
Released date: 02-March-2011

Posted date: 07-March-2011

101 Independence Avenue
Washington, DC 20540-4860
Fax: (202) 707-1820

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A Selective Annotated Bibliography
of Directorate of Legal Research Multinational Reports, 2001-2004

Prepared by Helane Davis
August 6, 2004
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Adoption

An overview of adoption law and procedures in Ghana and Jamaica, including the tension between statutory and customary law in Ghana, and the statutory requirements for adoption in Jamaica.

Agriculture


Banks & Finance

Discusses the applicable statutory provisions regarding the issuance and accumulation of bearer bonds, and the extent to which these provisions are part of an overall securities regulation scheme, the civil code, or other provisions. Includes a bibliography the foreign law on bonds. Jurisdictions covered: BE, BM, DE, FR, IT, NL, UK.

Explores banking privacy, money laundering, tax laws, information sharing, and cooperation, including: restrictions on bank employees divulging private information; legislation intended to conform to norms on international offshore finance; taxation on offshore companies; international agreements regarding enforcement; and surveillance of illicit financial operations. Includes a chart summarizing information for all jurisdictions. Jurisdictions covered: AG, CH, CO, LI, LX, Nauru.

Biotechnology

Evaluates laws, regulations, and policies regarding the research, production, marketing, licensing, and import or export of genetically modified organisms (GMOs) or raw materials, including animal and plant organisms, foodstuffs, and seeds. Jurisdictions covered: EU, JP, CN, RU.

Describes the laws and regulations regarding reproductive and therapeutic cloning; explicit bans; regulation of stem cell research to the extent that it supports therapeutic cloning, and in its own right; regulation of other, related assisted reproduction technologies; patentability of human genetic elements; standards for the donation, procurement, testing, processing, storage and distribution of human tissues and cells; policy considerations related to prohibiting reproductive cloning while encouraging stem cell research; and international conventions and agreements, including the 1997 Council of Europe Convention for the Protection of Human Rights and Dignity of the Human Being with Regard to the Application of Biology and Medicine. Jurisdictions covered: AU, CN, DE, EU, FR, IT, IL, NO, UK.

Summarizes early agriculture-related biotechnology research and conferences, including multinational cooperation and the role of public sector institutes. Jurisdictions covered: EG, MA.

Discusses legislation regarding human cloning, or in the absence of such legislation, related legislation on
tissue, cell or organ manipulation, or manipulation for purposes of race selection or combining species. Also notes restrictions on tissue or cells resulting from abortions. The report includes a chart that compares jurisdictions. Jurisdictions covered: AR, AU, CA, EU, MX, RU.


DeGlopper et al., *Regulation of Human Cloning* (Rep. No. 2002-11911, February 2002). Surveys restrictions on stem cell research, embryo research for therapeutic purposes, human (reproductive) cloning, and patentability of cells or stem cell lines. Also discusses the extent to which national laws and regulations comply or diverge from applicable European Union directives and policies. Jurisdictions covered: AU, DE, IT, NL.


Rodriguez-Ferrand et al., *Engineering and Medical Ethics: Various Legal Issues* (Rep. No. 2001-11401, September 2001). Evaluates the legal positions of the named jurisdictions on a variety of issues related to genetic engineering and ethics, including: organ donation; sales and procurement; data privacy; cloning; genetically modified foods; research; and eugenics. Jurisdictions covered: AR, BR, CA, CN, DE, EU, FR, IT, MX, NL, RU.


**Broadcasting**


Examines statutory and regulatory approaches towards sex and violence on television, including: directed self-regulation; ratings; restrictions on viewing hours; broadcasting standards; enforcement; pre-broadcast state approval of programming; advertising and bans on advertising; content restrictions; and pornography. Jurisdictions covered: BE, CA, DE, EU, FR, IT, NL, UK.

Capital Punishment

Sfeir et al., *Laws that Include Punishment of Death by Stoning* (Rep. No. 2002-13796, October 2002). Analyzes countries that permit the punishment of death by stoning, noting the historical and textual foundations as found in traditional Islamic law, and identifying where such a sentence had been handed down in the 5 years prior to 2002. Jurisdictions covered: ID, IR, MY, NG, SD, AF, PK, Arab States.

