Fraudulent Evidence Before Public International Tribunals The Dirty Stories Of International Law Hersch Lauterpacht Memorial Lectures

Despite the unprecedented growth of arbitration and other means of ADR in treaties and transnational contracts in recent years, there remains no clearly defined mechanism for control of the system. One of the oldest yet largely marginalized concepts in law is the public policy exception. This doctrine grants discretion to courts to set aside private legal arrangements, including arbitration, which might be considered harmful to the "public". The exceptional and vague nature of the doctrine, along with the strong push of actors in dispute resolution, has transformed it, in certain jurisdictions, to a toothless doctrine. At the international level, the notion of transnational public policy has been devised in order to capture norms that are "truly" transnational and amenable for application in cross-border litigations. Yet, despite the importance of this discussion—a safety valve and a control mechanism for today's international and domestic international dispute resolution— no major study has ventured to review and analyze it. This book provides a historical, theoretical and practical background on public policy in dispute resolution with a focus on cross-border and transnational disputes. Farshad Ghodoosi argues that courts should adopt a more systemic approach to public policy while rejecting notions such as transnational public policy, which limits the application of those norms with mandatory nature. Contrary to the current trend, the book invites the reader to re-conceptualize the role of public policy, and transnational dispute resolution, in order to have more sustainable, fair and efficient mechanisms for resolving disputes outside of national courts. The book sheds light on one of the most important yet often-neglected control mechanisms of today's international dispute resolution and will be of particular interest to students and academics in the fields of International Investment Law, International Trade Law, Business and Economics.

Studies in Public and Non-Profit Governance (SPNPG) publishes in a growing area of governance research. SPNPG allows for the establishment of an engaged community of researchers. It contributes to the definition of the theoretical components that assign an innovation role to governance systems in public and non profit organizations.

The essential resource for fraud examiners around the globe The International Fraud Handbook provides comprehensive guidance toward effective anti-fraud measures around the world. Written by the founder and chairman of the Association of Certified Fraud Examiners (ACFE), this book gives examiners a one-stop resource packed with authoritative information on cross-border fraud investigations, examination methodology, risk management, detection, prevention, response, and more, including new statistics from the ACFE 2018 Report to the Nations on Occupational Fraud and Abuse that reveal the prevalence and real-world impact of different types of fraud. Examples and detailed descriptions of the major types of fraud demonstrate the various manifestations examiners may encounter in organizations and show readers how to spot the "red flags" and develop a robust anti-fraud program. In addition, this book includes jurisdiction-specific information on the anti-fraud environment for more than 35 countries around the globe. These country-focused discussions contributed by local anti-

fraud experts provide readers with the information they need when conducting cross-border engagements, including applicable legal and regulatory requirements, the types and sources of information available when investigating fraud, foundational anti-fraud frameworks, cultural considerations, and more. The rising global economy brings both tremendous opportunity and risks that are becoming increasingly difficult to manage. As a result, many jurisdictions are attempting to strengthen their anti-fraud environments — whether through stricter anti-bribery laws or more stringent risk management guidelines — but a lack of uniformity in legal rules and guidance can be challenging for organizations doing business abroad. This book helps examiners mitigate fraud in their own organizations, while taking the necessary steps to prevent potential legal exposure. Understand the different types of fraud, their common elements, and their impacts across an organization Conduct a thorough risk assessment and implement effective response and control activities Learn the ACFE's standard investigation methodology for domestic and cross-border fraud investigations Explore fraud trends and region-specific information for countries on every continent As levels of risk increase and the risks themselves become more complex, the International Fraud Handbook gives examiners a robust resource for more effective prevention and detection.

