

The Political Offence Exception of Extradition

Wijngaert, Christine Van Den

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Political Offence Exception To Extradition

Katja L.H. Samuel



Political Offence Exception To Extradition:

Enforcing International Law Norms Against Terrorism Andrea Bianchi, Yasmin Naqvi, 2004-07 The scale and horror of recent terror attacks and the panic which ensued throughout the world has forced policy makers and international lawyers to re-examine international legal tools available to enforce norms against terrorism The magnitude of the attacks the modalities of the operations the profiles of the terrorists and the transnational structure of some terrorist organisations all cast doubt on the adequacy of the existing political and legal framework to fight terrorism Due to this perception governments have increased the intensity of measures to combat terrorist activities such as using military force against States sponsoring terrorism freezing assets of terrorist organizations and promulgating national security measures designed to protect the State against would be terrorists This book comprehensively analyses the suitability of existing international legal tools to enforce rules prohibiting terrorism Contributions from leading experts in international law examine among others questions relating to the proper role of international law in combating terrorism the legality of covert operations against terrorism whether the law of armed conflict can be applied to the war against terror domestic anti terror laws and their compatibility with human rights standards and how to regulate the internet to prevent terrorist usage In addition the ways in which States can co-operate together to more effectively investigate terrorist infrastructures and apprehend suspects is focused upon The interplay between different layers of legal authority at international regional and domestic levels is also subject to review This thorough examination of the array of legal means at the international community's disposal to enforce norms against terrorism will allow readers to appreciate the real challenges that terrorism and the responses to it pose to the international legal system

Punishing International Terrorists John Francis Murphy, 1985 This book pinpoints the opportunities and the gaps in the legal system as it applies to political violence

The Political Offence Exception to Extradition Christine van den Wyngaert, 1980

Extradition and Political Crimes Sibel Top, 2025 This book examines the evolution and current application of the political offence exception clause to extradition in Europe The long standing academic exploration of terrorism has recently given way to renewed interest in the political offence exception to extradition prompted by recent events that signal a democratic downturn globally Despite the significant curtailment and in some cases the complete abolition of the political offence exception to extradition in Europe certain European states continue to quietly implement this exception to deny extradition requests This work studies the development of the political offence exception in Europe by narrowing its focus from an international perspective to the European context specifically examining the Council of Europe and the European Union before zeroing in on the Catalan independence crisis which offers a particularly valuable case for analysing the application of the political offence exception in the European context By providing a detailed examination of the evolving protections for political offenders within European legal frameworks the text updates the long overdue academic knowledge on the matter It is therefore an essential resource for anyone interested in European criminal law and extradition

in particular It will also be of interest to researchers academics and policy makers working in the areas of criminal law human rights law legal theory criminology and political science **The Political Offense Exception and Terrorism** Abraham D. Sofaer,1985 **International Crimes: Law and Practice** Guénaél Mettraux,2020-04-09 This authoritative manual on the law of international crimes discusses in detail crimes against humanity and its relationship to other international crimes It is an invaluable tool for academics and researchers as well as legal practitioners who will be able readily to identify relevant legal standards and precedents **Political offence exception in extradition law** ,1993

Handbook of International Law Anthony Aust,2010-04-01 To the new student of international law the subject can appear extremely complex a system of laws created by states international courts and tribunals operating at the national and global level A clear guide to the subject is essential to ensure understanding This handbook provides exactly that written by an expert who both teaches and practises in the field it focuses on what the law is how it is created and how it is applied to solve day to day problems It offers a practical approach to the subject giving it relevance and immediacy The new edition retains a concise user friendly format allowing central principles such as jurisdiction and the law of treaties to be understood In addition it explores more specialised topics such as human rights terrorism and the environment This handbook is the ideal introduction for students new to international law **The Obligation to Extradite or Prosecute** Kriangsak