Campaign Finance

Rodriguez-Ferrand et al., *Campaign Financing National Campaigns* (Rep. No. 2002-14013, November 2003). Analyzes campaign finance in countries with both parliamentary and presidential systems, specifically: government regulation of private funding; government funding; financial disclosure requirements; law enforcement; regulation of campaign financing and constitutional principles; and major legal violations. Jurisdictions covered: AR, AU, CA, CZ, FR, GR, IN, IR, IL, IT, JP, MX, SG, NL, RU, TW, TR, UK.

*Campaign Financing National Campaigns—Comparative Chart* (Rep. No. 2003-15027, August 2003). A chart of the four main areas discussed in Report No. 2002-14013, by jurisdiction: government regulation (sources of contribution, contribution limits, limitations on campaign expenditures, issue advocacy); government funding (direct funding to candidates & parties, indirect funding, campaign broadcasting); financial disclosure (money threshold, filing requirements, degree of public access, identification of contributors); law enforcement (authorized enforcement official or body, penalties); implementation (regulation of campaign financing and constitutional principles, major incidents of violation of law). Jurisdictions covered: AR, AU, CA, CZ, FR, GR, IN, IR, IL, IT, JP, MX, SG, NL, RU, TW, TR, UK.


Civil Defense

Mwalimu et al., *Continuity Planning for the Highest Court After a Major Disaster* (Rep. No. 2002-13636, September 2002). Evaluates continuity planning for a jurisdiction’s highest court in the event of a major crisis or disaster, including the extent to which statutes or constitutions allow for substitution of an entire court, and procedures for ad hoc appointments. The report notes that many jurisdictions have no continuity plans. Jurisdictions covered: Africa, AU, AR, CA, CH, CN, DE, EE, EG, EU, FR, IL, IN, IT, JP, MX, NL, PL, RU, TW, UK.

Clarke et al., *Emergency Planning Laws and Policy* (Rep. No. 2001-11695, December 2001). Discusses laws and policies related to national emergencies, including: procedures related specifically to terrorism, or biological, nuclear or chemical attack; coordination between states, territories, or provinces, and delineation of responsibilities; natural disaster plans and countermeasures; roles and responsibilities of designated agencies and authorities; and disseminating information to the public. Jurisdictions covered: CA, DE, FR, IL, JP, UK.
Computer Law


An overview of privacy laws in India and Pakistan; including, India’s provisions regarding the unauthorized use of private information; India’s attempts to enact legislation on data protection; and Pakistan’s laws on data privacy especially via electronic transactions. The report also references a Pakistani law regarding electronic crimes.


Analyses provisions related to computer security and data security, including: cybercrime; electronic transactions; privacy; Internet content regulation; computer security and counter-terrorism; data protection; child pornography; racism and xenophobia; intercepting communications; retaining online traffic data; and international cooperation between jurisdictions to improve computer security and fight computer crime. Jurisdictions covered: AU, CZ, ES, EU, FR, IL, IN, IT, JP, KR, NL, RU.


Analyzes provisions related to computer crime and prevention, including types of offenses and penalties; cyberterrorism; illegally acquiring and using data; computer sabotage; industrial espionage; copyright protection of computer databases; electronic signatures; Internet auctions; spam; responsibilities and liabilities of Internet providers; Internet content control; and methods for protecting infrastructure from cyber attacks. Jurisdictions covered: CA, DE, EU, FR, IL, IT, JP, NL, RU.


Analyzes infringement of European Union’s Data Directive by U.S. companies engaged in processing and exporting personal data, including: rights of the data subject, obligations of legal entities handling personal data, transfer to third countries, liability, and judicial remedies. Also examines protection, enforcement, and liabilities under German law. Jurisdictions covered: DE, EU.

Copyright


A study of copyright regulation, with an emphasis on the economic rights preserved by statute. The report covers laws spanning from 1912 to 1998, and discusses the applicable 1998 EU directive (and subsequent revisions) regarding copyright protection. Duration and calculation of copyright periods, as well as the extent to which jurisdictions recognize the concept of “fair use,” are also discussed. The report includes a chart that compares these areas by jurisdiction, as well other general rules. Jurisdictions covered: AU, BR, CA, EU, FR, JP, MX, NL, ES, ZA, RU.