Black money and financial crime are emerging global phenomena. During the last few decades, corrupt financial practices were increasingly being monitored in many countries around the globe. Among a large number of problems is a lack of general awareness about all these issues among various stakeholders including researchers and practitioners. The Handbook of Research on Theory and Practice of Financial Crimes is a critical scholarly research publication that provides comprehensive research on all aspects of black money and financial crime in individual, organizational, and societal experiences. The book further examines the implications of white-collar crime and practices to enhance forensic audits on financial fraud and the effects on tax enforcement. Featuring a wide range of topics such as ethical leadership, cybercrime, and blockchain, this book is ideal for policymakers, academicians, business professionals, managers, IT specialists, researchers, and students.

This review analyses the Anti-corruption Policy of the State of Mexico and Municipalities, highlighting its strengths (i.e. inclusion and rigour) as well as the need to include specific integrity risks (i.e. policy capture) to make it more comprehensive. The review analyses how the State Government could develop ownership of ethical rules and values to effectively influence public officials' behaviour.

The Model Rules of Professional Conduct provides an up-to-date resource for information on legal ethics. Federal, state and local courts in all jurisdictions look to the Rules for guidance in solving lawyer malpractice cases, disciplinary actions, disqualification issues, sanctions questions and much more. In this volume, black-letter Rules of Professional Conduct are followed by numbered Comments that explain each Rule's purpose and provide suggestions for its practical application. The Rules will help you identify proper conduct in a variety of given situations, review those instances where discretionary action is possible, and define the nature of the relationship between you and your clients, colleagues and the courts.

Analyses pertinent issues of applicable criminal law and evidence for alleged criminal conduct in international investment and commercial arbitration.

Sweden is one of a handful of countries where the international arbitral process has reached a stage where the jurisprudence is replete with instances involving no local parties at all. Due in all likelihood to this context of especially credible neutrality, the Stockholm Chamber of Commerce (SCC) has emerged as a leading global arbitral institution. Whether the matter at issue is a business transaction dispute or a politicized conflict involving obdurate parties, the richness of its body of decided cases manifests the SCC's authority and reliability throughout the converging world of international arbitration. The present book, written by thirteen eminent practitioners, provides a practical guide to international arbitration in Sweden, whether ad hoc or institutional. Among the many elements of practice and procedure detailed are the following: appointment, challenge, removal, and compensation of arbitrators; use of international legal sources such as IBA guidelines; choice of law by parties; SCC rules and procedures; multiparty arbitrations – joinder, intervention, consolidation; confidentiality; documentary evidence, witnesses, and experts; grounds for setting aside; party succession; Swedish court review of the arbitrator's jurisdiction; and appeal of arbitrators' compensation. In addition, readers will be exposed to a trove of pertinent references to important dispositions that have in recent decades been generated by the stream of major international arbitrations conducted in Sweden. Disputing parties wishing to know what will happen when their case is brought to Sweden for arbitration will find no clearer or more thorough guide. This book is an incomparable source for anyone called upon to act as arbitrator or counsel, or in any other capacity, in an international arbitration in Sweden.

International law's rich existence in the world can be illuminated by its objects. International law is often developed, conveyed and authorized through its objects and/or their representation. From the symbolic (the regalia of the head of state and the symbols of sovereignty), to the mundane (a can of dolphin-safe tuna certified as complying with international trade standards), international legal authority can be found in the objects around us. Similarly, the practice of international law often relies on material objects or their image, both as evidence (satellite images, bones of the victims of mass atrocities) and to found authority (for instance, maps and charts). This volume considers these questions; firstly what might the study of international law through objects reveal? What might objects, rather than texts, tell us about sources, recognition of states, construction of territory, law of the sea, or international human rights law? Secondly, what might this scholarly undertaking reveal about the objects - as aims or projects - of international law? How do objects reveal, or perhaps mask, these aims, and what does this tell us about the reasons some (physical or material) objects are foregrounded, and others hidden or ignored. Thirdly what objects, icons and symbols preoccupy the profession and academy? The personal selection of these objects by leading and emerging scholars worldwide, will illuminate the contemporary and historical fascinations of international

lawyers. As a result, the volume will be an important artefact (itself an object) in its own right, capturing the mood of international law in a given moment and providing opportunity for reflection on these preoccupations. By considering international law in the context of its material culture the authors offer a new theoretical perspective on the subject.

