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# Paper 3 November 2014 Memorandum

**Julien Mercille, Enda Murphy**



### **Paper 3 November 2014 Memorandum:**

Inside Australia's Anti-Terrorism Laws and Trials Andrew Lynch, Nicola McGarrity, George Williams, 2015-03-01 Over ten years after Australia's first national laws were enacted to combat the threat of terrorism yet more anti terrorism laws were passed in the Australian Parliament in late 2014 The first laws were often introduced in great haste and were stunning in scope and number The latest laws are similarly extensive and controversial Yet again powers and sanctions once thought to lie outside the rules of a liberal democracy except during wartime have become part of Australian law Timely piercing and in regard to the first set of laws written with the benefit of hindsight this book asks whether Australia really needed to enact anti terrorism laws in the first place let alone add to them Do the new laws pose increased threats to freedom of speech and freedom of the press Have these laws been effective in protecting the community or do they represent a long term threat to the health of Australian democracy Which laws have proved their worth and which have not And what has been the impact of the laws in Australia's anti terrorism trials and on the Muslim community Most tellingly the book asks whether seeing these anti terror laws as normal is a danger in itself

*Green Jobs for Sustainable Development* Ana-Maria Boromisa, Sanja Tišma, Anastasya Ležaić, 2015-06-26 A green economy must be built on green jobs the kind of employment that is low carbon intended to reduce energy use and expected to restore environmental quality But attempts to define exactly what a green job is have led to varied and often contradictory answers There are many unresolved questions including whether we consider jobs in the nuclear fuel industry to be green jobs Or is a worker at a glass making company which supplies the glass for the solar photovoltaic industry doing a green job given that glass making is a dirty industry This book deals with the relationship between green concepts green jobs green economy green growth and sustainable development It examines to which extent creation of green jobs supports overall economic development as opposed to creation of elitist jobs and greenwashing In order to do so general conceptual frameworks for green jobs green economy green growth and green policy are presented as well as their implementation in ten countries selected among the Group of Twenty The selection includes advanced the European Union the United States of America Australia Canada Republic of Korea Japan and developing countries Mexico China Turkey and Brazil The analysis presented in this book shows that although green concept is well intentioned its implementation depends on local circumstances economic political and social Developed countries perceive green growth as a way to create new markets and demand while developing countries rely more on labor intensive growth and less expensive green jobs Thus greening the economy does not diminish differences between rich and poor This book is suitable for those who study and work in Ecological Economics Sustainable Development and Labor Economics

*Development and Policy Dialogue: Contemporary Insights* Thomas Kaydor Jr., 2020-07-09 We live in a time when the largest numbers of people who were being lifted out of absolute poverty in a relatively short time in human history have relapsed into extreme poverty due to the Coronavirus Disease COVID 19 This is happening in Africa Asia Europe the Pacific and Americas as well as all other

parts of the globe At this time the understanding of Public Policy and development are enriched at an unprecedented pace This is also the time when the once thriving economic social political and environmental transformations developing and developed countries experienced are being undermined by the global pandemic The experience for developing countries to achieve prosperity through economic growth good governance and inclusivity have gained greater attention today than ever The desired paths and innovative approaches to harnessing public policy dialogue are even more demanding thus the rightful time to explore important insights about national and global development Issues regarding aid corruption and anti corruption poverty reduction social protection economic growth and overall sustainable development require sober reflections Such reflections and insights must be evidence based To these this book contributes It s therefore a compelling consensus to grab and read a copy Don t miss it

### **Consumer Involvement in Private EU Competition Law Enforcement**

Maria Ioannidou, 2015-09-03 Despite the growing importance of consumer welfare in EU competition law debates there remains a significant disconnect between rhetoric and reality as consumers and their interests still play only an ancillary role in this area of law Consumer Involvement in Private EU Competition Law Enforcement is the first monograph to exclusively address this highly topical and much debated subject providing a timely and wide ranging examination of the need for more active consumer participation in competition law Written by an expert in the field it sets out a comprehensive framework of policy implications and arguments for greater involvement positioning the debate in the context of a broader EU law perspective It outlines pragmatic approaches to remedial and procedural measures that would enable consumer empowerment Finally the book identifies key institutional and political obstacles to the adoption of effective measures and suggests alternative routes to enhance the role of consumers in private competition law enforcement The book s innovative approach combining normative analysis and practical solutions make it invaluable for academics policy makers and practitioners in the field