Analyses the duration of copyright protection, including whether there is a standardized rule. Also includes a study of copyright protection periods that vary based on issues such as the type of work, when it was originally produced, and previous applicable copyright legislation. Jurisdictions covered: DE, EU, UK, BR.

Corporations


Defines “headquarters” and “senior management,” where applicable, for purposes of corporate or business entities law, including the applicable taxation laws. Notes or defines ancillary concepts,
including the definition of “company,” distinctions between foreign and domestic entities, and instances where there is no such thing as “senior management.” Jurisdictions covered: CN, DE, FR, ID, IN, IT, JP, NL, SG, TH, UK.

Summarizes the legal and regulatory provisions related to corporate governance, including: accounting standards and financial reporting for auditors; corporate disclosure requirements; liability for corporate directors and officers, including inside trading; destruction of corporate or auditing records; pensions; and proposals to improve or regulate corporate governance. Jurisdictions covered: AR, DE, FR, IL, IT, JP, MX, RU.

**Criminal Law & Procedure**

Analyses whether countries involved in drafting the Vienna Convention on Consular Relations, had a remedy to exclude illegally or improperly obtained evidence during the period of 1959-1963. Considers whether breach of the provision to provide consular notification should result in the exclusion of any statement given to the police, and the granting of a new trial. Jurisdictions covered: BR, CZ, FR, UK, NL, RU.

Reviews use of sex offender registers or databases, including: national and state registers or databases; federal support for state legislation and implementation of registers and databases; state laws requiring offender registration; public notification requirements regarding the release of sex offenders or their relocation; public access to registers or databases; post-release detention of offenders; and genetic fingerprinting and DNA tests. Jurisdictions covered: AU, CA, DE, EU, FR, GR, IT, JP, NL, RU, IE, UK, Scotland.

**Cultural Property**

Evaluates statutory provisions and policies intended to protect national treasures and regulate the export of objects with cultural, artistic, historical, or archaeological interest. Jurisdictions covered: EU, FR, MX, NL, IT.

**Disability**

Describes and analyzes legislation and policy aimed at protecting people with disabilities, including: scope, coverage and objectives of legislation; constitutional underpinnings; public policy implementation; enforcement and remedies; and affirmative defenses. Jurisdictions covered: AR, AU, CA, CN, CZ, DE, EG, EU, FR, IN, IR, IL, IT, JP, MX, NL, PK, PL, RU, TW, UK, ZW, Sub-Saharan Africa.

**Discrimination**

Discusses responses to antisemitism, including applicable constitutional provisions and criminal sanctions in Germany; legislative, governmental and educational measures in France; and European Union initiatives and mechanisms.
**Divorce**

Zeldin et al., *Post-Divorce Spousal Maintenance* (Rep. No. 2004-00022, November 2003). Examines spousal maintenance after divorce, including: general principles underlying awards of financial support in Germany; contrasts between fault and no-fault divorce in Austria; circumstances under which maintenance is re-evaluated, including re-marriage, in Sweden; and a survivor’s entitlement to a pension in Italy.

Vafai et al., *Islamic Law: Divorce* (Rep. No. 2003-14953, July 2003). Summarizes the Islamic form of divorce, including: whether a revocable divorce automatically becomes an irrevocable divorce if neither party tries to stop it; whether a revocable divorce lapses if no action is taken; the three utterances required for divorce and whether the statements have to be made at same time and place; and the certificate of divorce and whether such certificate must mention financial settlement or dowry. Jurisdictions covered: IN, PK, BN, SL.

**Education**

Clarke et al., *Higher Education of Children of Illegal Immigrants* (Rep. No. 2004-00070, October 2003). Discusses access to higher education for illegal aliens, including the extent to which immigration status affects education-related fees. Notes those countries where all minor children are entitled to education, regardless of immigration status, and contrasts when access is limited upon attaining a certain age or reaching a certain educational level, where applicable. Jurisdictions covered: CA, DE, FR, MX, UK.

