law Yearbook of International Business published under the auspices of the Center for International Legal Studies in this 43rd volume spans an arc of timely and challenging concerns for business law practitioners and academics alike It discusses how arbitrability of intellectual property rights disputes might improve worldwide IPR enforcement how the disregard of legal entity may be used to establish implied consent by a person or entity that is not a signatory to an arbitration agreement how an effective cross border insolvency framework under the Indian insolvency and bankruptcy code can borrow from the UNCITRAL Model Law s and other jurisdictions approaches to the tension between universality and territoriality how a promising new mediation act for Pakistan may help resolve a backlog of millions of cases in a jurisdiction with a patchwork of traditional and modern alternative dispute resolution mechanisms how the European Union seeks to balance the taxation of digital services how Brazil is addressing the taxation of offshore indirect transfers how private equity capital structures in the unique market of professional sports create opportunities as well as risks how Securities Market Regulation theory plays a role in the organization and development of active securities markets particularly in emerging markets and how non signatories can be bound by arbitration agreements in Brazil through disregard of legal entity to ascertain implied consent The authors are practitioners and academics from Brazil England France India Pakistan Singapore the United States and Uzbekistan They offer a broad and diverse perspective on some of today s pressing business law issues in a shrinking world Maritime Law Col. Dr. G. Thiruvassagam, Dr. D. Rajasekar, 2017-06-01 The book covers all the essential aspects of Maritime Law for the student of any Marine course Written lucidly with apt case laws the book imparts ample gen The Authors being Col Dr G Thiruvassagam Vice Chancellor of Academy of Maritime Education and Training AMET University and Dr D Rajasekar Professor at AMET Business School together make an irresistible combination to pen such a classic work worthy of admiration and many accolades in the student community **Forensic and Legal Medicine** Jason Payne-James, Roger

Byard,2023-12-20 A comprehensive and accessible resource covering all aspects of forensic and legal medicine The text provides a foundation for those working in both the clinical and forensic aspects of care and will also be an asset to those involved in the police or judicial systems Including clear guidelines for practical applications and further enhanced by its many illustrations and case examples this text is a valuable resource in an increasingly complex field The authoritative work is written by those who have extensive experience for a wide audience including but not limited to forensic pathologists general pathologists pediatric pathologists forensic physicians forensic scientists coroners emergency department physicians judges and legal practitioners Chapter 62 of this book is freely available as a downloadable Open Access PDF at <http://www.taylorfrancis.com> under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4.0 license

Understanding Statelessness Tendayi Bloom,Katherine Tonkiss,Phillip Cole,2017-08-04 Understanding Statelessness offers a comprehensive in depth examination of statelessness The volume presents the theoretical legal and political concept of statelessness through the work of leading critical thinkers in this area They offer a critique of the existing framework through detailed and theoretically based scrutiny of challenging contexts of statelessness in the real world and suggest ways forward The volume is divided into three parts The first Defining Statelessness features chapters exploring conceptual issues in the definition of statelessness The second Living Statelessness uses case studies of statelessness contexts from States across global regions to explore the diversity of contemporary lived realities of statelessness and to interrogate standard theoretical presentations Theorising Statelessness the final part approaches the theorisation of statelessness from a variety of theoretical perspectives building upon the earlier sections All the chapters come together to suggest a rethinking of how we approach statelessness They raise questions and seek answers with a view to contributing to the development of a theoretical approach which can support more just policy development Throughout the volume readers are encouraged to connect theoretical concepts real world accounts and challenging analyses The result is a rich and cohesive volume which acts as both a state of the art statement on statelessness research and a call to action for future work in the field It will be of great interest to graduates and scholars of political theory human rights law and international development as well as those looking for new approaches to thinking about statelessness *International Law in the Transition to Peace* Carina