### **Digital Finance and Regulatory Competition**

Lucien van Romburg, 2024-11-21 International Banking and Finance Law Series 39 Digital Finance and Regulatory Competition Regulating Distributed Ledger Technology Based Financial Products and Services Lucien J van Romburg Governments like people compete against each other but do so in a bid to achieve their myriad socio economic and political aims In the operation of regulatory competition governments may create rules with the intent of attracting capital and labour to their domains In the twenty first century regulatory competition takes on a new dimension in the face of the rapid advancement of digital finance The role of financial technology fintech as a tool through which governments achieve their aims cannot be overstated The proliferation of distributed ledger technologies DLT marked a watershed moment for technological advancement and presented a ripe opportunity for governments to defend their competing claims for resources In this context this book tackles the question of whether the world s leading financial centres Hong Kong London and New York engaged in regulatory competition against each other through their creation of rules to govern DLT based financial products and services during the period 2008 until 2022 In answering this question this

book provides a cohesive framework for understanding the influence of regulatory competition on rule creation using a narrative lens based on a comparative study of legal regulatory and policy instruments The lessons distilled from the analysis provide reasoned observations on the potential implications for the future regulation of financial products and services underlined by novel technologies The topics covered in this book which concern the timely intersection of regulatory competition and fintech include the emergence and impact of DLT its core features types use cases and applications in the financial services industry origins of regulatory competition from Charles Tiebout to the regulatory races to the top and bottom formulation of a definitional matrix which provides a cohesive framework for understanding regulatory competition regulatory frameworks for DLT based financial products and services in Hong Kong London and New York and potential impact of regulatory competition on the future regulation of financial products and services underlined by novel technologies This book represents one of the very few studies comprehensively tackling the topic of regulatory competition through the guise of fintech It will deepen the understanding of lawmakers policymakers and regulators concerning the influence and significance of regulatory competition The discussion surrounding the regulation of DLT based financial products and services will also be of interest to practitioners students and general readers alike

**Globalization and Labour in the Twenty-First Century** Verity Burgmann, 2016-04-14 The Open Access version of this book available at <http://www.tandfebooks.com> has been made available under a Creative Commons Attribution Non Commercial No Derivatives 3.0 license Globalization has adversely affected working class organization and mobilization increasing inequality by redistribution upwards from labour to capital However workers around the world are challenging their increased exploitation by globalizing corporations In developed countries many unions are transforming themselves to confront employer power in ways more appropriate to contemporary circumstances in developing countries militant new labour movements are emerging Drawing upon insights in anti determinist Marxian perspectives Verity Burgmann shows how working class resistance is not futile as protagonists of globalization often claim She identifies eight characteristics of globalization harmful to workers and describes and analyses how they have responded collectively to these problems since 1990 and especially this century With case studies from around the world including Greece since 2008 she pays particular attention to new types of labour movement organization and mobilization that are not simply defensive reactions but are offensive and innovative responses that compel corporations or political institutions to change Aging and less agile manifestations of the labour movement decline while new expressions of working class organization and mobilization arise to better battle with corporate globalization This book will be of interest to students and scholars of labour studies globalization political economy Marxism and sociology of work

**Cash Not Care** Mo Stewart, 2016-09-14 Mo Stewart is a former healthcare professional a disabled female veteran and an independent researcher This book is the culmination of six years of self funded research and the evidence exposes the influence of corporate America since 1992 with the future welfare reforms of the UK The impact of the enforced austerity

measures of the UK government is identified as they negatively affect the welfare and the survival of the chronically sick and disabled population in receipt of welfare benefits when unfit to work The research has informed welfare reform debates in the House of Lords and the House of Commons since 2011 and contributed to the evidence used by the United Nations to investigate the UK government for breaches of the Human Rights of sick and disabled people Endorsed by the disabled community and by academics the research has identified the adoption of lethal social policies copied from American social security policies and linked to the death of thousands of the most vulnerable of all as the UK welfare state is systematically demolished as all planned over thirty years ago by a previous Conservative government