Kittichaisaree,2018-03-08 Prosecution of serious crimes of international concern has been few and far between before and even after the establishment of the International Criminal Court in 2002 Hope thus rests with the implementation of the international legal obligation for States to either extradite or prosecute such perpetrators among themselves or surrender them to a competent international criminal court This obligation was considered by the United Nations International Law Commission ILC which submitted its final report in 2014 Kittichaisaree Chairman of the ILC Working Group on that topic not only provides a guide to the final report offering an analysis of the subject and a unique summary of its drafting history he also covers important issues left unanswered by the report including the customary international legal status of the obligation the role of the universal jurisdiction immunities of State officials and impediments to the surrender of offenders to international criminal courts Authoritative encyclopaedic and essential to those in the field The Obligation to Extradite or Prosecute also offers practical solutions as to the road ahead **Terrorism, Criminal Law and Politics** Julia

Jansson,2019-07-23 Recent atrocities have ensured that terrorism and how to deal with terrorists legally and politically has been the subject of much discussion and debate on the international stage This book presents a study of changes in the legal treatment of those perpetrating crimes of a political character over several decades It most centrally deals with the political offence exception and how it has changed The book looks at this change from an international perspective with a particular focus on the United States Interdisciplinary in approach it examines the fields of terrorism and political crime from legal political science and criminological perspectives It will be of interest to a broad range of academics and researchers as well

as to policymakers involved in creating new anti terrorist policies **EU Cross-border Gathering and Use of Evidence in Criminal Matters** Gert Vermeulen, Wendy De Bondt, Yasmin van Damme, 2010 The European Council set out the 2007 specific program on Criminal Justice as part of the General Program on Fundamental Rights and Justice The concrete objectives of the program include the promotion of the principle of mutual recognition and mutual trust eliminating obstacles created by disparities between Member States judicial systems and improving knowledge of Member States legal and judicial systems in criminal matters and the exchange and dissemination of good practice As part of this program the European Commission awarded a contract to the Institute of International Research on Criminal Policy to conduct the study This book is the result of that study The initial aim of the study was to obtain up to date information on the national laws of the EU Member States on the gathering and handling of evidence and to analyze that information in the light of recent developments in legislation governing cross border transmission of evidence in particular the 2008 European Evidence Warrant In addition it was the intention of the European Commission to initiate preparatory work on a legal instrument that would expand the scope of application of the European Evidence Warrant in order to further replace the existing regime of mutual legal assistance within the EU by a mechanism based on the mutual recognition principle As a result the study was broadened to also assess whether or not a mutual recognition based EU mutual legal assistance regime is desirable and feasible Whereas the Green Paper on obtaining evidence in criminal matters issued in 2009 by the European Commission raises general questions on the matter this book provides an in depth and full scale overview of the current situation relating to cross border gathering obtaining and admissibility of evidence in criminal matters between the EU Member States as well as clear cut future legal and policy options This book is essential reading for EU policy makers as well as judicial and law enforcement authorities throughout the EU and from a broader international context It will be particularly appealing also to the research community and anyone involved in or taking an interest in criminal policy initiatives in the EU

Counter-Terrorism Strategies in a Fragmented International Legal Order Larissa van den Herik, Nico Schrijver, 2013-07-18 Few events have influenced our global order as intensely as the events of September 11 2001 At various levels in the past ten years persistent attempts have been made to address the threat of terrorism yet there is still urgent need for a joint and coherent application of a variety of regulations relating to international criminal justice co operation the use of force and international human rights law In an important contribution to international discourse Larissa van den Herik and Nico Schrijver examine the relationship between different branches of international law and their applicability to the problem of terrorism and counter terrorism Using a unique combination of academic perspectives practitioners insights and a comprehensive three part approach Counter terrorism Strategies in a Fragmented International Legal Order offers sound policy recommendations alongside thorough analysis of the state of international law regarding terrorism and provides fresh insights against the backdrop of recent practice **The U.N. Convention on Torture and**