**Elections**


**Employment Law**


DeGlopper et al., *Civil Servants’ Administrative Protection* (Rep. No. 2002-11836, January 2002). Discusses the constitutional and statutory provisions that protect civil servants and delineate their rights as employees, including: definitions and duties; disciplinary proceedings; and recourse against supervisory action. Jurisdictions covered: AU, DE, FR, NL, EU.

**Environmental Law**

Extradition

Examines provisions that govern extradition of nationals in criminal matters. Jurisdictions covered: DZ, BJ, BF, BI, CM, TD, CG, CD, DJ, GA, GW, CI, ML, NE, TG.

Examines laws and constitutional provisions that allow or disallow the extradition of nationals to other countries, including the extent to which international treaties—including extradition treaties—or conventions have a bearing upon those provisions. Includes information on the adjudication rights of nationals in foreign systems. Jurisdictions covered: CY, CZ, EE, ES, LV, LT.

Examines laws and constitutional provisions that allow or disallow the extradition of nationals to other countries, including the extent to which international treaties—including extradition treaties—or conventions have a bearing upon those provisions. Includes information on the adjudication rights of nationals in foreign systems. Jurisdictions covered: DE, GR, IT, JP, PL.

Firearm Regulation

Analyzes statutory provisions and policies that address airline pilots carrying firearms. Also discusses European Union policies and extent to which international agreements have an impact on this issue. Jurisdictions covered: CN, ES, EU, IR, JP, PL, RU, UK.

Fisheries

Summarizes the administrative framework for regulating fisheries, where applicable, including policymaking, adjudication, relevant agencies, judicial review of administrative actions, implementing legislation, and constitutional authorization. Jurisdictions covered: AU, FR, NL, PG, IL, JP.

Freedom of Religion


Freedom of Speech

Analyzes laws and constitutional provisions that prohibit speech designed to exploit or incite violence based on racial, ethnic, or religious grounds. Includes applicable sanctions or penalties. Jurisdictions covered: BE, DE, ES, FR, IT, NL, UK.

HIV/AIDS

Mwalimu, The Legal Response to HIV/AIDS and Other STDs in Sub-Saharan Africa (January 2003).
Examines the response to HIV, AIDS, and other STDs in Sub-Saharan Africa, including: epidemiological data; impact of these diseases on the continent; features of the diseases that are unique to Africa;
government, NGO, and pharmaceutical company responses; laws, regulations, and policies, by jurisdiction (including those related to transmission and education); funding efforts; the U.S. response (including legislation and policies); and the international and United Nations Response. Jurisdictions covered: Sub-Saharan Africa.

**Internet Regulation**

Analyze laws, regulations, and policies regarding Internet content and Internet use, including: the use of general laws that restrict speech to regulate Internet content; laws that specifically restrict Internet content for security purposes; policies that promote filtering and rating schemes; industry self-regulation; use of existing criminal provisions or laws related to freedom of the press in the absence of Internet-specific legislation; liability of Internet Service Providers (ISPs), and limitations on ISPs regarding data privacy, use, storage and retention; child pornography; racism and xenophobia; State registration and tracking of Internet users; responsibility for content conforming with all applicable laws; and state and national security issues. Jurisdictions covered: AU, BE, CA, DE, ES, EU, FR, GR, IL, IN, IT, JP, KR, LU, MX, NL, RU, UK.

**Islamic Law**

Describes the basic tenets of Islamic law, including a history of Islam, background on the Koran, the concept of Sharia’a, early leaders, the Fiqh, religious specialists, and religious rule. Includes biographies of the specialist-authors. Jurisdictions covered: CA, IN.

**Public Health and Safety**

Examines the right to health care in national constitutions and international human rights instruments. Coverage includes instruments, conventions, and declarations that recognize health care as a fundamental human right, and any obligations arising out of the ratification of conventions implementing this right. Jurisdictions covered: AU, CA, EU, FR, DE, JP, NL, NZ, RU, ZA.