**International Arbitration in the Energy Sector** Maxi Scherer, 2018-02-22 Disputes in the energy and natural resources sector are at the heart of international arbitration With more arbitrations arising in the international energy sector than in any other sector it is not surprising that the highest valued awards in the history of arbitration come from energy related arbitrations Energy disputes often involve complex and controversial issues relating to security sovereignty and public welfare International Arbitration in the Energy Sector puts international energy disputes into a global context providing broad coverage of different forms and systems of dispute resolution across both renewable and non renewable sectors With contributions from leading arbitrators academics and industry experts from across the globe the twenty chapters in the book enable readers to compare the approaches to and learnings from energy arbitrations across various legal systems and geographic regions After outlining the international energy arbitration legal framework in Part I the text delves into a detailed analysis of the problems which regularly arise in practice These include among other things commercial disputes in Part II e g over the upstream oil sector and long term gas supply contracts investor state disputes in Part III e g under the Energy Charter Treaty and public international law disputes in Part IV e g concerning international boundaries and the distribution of natural resources Alongside recent developments in the international energy sector attention is given to climate and sustainable development disputes which raise important questions about enforcing sustainability objectives on individuals corporations and states Backed by analyses of arbitral awards national court and international tribunal decisions treaties and other international legal instruments as well as current events and news in the energy industry this text offers a unique contribution to international energy literature and provides insightful commentary on the prevalent issues in the field It is essential reading for any practitioner or researcher in the energy and natural resources sector

**The Economic Crisis in Social and Institutional Context** Sebastiano Fadda, Pasquale Tridico, 2015-02-20 This book explores the foundations of the current economic crisis Offering a heterodox approach to interpretation it examines the policies implemented before and during the crisis and the main institutions that shaped the model of advanced economies particularly in the last two decades The first part of the book provides a theoretical analysis of the crisis The roots of the great recession are divided into fundamentals with origins in financial liberalisation financial innovation and income distribution and complementary or contributory factors

such as the international imbalances the monetary policy and the role of credit rating agencies Part II suggests various paths to recovery while emphasising that it will be necessary to develop alternative strategies for sustainable economic recovery and growth These strategies will require genuine political support and a new great European vision to address major issues concerning the EU such as unemployment structural regional differences and federalism Drawing on various schools of thought this book explains the complexities of the crisis through a wider evolutionary institutional and heterodox framework

Deepening Neoliberalism, Austerity, and Crisis Julien Mercille, Enda Murphy, 2015-07-07 From bank bailouts to austerity Europe's and Ireland's response to the economic crisis has been engineered specifically to shift the burden of paying for the crisis onto ordinary citizens while investors financiers bankers and the privileged are protected The authors expose the class based nature of Ireland's crisis resolution

Preventing Chemical Weapons Michael Crowley, Malcolm Dando, Lijun Shang, 2018-08-20 The life and chemical sciences are in the midst of a period of rapid and revolutionary transformation that will undoubtedly bring societal benefits but also have potentially malign applications notably in the development of chemical weapons Such concerns are exacerbated by the unstable international security environment and the changing nature of armed conflict which could fuel a desire by certain States to retain and use existing chemical weapons as well as increase State interest in creating new weapons whilst a broader range of actors may seek to employ diverse toxic chemicals as improvised weapons Stark indications of the multi faceted dangers we face can be seen in the chemical weapons attacks against civilians and combatants in Iraq and Syria and also in more targeted chemical assassination operations in Malaysia and the UK Using a multi disciplinary approach and drawing upon an international group of experts this book analyses current and likely near future advances in relevant science and technology assessing the risks of their misuse The book examines the current capabilities limitations and failures of the existing international arms control and disarmament architecture notably the Chemical Weapons Convention in preventing the development and use of chemical weapons Through the employment of a novel Holistic Arms Control methodology the authors also look beyond the bounds of such treaties to explore the full range of international law international agreements and regulatory mechanisms potentially applicable to weapons employing toxic chemical agents in order to develop recommendations for more effective routes to combat their proliferation and misuse A particular emphasis is given to the roles that chemical and life scientists health professionals and wider informed activist civil society can play in protecting the prohibition against poison and chemical weapons and in working with States to build effective and responsive measures to ensure that the rapid scientific and technological advances are safeguarded from hostile use and are instead employed for the benefit of us all

**Rediscovering Economic Policy as a Discipline** Nicola Acocella, 2018-07-26 Government interventions in market failures can encounter objections from those who doubt their efficacy Acocella a leading expert on economic policy counters these unfounded criticisms making the convincing case for the foundation coordination and reach of government action through economic policy Arguing for the

governmental potential to devise democratic fair and effective institutions and policies this book also demonstrates the validity of the principles outlined by Frisch and Tinbergen amongst others for controlling the economy in a strategic context equivalent to the rational expectations assumption Demonstrating how unconventional monetary policies such as macro prudential regulation new fiscal rules and new forms of international policy coordination can offer an effective response to the multiplicity of current economic issues the recent financial crisis arguably indicates that economic policy must once again take centre stage as the applied complement to mainstream economic theory