This book presents a professional course of action for penal investigations of tax fraud in Belgium. A penal tax fraud investigation is usually set up after a report from the Competent Tax Administration, although the police can also start an official investigation by making an official report. The essence of the penal investigation must necessarily concentrate on those essentials from which it can be discerned that the person or company in question is guilty of tax fraud. This must be gathered from the diverse interrogations by the responsible tax officials, the suspects, the accomplices, and the witnesses, and also from the variously obtained information and the analysis of the data gathered. Furthermore, the diversity of taxes (income tax, VAT, registration and inheritance taxes, customs and excise taxes, etc.) and the variety of tax offenses must be taken into account. Penal tax investigations differ from case to case. Each case has it own specification. In spite of these conclusions, it is possible to specify a series of procedures which can be followed in each case of tax fraud investigation. The content of this book is focused on the manner in which a penal tax dossier may be composed and what essentials the penal dossier must contain. Daily cases of tax fraud are treated, rather than the more advanced cases of tax fraud, such as VAT, carousels, and cash fund companies.

This important casebook is based upon one of the leading books in the field Born's treatise, International Commercial Arbitration. It offers a comprehensive approach to international commercial arbitration (focused on the New York Convention and UNCITRAL Model Law), while providing comparative examples drawn from state-to-state and investment arbitration. An easy-to-use chronological structure follows the course of an international arbitration. Features: Thoroughly revised to reflect amendments to UNCITRAL Rules, ICC Rules and other institutional arbitration rules New sections addressing IBA Guidelines on Party Representation in International Arbitration Revised to reflect amendments to representative national arbitration legislation in France, Singapore and elsewhere Streamlined excerpts of cases and awards; added excerpts of new arbitral awards on selected topics.

Food Fraud provides an overview of the current state on the topic to help readers understand which products are being impacted, how pervasive food fraud is, and what laws are in effect across the developed world. As international food trade increases, food processors, distributors, and consumers are purchasing more and more food from foreign countries that, in many cases, have inadequate oversight or control over what is coming into our supermarkets, restaurants, and refrigerators. This book is an essential quick reference that will familiarize readers with the latest issues surrounding the food industry. Includes new FDA

rules based on the Food Safety Modernization Act (FSMA) regarding “intentional adulteration and “economically motivated adulteration Presents a review of the latest food detection testing technologies Provides examples of import controls over illegal replacements

The United Nations, whose specialized agencies were the subject of an Appendix to the 1958 edition of Oppenheim's International Law: Peace, has expanded beyond all recognition since its founding in 1945.This volume represents a study that is entirely new, but prepared in the way that has become so familiar over succeeding editions of Oppenheim. An authoritative and comprehensive study of the United Nations' legal practice, this volume covers the formal structures of the UN as it has expanded over the years, and all that this complex organization does. All substantive issues are addressed in separate sections, including among others, the responsibilities of the UN, financing, immunities, human rights, preventing armed conflicts and peacekeeping, and judicial matters. In examining the evolving structures and ever expanding work of the United Nations, this volume follows the long-held tradition of Oppenheim by presenting facts uncoloured by personal opinion, in a succinct text that also offers in the footnotes a wealth of information and ideas to be explored. It is book that, while making all necessary reference to the Charter, the Statute of the International Court of Justice, and other legal instruments, tells of the realities of the legal issues as they arise in the day to day practice of the United Nations. Missions to the UN, Ministries of Foreign Affairs, practitioners of international law, academics, and students will all find this book to be vital in their understanding of the workings of the legal practice of the UN. Research for this publication was made possible by The Balzan Prize, which was awarded to Rosalyn Higgins in 2007 by the International Balzan Foundation.

Considers egregious cases of ethically dubious behaviour before public international tribunals.