Summarizes the use of antibiotics in animal feed, the relevant statutes, and the extent to which they comply with or are influenced by EU directives and policy. Includes copies of statutory provisions and additives, per jurisdiction. Jurisdictions covered: DE, FR, UK.

Analyze the legislation and regulation related to public health crises, including: government agencies; cabinets or ministries responsible for managing crises; recent crises and responses to them (e.g., SARS, Mad Cow Disease, or biochemical attacks); procedures in the event of an emergency; cooperation between national, state or provincial governments in the event of a crisis; and the extent to which infectious and communicable diseases, generally, are covered by applicable legislation and regulation. Countries and organizations covered: AR, AU, BR, BF, CA, CN, CU, CZ, EG, EE, EU, DE, FR, HK, HG, IN, ID, IR, IL, IT, JP, JO, KE, MY, MT, MX, FS, NL, NZ, NG, PK, PH, PL, RU, SN, SG, ZA, KR, ES, CH, TW, TH, TR, UK, VN, WHO.

DeGlopper et al., *Traceback and Other Food Safety Laws in the European Union* (Rep. No. 2002-14329,
March 2003).
Analyzes provisions that create, modify or regulate traceback or tagging systems used in cattle, livestock or poultry as part of national food safety systems. Includes coverage of how national laws comply with European Union mandates, where applicable, tracing genetically manufactured organisms, establishing methods to detect pathogens, and investigation procedures. Jurisdictions covered: AU, CA, CL, EU, FR, JP, UK.

Examines the extent to which the hallucinogen salvia divinorum is considered legal, illegal, or is otherwise regulated. Jurisdictions covered: UK, AU, NZ, IE, DE, FR, IL, CH.

Examines provisions related to public health emergencies, including those bodies or agencies authorized to act in such emergencies, and responses to infectious and communicable disease, animal epidemic prevention, and food poisoning. Also discusses quarantine powers and procedures, prevention, and disease control. Jurisdictions covered: AU, BR, CA, CN, CZ, EG, EU, FR, IL, IN, IT, JP, KE, MX, NL, RU, TR, UK.

Discusses the relevant statutes and regulations regarding food labeling, especially labeling intended to identify foods or attest to their safety for the purposes of importation or exportation to other jurisdictions. Jurisdictions covered: CA, CN, EU, MX.

**Immigration & Aliens**

Surveys provisions related to foreign nationals visiting countries on temporary or tourist visas, or for specific time periods or under specific conditions, and the extent to which government provisions require they register with the government and the information that must be provided. Specific age, documentation, residency conditions, and fees are also discussed. Jurisdictions covered: SG, JP, FR, AU, CN.

Laws governing grants of student visas, including: who is considered a student; visa requirements; when visitors on student visas can apply for permanent resident status; and other general conditions and requirements. Jurisdictions covered: AU, ES, IE, IL.

Summarizes applicable immigration provisions and requirements, including: entry documents; border controls; residency; denial of entry; asylum and refugee status; restrictions on immigrants; and immigrant identification methods. Jurisdictions covered: ES, FR.

Describes those provisions and procedures that require foreign nationals to register with the government, including types of visits, fingerprinting requirements, and records. Jurisdictions covered: FR, GR, EU, UK.

**Import-Export**
Examines the regulation of importing ammunitions, weapons and other defense-related materiel, including which governmental entities oversee enforcement of applicable laws; the extent to which foreign companies must partner with domestic companies to import materials; specific prohibitions on nuclear, biological or chemical weapons; and policies regarding the weapons trade and access to markets for both domestic and foreign interests. Jurisdictions covered: FR, DE, IT, UK.

Lists the regulations, provisions, and orders, where available, that control transactions with Iraq. Jurisdictions covered: JP, TR, UK.

**Labor Law**

Discusses hiring restrictions on foreign nationals, including: distinctions between EU and non-EU persons, where applicable; protections against dismissal; and termination procedures and grounds. Jurisdictions covered: FR, DE.

Analyzes legal protections against employer interference with labor unions and labor activities, child labor provisions, freedom of association, collective bargaining, and working conditions. Jurisdictions covered: PE, BO.