Lamont,2021-11-14 This book proposes a normative framework specifically designed for the complex and legally uncertain time period between armed conflicts and peace As such it contributes both to the furthering of a jus post bellum framework and to enhanced legal clarity in complex and legally uncertain environments This in turn contributes to strengthened protection engagements and thus to improved prospects of enabling sustainable peace and security in both national and international perspectives The book offers a novel but persuasive argument for a legal framework specific for transitional environments Such legal framework it is argued is warranted in order to enable legal clarity to contemporary and outstanding legal issues as well as to furthering peace efforts in complex environments The legal framework suggested

proposes a dividing line between applicable legal frameworks that it is submitted enhances both legal clarity on protection engagements and the quest for sustainable peace The framework proposed is founded on a legal analysis of the protective nature and function of law It thus provides a rare but important perspective on law that is of value in the quest for sustainable peace and security The research draws uniquely on both contemporary legal debates and on peace and conflict research It does so in order to enable legal analysis that is both legally sound as well as appropriate and adequate in today's peace and security realities The book provides a valuable resource for academics researchers and policy makers in the areas of Public International Law International Humanitarian Law International Human Rights Law the law of Peace Operations and Peace and Security Studies *Migrants with Irregular Status in Europe* Sarah Spencer, Anna

Triandafyllidou, 2020-05-20 This open access book explores the conceptual challenges posed by the presence of migrants with irregular immigration status in Europe and the evolving policy responses at European national and municipal level It addresses the conceptual and policy issues raised post entry by this particular section of the migrant population Drawing on evidence from different parts of Europe the book takes the reader through philosophical and ethical dilemmas legal and sociological analysis to questions of public policy and governance before addressing the concrete ways in which those questions are posed in current policy agendas from the international to the local level As such this book is a valuable read to researchers practitioners and policy makers as well as to students working on irregular migration in Europe in a comparative and or country based perspective **Transnational Environmental Law in the Anthropocene** Emily Webster, Laura

Mai, 2021-03-30 Anthropocene is the proposed name for the new geological epoch in which humans have overwhelming impact on planetary processes This edited volume invites reflection on the meaning and role of law in light of changing planetary realities Taking the concept of the Anthropocene as a starting point the contributions to this book address emerging legal issues from a transnational environmental law perspective How law interacts with and how law governs global environmental problems is a challenge that legal scholars have approached with vigour over the last decade More recently the concept of the Anthropocene has become a topic that researchers have also begun to grapple with by engaging with disciplines beyond legal scholarship One avenue of research that has emerged to address global environmental problems is transnational environmental law Adopting transnational law as a lens or framework through which to analyse environmental law takes a broader approach to the ways in which law may be assessed and deployed to meet planetary challenges The chapters within this book provide a timely intervention into the theoretical and practical approaches of transnational environmental law in a time of significant uncertainty and environmental and human crises The chapters in this book were originally published as a special issue of Transnational Legal Theory *Human Trafficking and Exploitation* Belachew

Gebrewold, Johanna Kostenzer, Andreas Th. Müller, 2017-09-22 Human trafficking is a serious human rights violation that leads to the gross exploitation of its victims who are coerced into forced labor and slavery across the globe As the current

migration movement and refugee situation reaches crisis point in Europe the risk of human trafficking from the Mediterranean Sea through Italy into Central and Western Europe has become a critical emergency Focusing on human trafficking along this route into Europe this book discusses the systematic exploitation of victims and the subsequent violation of human rights within an international context providing an overview of the causes regulation and prevention of the issue Academic researchers practitioners and policy makers are brought together to provide both theoretical perspectives and practice based approaches for addressing the issue of human trafficking As well as scholarly contributions from experts in the field the book also includes experiences and strategies of policy makers and practitioners from governmental and non governmental organizations along with the real life scenarios and practice reports Human Trafficking and Exploitation should be considered essential reading for academics policy makers advocates and activists interested in preventing human trafficking and protecting human rights It will also be of interest to those with research interests within the broader themes of law politics and international relations and social and health policy

Poverty and Inequality in Middle Income Countries Einar Braathen, Julian May, Marianne Ulriksen, Gemma C. Wright, 2016-04-15 This collection offers a timely reassessment of viable ways of addressing poverty across the globe today The profile of global poverty has changed dramatically over the past decade and around three quarters of the poor now live in middle income countries making inequality a major issue This requires us to fundamentally rethink anti poverty strategies and policies as many aspects of the established framework for poverty reduction are no longer effective Featuring contributions from Latin America Africa and Asia this much needed collection answers some of the key questions arising as development policy confronts the challenges of poverty and inequality on the global national and local scale in both urban and rural contexts Providing poverty researchers and practitioners with valuable new tools to address new forms of poverty in the right way Poverty and Inequality in Middle Income Countries shows how a radical switch from aid to redistribution based social policies is needed to combat new forms of global poverty