This landmark publication in the field of international law delivers expert assessment of new developments in the important work of the International Court of Justice (ICJ) from a team of renowned editors and commentators.The ICJ is the principal judicial organ of the United Nations and plays a central role in both the peaceful settlement of international disputes and the development of international law. This comprehensive Commentary on the Statute of the International Court of Justice, now in its third edition, analyses in detail not only the Statute of the Court itself but also the related provisions of the United Nations Charter as well as the relevant provisions of the Court's Rules of Procedure. Six years after the publication of the second edition, the third edition of the Commentary embraces current events before the International Court of Justice as well as before other courts and tribunals relevant for the interpretation and application of its Statute.The Commentary provides a comprehensive overview and analysis of all legal questions and issues the Court has had to address in the past, and looks forward to those it will have to address in the future. It illuminates the central issues of procedure and substance that the Court and counsel appearing before it face in their day-to-day work. In addition to commentary covering all of the articles of the Statute of the ICJ, plus the relevant articles of the Charter of the United Nations, the book includes two scene-setting chapters: Historical Introduction and General Principles of Procedural Law, as well as important and instructive chapters on Counter-Claims, Discontinuation and Withdrawal, and Evidentiary Issues.

This book discusses several important issues related to corporate governance reporting, corporate social responsibility (CSR), fraud and bankruptcy. It gathers papers presented at the 6th International Conference on Governance, Fraud, Ethics and Social Responsibility, which was held in Penang, Malaysia on 18–19 November 2015. The content is divided into three major sub-themes: Corporate Governance and Accountability; Corporate Social Responsibility (CSR) and Sustainable Development; and Ethics, Risk and Fraud. The first sub-theme

addresses recently identified issues, such as corporate governance reporting, corporate governance regulation differences between countries, governance and financial market economics, financial market supervision, and control and risk management. In turn, the second sub-theme focuses on international auditing standards, green/socially responsible investment, environmental and social accounting and auditing, CSR-related matters, legislation and CSR reporting differences for public listed companies, accounting for sustainable development performance, and sustainability assessment models. The third sub-theme puts the spotlight on financial assessment and diagnosis, modeling, hedging, fraud, bankruptcy, accounting and auditing ethics and ethical problems in financial markets. Taken together, the issues discussed here provide state of art theories and empirical evidence approached from broad perspectives, making the book a valuable resource for researchers, students and practitioners alike.

Fraudulent Evidence Before Public International TribunalsThe Dirty Stories of International LawCambridge University Press

Article 38 of the Statute of the International Court of Justice defines "international law" to include not only "custom" and "convention" between States but also "the general principles of law recognized by civilized nations" within their municipal legal systems. In 1953, Bin Cheng wrote his seminal book on general principles, identifying core legal principles common to various domestic legal systems across the globe. This monograph summarizes and analyzes the general principles of law and norms of international due process, with a particular focus on developments since Cheng's writing. The aim is to collect and distill these principles and norms in a single volume as a practical resource for international law jurists, advocates, and scholars. The information contained in this book holds considerable importance given the growth of inter-state intercourse resulting in the increased use of general principles over the past 60 years. General principles can serve as rules of decision, whether in interpreting a treaty or contract, determining causation, or ascertaining unjust enrichment. They also include a core set of procedural requirements that should be followed in any adjudicative system, such as the right to impartiality and the prohibition on fraud. Although the general principles are, by definition, basic and even rudimentary, they hold vital importance for the rule of law in international relations. They are meant not to define a rule of law, but rather the rule of law.