the Prospects for Enforcement Ahcene Boulesbaa,1999-04-29 3 By What Criteria **Israel Yearbook on Human Rights, Volume 19 (1989)** Yoram Dinstein,Mala Tabory,2021-10-11 The Israel Yearbook on Human Rights an annual published under the auspices of the Faculty of Law of Tel Aviv University since 1971 is devoted to publishing studies by distinguished scholars in Israel and other countries on human rights in peace and war with particular emphasis on problems relevant to the State of Israel and the Jewish people The Yearbook also incorporates documentary materials relating to Israel and the Administered Areas which are not otherwise available in English including summaries of judicial decisions compilations of legislative enactments and military proclamations The Articles section of Volume 34 contains articles on Current Issues in International Law and Military Operations **Legal Responses to International Terrorism** M. Cherif Bassiouni,1988-10-03 **International Counterterrorism and Organized Crime Conventions** Usman Hameed,Beata Polok,2024-01-16 This book delves into the complex world of international conventions on terrorism and organized crime revealing the inherent challenges that arise when member states attempt to align these obligations with their national legal principles Highlighting the divergence in national laws concerning criminalization and jurisdiction the book explores the resulting obstacles in state cooperation including the surrender of fugitives information exchange and forfeiture Despite the proliferation of multilateral conventions the author argues that effective state cooperation ultimately hinges on bilateral agreements as national laws often lack the necessary symmetry for reciprocal modalities of cooperation The book concludes with a compelling call for consistency in the implementation of international conventions at the national level emphasizing that states will only embrace multilateral treaties as a basis for cooperation if they meet customary requirements and ensure similarity of laws between requesting and requested states A must read for scholars policymakers and practitioners seeking a deeper understanding of the complexities surrounding state cooperation in combating terrorism and organized crime

ADB/OECD Anti-Corruption Initiative for Asia and the Pacific Asset Recovery and Mutual Legal Assistance in Asia and the Pacific OECD,Asian Development Bank,2010-04-08 Asian Pacific countries have made significant efforts to address weaknesses in their procurement frameworks and practices To support these efforts and to assist the ADB OECD Anti Corruption Initiative s 28 member countries in strengthening their *Counter-Terrorism and International Law* Katja L.H. Samuel,2017-03-02 The articles and essays in this volume consider the problem of international terrorism from an international legal perspective The articles address a range of issues starting with the dilemma of how to reach agreement on what constitutes terrorism and how to encapsulate this in a legitimate definition The essays move on to examine the varied responses to terrorism by states and international organisations These responses range from the suppression conventions of the Cold War which were directed at criminalising and punishing various manifestations of terrorism to more coercive executive led responses Finally the articles consider the role of the Security Council in developing legal regimes to combat terrorism for example by the use of targeted sanctions or by general legislative measures An evaluation of the contribution of

the sum of these measures to the goals of peace and security as embodied in the UN Charter is central to this collection

International Practices of Criminal Justice Mikkel Christensen, Ron Levi, 2017-11-06 *International Practices of Criminal Justice Social and Legal Perspectives* examines the practitioners practices and institutions that are transforming the relationship between criminal justice and international governance The book links two dimensions of international criminal justice by analyzing the fields of international criminal law and international police cooperation Although often thought of separately each of these fields presents criminal justice as a governance method for resolving international challenges and crises By focusing on examples from international criminal tribunals transitional justice transnational crime and transnational policing and prosecution the contributors to this collection all examine how criminal justice is unmoored from the state while also attending to the struggles and challenges that emerge when criminal justice is used as a form of international action *International Practices of Criminal Justice Social and Legal Perspectives* breaks new ground in criminology international legal studies and the sociology of law and will be of interest to students scholars and practitioners across a wide array of fields in criminal justice international law and international governance

Research Handbook on International Law and Terrorism Ben Saul, 2020-04-24 This newly revised and updated second edition provides a comprehensive overview of international counter terrorism law and practice Brand new and revised chapters provide critical commentary on the law from leading scholars and practitioners in the field including new topics for this edition such as foreign terrorist fighters the nexus between organized crime and terrorism and the prevention of violent extremism

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