African perspectives in international investment law Yen Kong Ngangjoh Hodu, Makane Moïse Mbengue, 2020-12-15 The tremendous growth in foreign direct investment FDI in Africa comes at a time when the field of international investment law and arbitration is witnessing a renewal The investment has led to big business for law firms in the area of investment arbitration and the last decade has witnessed an increased number of investment treaties proliferating investment disputes the rise of mega regional trade agreements and the negotiation of mega regional infrastructure projects Yet while the argument in support of investment treaties as instruments to attract foreign direct investment is highly contested many African countries are no doubt becoming more aware of the need to reshape the international investment architecture This volume explores trends in FDI on the African continent the benefits and challenges that FDI presents for African States and Africa's participation in the international investment law regime Featuring contributions from leading African international lawyers arbitrators jurists academics and litigation experts this

landmark volume is the first of its kind to explore African perspectives in international investment law. Hodu and Mbengue bring together non-mainstream approaches to the debate on the nexus between foreign investment and development, addressing key conceptual issues that will define contemporary international investment law for decades to come. With insights and critical comments on the challenges of Africa's foreign investment climate and international investment law, this timely collection is essential reading for academics, students, and practitioners alike.

State Responsibility, Climate Change and Human Rights under International Law Margaretha Wewerinke-Singh, 2019-03-21

The last decade has witnessed an increasing focus on the relationship between climate change and human rights. Several international human rights bodies have expressed concern about the negative implications of climate change for the enjoyment of human rights, and the Paris Agreement is the first multilateral climate agreement to refer explicitly to states' human rights obligations in connection with climate change. Yet despite this, there are still significant gaps in our understanding of the role of international human rights law in enhancing accountability for climate action or inaction. As the Paris Agreement has shifted the focus of the climate change regime towards voluntary action and the humanitarian impacts of climate change are increasingly being felt around the world, accountability for climate change has become an increasingly salient issue. This book offers a timely and comprehensive analysis of the legal issues related to accountability for the human rights impact of climate change, drawing on the state responsibility regime. It explains when and where state action relating to climate change may amount to a violation of human rights and evaluates various avenues of legal redress available to victims. The overall analysis offers a perceptive insight into the potential of innovative rights-based climate actions to shape climate and energy policies around the world.

Indian National Bibliography B. S. Kesavan, 2017

Just Security in an Undergoverned World William Durch, Joris Larik, Richard Ponzio, 2018-01-19

Just Security in an Undergoverned World examines how humankind can manage global problems to achieve both security and justice in an age of antithesis. Global connectivity is increasing visibly and invisibly in trade, finance, culture, and information, helping to spur economic growth, technological advance, and greater understanding and freedom. But global disconnects are growing as well. Ubiquitous electronics rely on high-value minerals scraped from the earth by miners kept poor by corruption and war. People abandon burning states for the often indifferent welcome of wealthier lands whose people in turn draw into themselves. Humanity's very success, underwritten in large part by lighting up gigatons of long-buried carbon for 200 years, now threatens humanity's future. The global governance institutions established after World War II to manage global threats, especially the twin scourges of war and poverty, have expanded in reach and impact while paradoxically losing the political support of some of their wealthiest and most powerful members. Their problems mimic those of their members in struggling to adapt to new problems and maintain trust in norms and public bodies. This volume argues, however, that a properly mandated, managed, and modernized global architecture offers unparalleled potential to midwife solutions to intractable issues, from violent conflict and climate change to poverty and