Examines the constitutional or statutory provisions that adopt the core labor standards of the International Labor Organization, including: the right to collective bargaining; freedom from discrimination in employment; freedom from child labor; and freedom from compulsory employment. Jurisdictions covered: BO, BZ, CA, CL, CO, CR, DO, EC, EG, HO, HT, JM, JO, MX, MY, NI, PA, PE, SG, SV, UY, VE.

Describes integrated organizations authorized under labor laws and the areas in which they operate, including collective bargaining, environmental issues in the workplace, and safety in the workplace. Jurisdictions covered: AR, BR, CL.

**Legislative Power**

Addresses the rules and particulars of parliamentary activity, including statutory and constitutional provisions addressing the following: member incapacitation, including how incapacity is defined, declared and rescinded; provisions for reducing quorums in an emergency and procedures for validating actions taken by reduced quorums; special elections for replacing members before the end of their terms; timelines for special election held as the result of a member’s incapacitation; ascertaining the death of a member; procedures and authority for assuming duties of a parliamentary leader and any limitations on the person who assumes such a role; conditions under which Parliament can be dissolved, including
during a crisis; how national declarations during an emergency affect parliamentary activity; and whether there’s a designated group for taking charge of Parliament during emergencies and the limits on their authority. Jurisdictions covered: CA, DE, FR, JP, RU, UK, AT, BE, BG, CZ, ES, EU, GR, LU, NL, PL, PT.

Clarke et al., *Parliamentary Succession and Emergency Settings* (Rep. No. 2004-00018, October 2003). Addresses the rules and particulars of parliamentary activity, including methods and polices for filling vacancies prior to end of a term due to death, injury, or unforeseen circumstance; circumstances where parliaments sit in secondary locations; and circumstances where a secondary authority assumes parliamentary powers or leadership in times of emergency. Jurisdictions covered: CA, DE, ES, IL, IT, JP, NL, RU, UK.

Rodriguez-Ferrand et al., *Recent Legal Developments* (Rep. No. 2003-14900, June 2003). Recaps recent legal developments in the stated jurisdictions, including, as applicable: SARS, legislation in international criminal offenses; electronic signature; forced repatriation of refugees; opting out of the European Union’s common legal system; renewing international agreements; legislation to prevent the spread of disease amongst animals; and the needs of children. Jurisdictions covered: ES, NL, Wales, UK, DK.


Palmer et al., *Role of the Speaker* (Rep. No. 2001-10479, February 2001). Describes the duties and responsibilities of the Speaker or highest leadership position of the relevant legislative or parliamentary body. Jurisdictions covered: DE, FR, JP, RU.

**Litigation**


**Local Government**

DeGlopper et al., *Territorial Expansion of Metropolitan Areas* (Rep. No. 2002-13612, October 2002). Examines legal issues relating to the territorial expansion of metropolitan areas, including: annexation; the respective roles of federal and state legislation and authority in the expansion process; local government jurisdiction over neighboring communities; and related land-use regulation. Jurisdictions covered: AU, CA, DE, FR, IT, UK, US.

**Maritime Law**

Analyzes the Russian Federation’s implementation of the United Nations Convention of the Law of the Sea, a convention originally signed by the USSR. Asserting that the USSR never intended to ratify the convention, the report analyzes the Federation’s concerns about how ratification would affect its sovereign rights, delimitation of Russian waters, regulation of navigation under the convention and Russian law, state and non-state ownership of water objects, rights and jurisdiction over the continental shelf, management and preservation of marine rights, and legislative developments addressing the relationship between international rules and domestic laws.

Military Affairs

Umeda, United States-Japan Status of Forces Agreement (Rep. No. 2004-00164, January 2004). Examines criminal jurisdiction over U.S. military personnel who commit offenses in Japan as provided for under the post-World War II Status of Forces Agreement (SOFA) between the U.S. and Japan. Discusses determinations of whether a specific act is committed “in the performance of official duty,” and the implications that determination has for which country asserts primary jurisdiction over such acts. Also discusses the requirement that the U.S. Commanding Officer examine any non-U.S. law under which a member of the U.S. military is charged to ensure that the law’s safeguards are consistent with the requirements of the U.S. Constitution. Examines outstanding issues regarding the SOFA, including which country retains pre-trial custody of accused U.S. military personnel, the use of U.S. interpreters during interrogations, and the role of confessions in the Japanese criminal system. Jurisdictions covered: JP, US.