Central to the book’s purpose is the procedural challenge facing arbitrators at each and every stage of the arbitral process when fairness arguments conflict with efficiency concerns and trade-offs must be determined. Some key themes include how can a tribunal be fair, and in particular be neutral, if parties are so diverse? How can arbitration be made efficient and cost-effective without undue inroads into fairness and accuracy? How does a tribunal do what is best if the parties are choosing a suboptimal process? When can or must an arbitrator ignore procedural choices made by the parties? The author thoroughly evaluates competing arguments and adds his own practical tips, expertly synthesizing and engaging with the conference literature and differing authors’ views. He identifies criteria that offer a harmonized approach to each stage of the arbitral process, with particular attention to such aspects of international arbitration as: appropriate trade-offs between flexibility and certainty; the rights, duties and powers of arbitrators; appointment and challenge of arbitrators; responses to ‘guerilla’ tactics; drafting of arbitration agreements, including specialty clauses; drafting of required commencement notices and response documents; set-off; fast track arbitration and other efficiency options; strategic use of preliminary conferences and timetabling; online arbitration; multi-party, multi-contract, class arbitration;

amicus and third party funders; pre-arbitral referees and interim relief; witness evidence, both factual and expert; documentary evidence, production obligations, and challenges to production; identifying applicable law; and remedies and costs.

Food Fraud: A Global Threat With Public Health and Economic Consequences serves as a practical resource on the topic of food fraud prevention and compliance with regulatory and industry standards. It includes a brief overview of the history of food fraud, current challenges, and vulnerabilities faced by the food industry, and requirements for compliance with regulatory and industry standards on mitigating vulnerability to food fraud, with a focus on the Global Food Safety Initiative (GFSI) Benchmarking Requirements. The book also provides individual chapters dedicated to specific commodities or sectors of the food industry known to be affected by fraud, with a focus on specific vulnerabilities to fraud, the main types of fraud committed, analytical methods for detection, and strategies for mitigation. The book provides an overview of food fraud mitigation strategies applicable to the food industry and guidance on how to start the process of mitigating the vulnerability to food fraud. The intended audience for this book includes food industry members, food safety and quality assurance practitioners, food science researchers and professors, students, and members of regulatory agencies. Presents industry and regulatory standards for mitigating vulnerability to food fraud including Global Food Safety Initiative (GFSI) Benchmarking Requirements Provides tools and resources to comply with industry and regulatory standards, including steps for developing a food fraud vulnerability assessment and mitigation plan Contains detailed, commodity-specific information on the major targets of food fraud, including specific vulnerabilities to fraud, analytical methods, and strategies for mitigation

This study is based on an examination of all available records in the field of evidence from the 18th century to date. Acid-free reprint of University of Virginia Press, 1975. Distributed by William S. Hein & Co., Inc.

The Oxford Handbook of Public Choice provides a comprehensive overview of the research in economics, political science, law, and sociology that has generated considerable insight into the politics of democratic and authoritarian systems as well as the influence of different institutional frameworks on incentives and outcomes. The result is an improved understanding of public policy, public finance, industrial organization, and macroeconomics as the combination of political and economic analysis shed light on how various interests compete both within a given rules of the games and, at times, to change the rules. These volumes include analytical surveys, syntheses, and general overviews of the many subfields of public choice focusing on interesting, important, and at times contentious issues. Throughout the focus is on enhancing understanding how political and economic systems act and interact, and how they might be improved. Both volumes combine methodological analysis with substantive overviews of key topics. This second volume examines constitutional political economy and also various applications, including public policy,

international relations, and the study of history, as well as methodological and measurement issues. Throughout both volumes important analytical concepts and tools are discussed, including their application to substantive topics. Readers will gain increased understanding of rational choice and its implications for collective action; various explanations of voting, including economic and expressive; the role of taxation and finance in government dynamics; how trust and persuasion influence political outcomes; and how revolution, coups, and authoritarianism can be explained by the same set of analytical tools as enhance understanding of the various forms of democracy.