pandemic diseases that transcend borders and the capacities of individual actors. It offers just security as a new framework for sharing innovative solutions and strategies for effective and essential global governance. *Diplomatic Law in a New Millennium* Paul Behrens, 2017-08-04. The granting of diplomatic asylum to Julian Assange, the dangers faced by diplomats in trouble spots around the world, WikiLeaks and the publication of thousands of embassy cable situations like these place diplomatic agents and diplomatic law at the very centre of contemporary debate on current affairs. *Diplomatic Law in a New Millennium* brings together 20 experts to provide insight into some of the most controversial and important matters which characterise modern diplomatic law. They include diplomatic asylum, the treatment and rights of domestic staff of diplomatic agents, the inviolability of correspondence of the diplomatic bag and of the diplomatic mission, the immunity to be given to members of the diplomatic family, diplomatic duties including the duty of non-interference but also the rise of diplomatic actors which are not sent by States including members of the EU diplomatic service. This book explores these matters in a critical yet accessible manner and is therefore an invaluable resource for practitioners, scholars and students with an interest in diplomatic relations. The authors of the book include some of the leading authorities on diplomatic law including a delegate to the 1961 conference which codified modern diplomatic law as well as serving and former members of the diplomatic corps.

Arbitrating under the 2020 LCIA Rules Maxi Scherer, Lisa Richman, Rémy Gerbay, 2021-07-12. The London Court of International Arbitration (LCIA), the oldest of all major arbitral institutions, has since its establishment well over a century ago embodied the ideals that underlie the arbitral alternative and set its face against undue delay, soaring cost, complexity and acrimony. Today the LCIA administers cases arising under any system of law in any venue worldwide. Underscoring the institution's international nature, and over 80% of parties in pending LCIA cases today are not of English nationality. This highly practical and user-friendly guide provides not only a thorough analysis of the 2020 LCIA Rules but also a comprehensive explanation of the basic principles governing LCIA arbitration along with an in-depth analysis of complex issues that may arise in the course of LCIA proceedings. Among the new and revised rules affecting LCIA practice and procedure described in detail include the following: use of technology accommodating virtual conferencing, remote hearings and electronically signed awards as well as confirming the primacy of electronic communication with the LCIA tools to expedite proceedings including the possibility of early dismissal determinations, explicit consideration of data protection issues relating to bribery, corruption, terrorist financing, fraud, tax evasion, money laundering and or economic or trade sanctions, streamlined accommodations for consolidation, composite Requests and concurrent conduct of arbitrations, conduct of authorised representatives of a party, requirements for appointment and removal of tribunal secretaries and revised schedules of arbitration and mediation costs. The twenty-six chapters of the book provide references to essential national court judgments, statutory provisions, up-to-date statistics and bibliographical sources on LCIA arbitrations. The 2020 LCIA Rules reflect the most sophisticated current modifications of arbitral procedure fully aligned with the needs of current global

commercial activities For this reason and because many companies worldwide include LCIA arbitration clauses in their agreements this book is invaluable to business executives and corporate counsel as well as to scholars of alternative dispute resolution

Standardizing Personal Data Protection Irene Kamara, 2025-03-16 Standardizing Personal Data Protection is the first book focusing on the role of technical standards in protecting individuals as regards the processing of their personal data Through the lenses of legal pluralism and transnational private regulation the book studies the interaction of standardization as a private semi autonomous normative ordering and data protection law It traces the origins of standardization for EU policy and law provides an evolutionary account of worldwide standardisation initiatives in the area of data protection privacy and information security and delves into the concept of technical standards its constitutive characteristics and legal effects The book addresses two key aspects Firstly it explores how data protection law such as the General Data Protection Regulation GDPR works as a legal basis for technical standards To identify standardization areas in data protection the book proposes an analytical framework of standards for legal compliance for beneficiaries and meta rules Secondly the book examines how procedural legitimacy issues such as questions of transparency representation and accessibility frame and limit the suitability of standardization to complement public law especially law that protects fundamental rights including the right to protection of personal data Ultimately it concludes by providing a comprehensive account of how a private regulation instrument may complement public law in pursuing its goals and where limits and conditions for such a role should be drawn