Glos et al., Military Retirement and Pensions (Rep. No. 2003-15142, September 2003). Noting the statutory provisions that provide for military retirement and pensions, analyzes the years of service required for military retirement and the formula used to calculate military retirement pay. Jurisdictions covered: BE, DE, FR, IL, UK.

Papademetriou & Sarnecka-Crouch, Reserve Forces in the Military (Rep. No. 2003-14333, March 2003). Discusses the procedures and provisions related to creating and maintaining military reserve forces, including the conditions under which conscripts automatically become reservists, terms of service, and employment protections and health care services for reservists. Jurisdictions covered: PL, GR.

Glos et al., Reserve Components of Military Systems of NATO Member Nations (Rep. No. 2002-13799, October 2002). Analyzes reserve components of military systems of all NATO member nations, especially legislation establishing reserves and providing employment protection and benefits. Includes information recruitment and retention of reserve forces, and the role of reserve forces in relation to voluntary or compulsory forces, if applicable. Jurisdictions covered: BE, CA, CZ, DE, ES, FR, IT, LX, NL, PT, UK.

Nationality and Citizenship

Sfeir et al., Law on Citizenship (Rep. No. 2003-14226, February 2003). Explores dual citizenship and the effect that procuring citizenship in a second country has on original citizenship. Notes the relevant constitutional and statutory provisions. Also notes any peculiarities with terminology and the use of the terms “citizen,” “citizenship,” “national,” and “nationality.” Jurisdictions covered: BD, ID, MA, KW, JO, EG.


Examines citizenship law of Israel and Jordan regarding removal options of a Palestinian person born in East Jerusalem in 1953, who left in 1977 on an Israeli *laissez-passer* (identity and travel document) to come to the United States where he lived for over 20 years as a lawful permanent resident before facing deportation. Jurisdictions covered: JO, IL.

Sfeir et al., *Effect on Citizenship When Acquiring Foreign Nationality* (Rep. No. 2002-13638, October 2002). Analyses how citizenship is acquired and relinquished, and the effects of gaining citizenship or nationality status in other jurisdictions. Jurisdictions covered: IQ, LY, SA, SD, SY, YE, IR, PK.

Clarke et al., *Dual Nationality Law* (Rep. No. 2002-12440, June 2002). Discusses the constitutional and statutory provisions that allow or address dual citizenship for citizens of the specified jurisdictions. Includes citizenship requirements. Jurisdictions covered: CA, HN, MX, SV, IT.

**National Security**


Glos et al., *Secrecy Laws* (Rep. No. 2003-14655, May 2003). Lists the citations for secrecy laws and notes the substantial provisions of laws related to protecting state secrets. Includes information on the procedures for classifying and declassifying information, access to classified information, usage of classified information, and government oversight agencies. Jurisdictions covered: CZ, HU, RU.

Clarke et al., *Legality of Military Preemptive Strikes* (Rep. No. 2002-13872, October 2002). Analyzes jurisdictional and international provisions regarding preemptive military strikes, including the extent to which provisions are broadly drafted or specifically speak to defending a jurisdiction. Jurisdictions covered: CA, FR, GR, IT, UK.

Atwill et al., *Legal Structure of the National Security Agencies* (Rep. No. 2002-13430, August 2002). Discusses the legal structure of national security agencies, including: statutory provisions creating and authorizing agencies; national police power, its scope and implementation; and intelligence gathering function. Jurisdictions covered: FR, DE, UK, ZA.

**Parentage**

Nehra et al., *Parentage, Filiation, and Paternity Laws* (Rep. No. 2004-00416, April 2004). Evaluates parentage and paternity provisions, especially laws defining legitimacy. Discussions include distinctions between children born in and out of wedlock, the use of acknowledgement and court orders where that distinction is no longer in effect, and any other requirements for legitimacy. Effective dates and retroactive application of laws is also included. Jurisdictions covered: BZ, CR, GY, IN, NG, NC, PH,
VC, All States of Mexico, State of Lagos in Nigeria.