This is the first publication to identify a universal procedural code for international commercial arbitration. This informative and well-argued discussion of a uniform code for due process is a useful aid for both practitioners and scholars. More than just a useful desk reference, this publication uncovers a unifying arbitration principle in light of the diversity of national traditions. The authors demonstrate how this unifying principle might establish a new standard procedure in arbitration law. Guiding the reader through a step-by-step analysis of due process in international commercial arbitration, the book is comprehensive without being esoteric. Due Process in International Commercial Arbitration, Second Edition thus helps both practitioners new to arbitration procedure and experienced attorneys looking for a cutting-edge discussion of due process issues. It can be used as a handbook for lawyers engaged in arbitral disputes. To provide the necessary guidance for lawyers in need of quick, reliable information, authors Matti Kurkela and Santtu Turunen update readers on the numerous changes made to arbitration law since the book's 2005 edition. Even more helpfully, Kurkela and Turunen have added two new chapters to show lawyers what to expect in the midst of an arbitration proceeding: a chapter on procedural rules from the New York Convention and a chapter on jurisdiction arising from sources outside the arbitration agreement. As corporations engage in more globalized commerce, and as arbitrators resolve more international legal disputes, this resource provides both the broad background and the quick reference information necessary to understand the complexities of arbitration procedure. A thorough Table of Contents, Index, and Appendix of primary documents facilitate practitioners' research in this vital book. This new edition's balance of comprehensiveness and concision make it a one-stop resource for arbitration attorneys around the world.

Domestic lawyers are, above all, officers of the court. By contrast, the public international lawyer representing states before international tribunals is torn between loyalties to the state and loyalties to international law. As the stakes increase for the state concerned, the tension between these loyalties can become acute and lead to practices that would be condemned in developed national legal systems but have hitherto been ignored by international tribunals in international legal scholarship. They are the 'dirty stories' of international law. This detailed and contextually sensitive presentation of eight important cases

before a variety of public international tribunals dissects some of the reasons for the resort to fraudulent evidence in international litigation and the profession's baffling reaction. Fraudulent evidence is resorted to out of greed, moral mediocrity or inherent dishonesty. In public international litigation, by contrast, the reasons are often more complex, with roots in the dynamics of international politics.

This is the fourth edition of the Baker & McKenzie International Arbitration Yearbook, an annual series established by the Firm in 2007. This collection of articles is comprised of reports in key jurisdictions around the globe on arbitration. Leading lawyers of the Firm’s International Arbitration Practice Group, a division of the Firm’s Global Dispute Resolution Practice Group, report on recent developments in national laws relating to arbitration and address current arbitral trends and tendencies in the jurisdictions in which they practice. This Yearbook highlights the more important recent developments in international arbitration, without aspiring to be an exhaustive case reporter or a text-book to arbitration in the broad sense. This volume will prove a useful tool for those contemplating and using arbitration to resolve international business disputes.

International Commercial Arbitration and Mediation in UNCITRAL Model Law Jurisdictions Fourth Edition Dr Peter Binder This new edition of a classic text is so extensively revised and updated as to constitute a new book. It does, however, retain the tried and tested article-by-article structure of the previous three editions: it covers all the information needed when contemplating cross-border arbitration or mediation and enables a practitioner to ascertain what to expect in each jurisdiction. It remains the only book that provides a complete overview of all the adopting jurisdictions (now 111) at one glance, with a description of the legislation in these jurisdictions counterbalanced by court rulings to demonstrate how matters are dealt with in everyday practice. The popular adoption chart matrix unique to this book has been further enhanced and updated. Featuring the first full commentary on the newly released 2018 UNCITRAL Model Law on International Commercial Mediation (including its revolutionary regime for the enforcement of settlement agreements reached by means of mediation) and an update of all case law on UNCITRAL texts (CLOUT) to date, the fourth edition provides explicit expert guidance on such matters as the following: overview of each jurisdiction that has enacted the Model Laws; provisions in a particular national Model Law enactment to be watched out for; how a particular issue dealt with in a Model Law enacting jurisdiction has been handled by local courts; and which jurisdictions can be safely recommended in arbitration or mediation clauses in international commercial agreements. Both of the Model Laws are reproduced in full in an appendix. With an examination of each provision’s legislative history as well as national and subnational adoptions of the Model Laws, this work provides a complete picture of global practice in international arbitration and mediation as it exists today, taking full account of emerging trends in the enactment process and in case law. Business people who agree to arbitrate in one of the 111 recognized Model Law jurisdictions can rely on a secure minimum of rights in the arbitral proceedings and run less risk of being surprised by unwelcome peculiarities of local law. International litigation lawyers, arbitrators, and in-house lawyers who are considering arbitrating or mediating in one of the 111 jurisdictions analysed, academics in international ADR, and national government officials dealing with cross-border trade will benefit enormously from this new edition.