Justifying Contract in Europe Martijn W. Hesselink, 2021-06-22 This title explores the normative foundations of European contract law It addresses fundamental political questions on contract law in Europe from the perspective of leading contemporary political theories Does the law of contract need a democratic basis To what extent should it be Europeanised What justifies the binding force of contract and the main remedies for breach When should weaker parties be protected Should market transactions be considered legally void when they are immoral Which rules of contract law should the parties be free to opt out of Adopting a critical lens this book interrogates utilitarian liberal egalitarian libertarian communitarian civic republican and discourse theoretical political philosophies and analyses the answers they provide to these questions It also situates these theoretical debates within the context of the political landscape of European contract law and the divergent views expressed by lawmakers legal academics and other stakeholders This work moves beyond the *acquis* positivism market reductionism and private law essentialism that tend to dominate these conversations and foregrounds normative complexity It explores the principles and values behind various arguments used in the debates on European contract law and its future to highlight the normative stakes involved in the practical question of what we as a society should do about contract law in Europe In so doing it opens up democratic space for the consideration of alternative futures for contract law in the European Union and for better justifications for those parts of the EU contract law *acquis* we wish to retain

Our Earth Matters Bharat H. Desai, 2021-06-15 On 21 May 2019 it was officially recognized

that we are now living in the Anthropocene our earth's latest geological epoch named for the unmistakable imprint of human activities This announcement came almost 60 years after the publication of Rachel Carson's landmark work of environmental writing *Silent Spring* and next year 2022 it will be 50 years since the first UN Conference on the Human Environment held in Stockholm in June 1972 This book *Our Earth Matters Pathways to a Better Common Environmental Future* is a special issue of the journal *Environmental Policy and Law* which was first published in 1975 It presents 21 invited contributions by outstanding scholars from around the world which examine existing global regulatory approaches processes instruments and institutions for the protection of the global environment The articles are grouped under four headings Prognoses Processes Problematique and Prospects and in them the authors have sought to explore answers to the existential environmental crisis They urge us to ponder our reckless destruction of natural spaces endangering of plant and animal species poisoning of the environment and general disturbance of our essential ecological processes The primary objective of the book is to raise the awareness of the global audience by inspiring scholars and decision makers to re-examine current global approaches to environmental issues and explore the future trajectory with new ideas and frameworks for international environmental governance in the 21st century and beyond The book will be of interest to all those working to secure the sustainable future of the human race on our only abode planet Earth Bharat H Desai is Professor of International Law and Jawaharlal Nehru Chair in International Environmental Law Centre for International Legal Studies School of International Studies Jawaharlal Nehru University New Delhi Editor in Chief of the journal *Environmental Policy Law* Amsterdam IOS Press and of the *Yearbook of International Environmental Law* Oxford OUP

Media Law in Ireland Marie McGonagle, Sharon McLaughlin, Tarlach McGonagle, 2018-04-19 Derived from the renowned multi-volume *International Encyclopaedia of Laws* this analysis of media law in Ireland surveys the massively altered and enlarged legal landscape traditionally encompassed in laws pertaining to freedom of expression and regulation of communications Everywhere a shift from mass media to mass self communication has put enormous pressure on traditional law models An introduction describing the main actors and salient aspects of media markets is followed by in-depth analyses of print media radio and television broadcasting the Internet commercial communications political advertising concentration in media markets and media regulation Among the topics that arise for discussion are privacy cultural policy protection of minors competition policy access to digital gateways protection of journalists sources standardization and interoperability and liability of intermediaries Relevant case law is considered throughout as are various ethical codes A clear comprehensive overview of media legislation case law and doctrine presented from the practitioner's point of view this book is a valuable time saving resource for all concerned with media and communication freedom Lawyers representing parties with interests in Ireland will welcome this very useful guide and academics and researchers will appreciate its value in the study of comparative media law

Unveiling the Magic of Words: A Overview of "**Universal Guide To Llb 2013 2014**"

In a global defined by information and interconnectivity, the enchanting power of words has acquired unparalleled significance. Their capability to kindle emotions, provoke contemplation, and ignite transformative change is really awe-inspiring. Enter the realm of "**Universal Guide To Llb 2013 2014**," a mesmerizing literary masterpiece penned by a distinguished author, guiding readers on a profound journey to unravel the secrets and potential hidden within every word. In this critique, we shall delve into the book is central themes, examine its distinctive writing style, and assess its profound effect on the souls of its readers.

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