**Bail-In and Total Loss-Absorbing Capacity (TLAC)** Yves Mauchle, 2016-06-01 As opposed to a bank bailout a bail in occurs when creditors are forced to bear some of the burden of bank failure The principal aim of this restructuring tool is to eliminate some of the risk for taxpayers Several jurisdictions including Switzerland and the European Union EU have adopted legal provisions regarding the bail in but until this book literature on its implementation has been scarce Offering a detailed and comparative analysis of EU and Swiss law relating to bail ins and their economic impact this is the first book to provide in depth coverage of this new method of dealing with the failure of systemically important banks In its contextualisation and analysis of the bail in resolution tool the book identifies and discusses the legal and economic issues that arise including such aspects as the following the legal and economic properties of bail in capital the regulatory standard on total loss absorbing capacity TLAC issued by the Financial Stability Board FSB the scope and sequence of liabilities subjected to bail in the legal position of stakeholders affected by a bail in strategies and procedures for the implementation of a bail in the limited circumstances under which government rescues should be available and cross jurisdictional issues and aspects of international cooperation As well as case studies and analyses of legal issues with particular reference to Swiss law and the European Bank Resolution and Recovery Directive 2014 59 EU the author applies economic concepts to the analysis of the law International developments in particular standards issued by leading regulatory bodies are also covered This book will be welcomed by legal practitioners working in banks and in banking regulation and by policymakers seeking information on the practical issues involved As a detailed analysis of a new and highly significant development in banking law it will also be of great interest to academics

**Australia's Human Rights Scrutiny Regime** Adam Fletcher, 2018-09-17 In 2010 the Australian Government decided that it would not propose a Human Rights Act despite the relevant recommendation of the 2008 09 National Human Rights Consultation Instead it introduced a Human Rights Framework comprising several measures to enhance human rights protection including the Human Rights Parliamentary Scrutiny Act 2011 The scrutiny regime under that Act was designed to ensure rights would be given due consideration before Commonwealth legislation was passed The Act created a unique bipartite dialogue system involving a formal interchange on rights compatibility between the executive and Parliament while excluding the courts This set the Commonwealth apart from jurisdictions such as the ACT Victoria New Zealand and the UK which have statutory rights instruments administered by their courts The book presents a detailed study of all aspects of the



scrutiny regime and compares the regime with its closest counterparts overseas In assessing the regime s impact it argues that a system in which the executive and Parliament are responsible both for protecting rights and for remedying rights breaches is neither more legitimate nor more effective than one involving all three branches of government Accordingly it calls for strengthening reforms

**Engaging the neighbours** Frank Frost,2016-07-08 From modest beginnings in 1967 the Association of Southeast Asian Nations ASEAN has become the premier regional institution in Southeast Asia The 10 members are pursuing cooperation to develop the ASEAN Community and also sponsor wider dialogues that involve the major powers Australia has been interested in ASEAN since its inauguration and was the first country to establish a multilateral link with the Association in 1974 Australia and ASEAN have subsequently engaged and cooperated on many issues of mutual concern including efforts to secure an agreement to resolve the Cambodia conflict signed in 1991 the initiation of the Asia Pacific Economic Cooperation grouping 1989 and the ASEAN Regional Forum 1994 the conclusion of the ASEAN Australia New Zealand Free Trade Agreement signed in 2008 and the development of the East Asia Summit from 2005 This book provides the first available detailed history of the evolution of Australia s interactions with ASEAN It assesses the origins and phases of development of Australia s relations with ASEAN the role ASEAN has played in Australian foreign policy since the 1970s the ways in which the two sides have collaborated and at times disagreed in the pursuit of regional stability and security and the key factors that will influence the relationship as it moves into its fifth decade

**Beyond Ukraine** Aldo Ferrari,2017-07-20 During the last 15 years Putin s policies have produced a number of controversial effects both at the international and domestic levels some diplomatic results and unresolved regional conflicts In foreign policy he accordingly launched the idea of a Greater Europe To this aim and with the view to highlighting the goodwill of the Russian government to enhance cooperation with the European Union as a pro active and equal partner Sooner than expected political divergences and vital interests emerged As a result the Greater Europe project was progressively frozen if not plainly abandoned However the EU Russia joint attempts to solve the Ukrainian crises which were undertaken during the Normandy Four meetings Germany France Russia Ukraine resulted in signing the weak but still important Minsk agreements This helps to prove that there is still room for cooperation between the two sides These agreements may hopefully set the stage for a more comprehensive deal aiming to close the gap between the EU s and Russia s competing visions