Whether it takes place in the corridors of power, the business board-room or via your email inbox, fraud influences our daily lives. It costs governments worldwide billions per year and is often thought to have a far greater reach across society than any other criminal offence. This book examines and exposes fraud as one of the most devastating white collar crimes faced by society today. Studying Fraud as White Collar Crime is an engaging introduction to the diverse,

serious and often overlooked crime of fraud. The book: • carefully introduces key terms and concepts; • examines the difficulty of defining and tackling fraud; • uses handy crime snapshots that show fraud in action; • delves into detailed analysis of real life scenarios in case study chapters; • shows how fraud works at individual, organizational and transnational levels. From fraud prevention and regulation to Ponzi schemes and insider trading, the book covers a broad range of issues and debates in a clear and accessible way. This wide ranging view of fraud is an indispensable introduction to a complex topic for all students of criminology, sociology and law.

Previous edition, 1st, published in 2005.

Numerous jurisdictions worldwide have augmented their ratification of the New York Convention of 1958 with the UNCITRAL Model Law 1985 (UML), which takes a giant step forward toward global uniformity in legal application and understanding of the arbitration process. This book develops a standard or benchmark for the UML objective of uniformity, using the relevant legislation and case law of Hong Kong, Singapore, and Australia to consider whether a uniform approach to implementation of the UML and its interpretation is being achieved across those jurisdictions. The author's methodological tools are eminently adaptable to other jurisdictions. Given the importance of the ability to set aside an arbitral award, the body of case law on setting aside and the directly related area of enforcement, the emphasis throughout is on Article 34. In addition, the study considers: - the meaning of uniformity in law and in the context of the UML; - the correct approach to interpretation of the UML pre and post Article 2A; - the interpretational relationship between the UML and the Convention on Contracts for the International Sale of Goods (CISG); - the relationship between the UML and the New York Convention; - the degree of textual uniformity of Article 34 with the three jurisdictions focused on; and - the degree of applied uniformity of Article 34 both in terms of juristic methodology and similarity of results. The author, with more than thirty years of practice in the field of commercial arbitration in Hong Kong, has had access to voluminous cases spanning decades and brings his specialist expertise to the subject. This book considers whether the UML has succeeded in its aim of achieving uniformity. It serves as a guide, both academic and practical, to exploring and adopting the correct approach to the interpretation of the UML as well as to the method of classification of court decisions under the UML. This study is of immeasurable academic and practical value.

A Comparative Analysis of Corporate Fraud: Book Four examines corporate fraud in the United Kingdom compared with that of two civil law neighboring countries, France and Germany, as well as the United States. The objective of the study is to discover how fraud occurs, how the two different legal systems treat fraud, contributing factors, and if recommendations were made to authorities in an attempt to combat this illegal activity. The UK can learn much from the French legal system and the way France prosecutes corporations. Germany's Criminal Code is equally comprehensive in its prescriptive definitions of fraud, especially corporate fraud. Although the UK is striving for a general law against fraud, the UK Fraud Offence Bill is very inadequate, lacking detailed solutions. The UK has become entrenched in upholding legal privilege, bowing to intense lobbying by the legal profession. And the use of electronic evidence, vital in prosecuting modern corporate fraud, remains overlooked. The attitude toward corporate fraud in the UK remains laissez-faire. By analyzing corporate fraud in the US, France, and Germany, author Sally Ramage highlights examples that the UK can take from these countries that combat corporate fraud without derogation of established international human rights.