**Maritime Claims and Boundary Delimitation** Nicholas A. Ioannides,2020-09-27 This book delves into the major developments triggered by the hydrocarbon discoveries in the Eastern Mediterranean over the last twenty years focusing on maritime boundary delimitation Examining the impact that the hydrocarbon discoveries have had on the application of the law of the sea rules by the East Med states the book looks at the new trends concerning the implementation of the law of the sea in the region The book analyses regional state practice in terms of maritime delimitation namely the conclusion of bilateral agreements based on the law of the sea rules both conventional and customary reflecting the East Med states willingness to

cooperate in order to reap the benefits of the energy windfall. Alongside this analysis an outline of the hydrocarbon discoveries and the pertinent maritime activities is given as well as further coverage of the overlapping maritime claims and disputes between Greece, Cyprus and Turkey on one side and Lebanon and Israel on the other. Moreover, the book examines the validity of maritime claims made by or through non-state entities in the region, namely the State of Palestine, the UK Sovereign Base Areas and the so-called Turkish Republic of Northern Cyprus and their potential impact on the delimitation agreements already in place. The book argues that the East Med paradigm concerning the successful application of the pertinent norms in maritime delimitation proves that international law is resilient and capable of providing solutions in other turbulent regions around the globe. This book will be of interest and importance to academics and students of international law, professionals in the oil and shipping industries, legal professionals and government agencies.

**Association of Southeast Asian Nations (ASEAN)** Konstantinos D. Magliveras, Gino J. Naldi, 2021-12-21. Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical analysis of the structure, competence and management of the Association of Southeast Asian Nations (ASEAN) provides substantial and readily accessible information for lawyers, academics and policymakers likely to have dealings with its activities and data. No other book gives such a clear, uncomplicated description of the organization's role, its rules and how they are applied, its place in the framework of international law or its relations with other organizations. The monograph proceeds logically from the organization's genesis and historical development to the structure of its membership, its various organs and their mandates, its role in intergovernmental cooperation and its interaction with decisions taken at the national level. Its competence, its financial management and the nature and applicability of its data and publications are fully described. Systematic in presentation, this valuable time-saving resource offers the quickest, easiest way to acquire a sound understanding of the workings of the Association of Southeast Asian Nations (ASEAN) for all interested parties. Students and teachers of international law will find it especially valuable as an essential component of the rapidly growing and changing global legal milieu.

*Ethical Business Practice and Regulation* Christopher Hodges, Ruth Steinholtz, AreteWork LLP, 2018-01-11. This book explains the concepts of Ethical Business Practice (EBP) and Ethical Business Regulation (EBR), a new paradigm in compliance and enforcement based on behavioural science and ethics. EBR provides the basis for an effective relationship between a business and its regulators, resulting in better outcomes for both. EBR is attracting extensive attention from regulators and businesses around the world. The UK Government's 2017 Regulatory Futures Review draws on EBR as the foundation for its policy of regulatory self-assurance. EBR draws on findings from behavioural science, responsive regulation, safety and business and integrity management to create a practical and holistic approach. Examples include the open culture that is essential for civil aviation safety, the Primary Authority, agreements between regulators and national businesses and feedback mechanisms provided by market vigilance systems and sectoral consumer ombudsmen. This book provides an essential blueprint for sustainable business and effective future

regulation      *Beyond Communal and Individual Ownership* Leon Terrill, 2015-10-05 Over the last decade Australian governments have introduced a series of land reforms in communities on Indigenous land This book is the first in depth study of these significant and far reaching reforms It explains how the reforms came about what they do and their consequences for Indigenous landowners and community residents It also revisits the rationale for their introduction and discusses the significant gap between public debate about the reforms and their actual impact Drawing on international research the book describes how it is necessary to move beyond the concepts of communal and individual ownership in order to understand the true significance of the reforms The book s fresh perspective on land reform and careful assessment of key land reform theories will be of interest to scholars of indigenous land rights land law indigenous studies and aboriginal culture not only in Australia but also in any other country with an interest in indigenous land rights

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