**Petrochemicals**

Examines regulations for foreign development of offshore oil and gas reserves, including: sovereign ownership of national resources; mining rights, leases and licenses; restrictions on foreign capital; statutory definitions of offshore areas; technical, financial, and legal requirements on foreign companies; and use of environmental impact statements. Jurisdictions covered: AO, AU, BR, CN, ID, IN, MX, NO, NL, NZ, RU, UK.

**Pharmaceuticals**

Analyzes the circumstances under which generic drug manufacturers can secure licenses to work with patented inventions, including: the requirements for granting licenses and the terms of those licenses (including those conditions relating to duties and responsibilities of the original patent holder); the circumstances under which courts may compel patent grantees to grant licenses; the extent to which compulsory licensing provisions conform to or conflict with the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS); and EU policies related to compulsory licensing. Jurisdictions covered: AU, CA, EU, JP, NZ, CH.

Examines the legality of contractual provisions imposed by manufacturers that prohibit the export of drugs to other countries from the country those drugs are originally supplied to. Includes background on drug re-importation or parallel trade in light of European Union policies and directives, as well as a discussion of Internet pharmacies affected by such provisions.

Examines the regulatory and policy structures surrounding subsidized and non-subsidized pharmaceuticals, including: the extent to which the lack of state subsidized programs leads to a lack of export controls or alternative regulatory structures; instances where controls regulate Internet pharmacies and the involvement of drug manufacturers in that process; pricing controls; parallel trade within the EU community; and implications for EU members who restrict pharmaceutical exports. Jurisdictions covered: BR, CA, NZ, CN, IL, IN, NI, PL, RU, UK.

Examines how prescription drugs are controlled and managed, including: health care systems and drug coverage; prescription drug regulations covering approval, marketing and advertising; and price controls. Also describes proposed legislative initiatives. Jurisdictions covered: CA, CN, EU, DE, FR, IN, IL, IT, JP, MX, NL, RU, ES, UK.

**Police**

Analyzes the law enforcement and judiciary systems as set out in constitutional and statutory provisions, including: police power and police duties; organizational structure of police departments; training of police officers; prerequisites for joining a police force; internal controls and sanctions, judicial authority; and court systems. Also notes ongoing issues such as corruption and police brutality, and membership in
Interpol, where applicable. Jurisdictions covered: KG, KT, LT, TJ, TM, UZ, AM, MD.

**Postal Services**

Clarke & Shroff, *The Legal Aspects of Postal Services* (Rep. No. 2002-11903, February 2002). Examines the legal framework of how postal services are provided (including privatization proposals), which entities regulate postal services (including the extent to which postal services operate independently of the government), and other regulatory reform. Jurisdictions covered: CA, UK.

**Public Debt**

DeGlopper et al., *Sovereign Debt* (Rep. No. 2002-13892, October 28, 2002). Discusses how countries incur sovereign debt, including the government agency or entity authorized to incur state debt, attributes that distinguish that debt, constitutional or statutory provisions that impose restrictions or create oversight over that debt, and the categories and characteristics of the securities and instruments used. Jurisdictions covered: AU, CA, FR, JP, UK.

**Refugees**

Mwalimu, *Refugees: The Legal Framework* (Rep. No. 2003-14986, July 2003). Analyzes the status and control of refugees, including: definition of a refugee; treaties; detention; crimes committed by refugees; harboring and employing refugees; jurisdictional entry and departure points; deportation; settlements; and relevant citizenship or nationality laws. Jurisdictions covered: Sub-Saharan Africa, TZ, KE, UG.

**Restitution of Property**

Roudik, *Restitution of Property Confiscated by Communist Government* (Rep. No. 2003-14676, May 2003). Specifies policies, provisions and procedures related to returning property seized by Communist governments, and compensation for such property, including: whether there is a specific restitution-related law; eligibility for restitution; dates of government performing seizures and conditions under which seizures were committed; use of vouchers in the restitution process; restitution of religious lands; role of the judiciary in implementing restitution laws; and the use of petition in the absence of specific restitution laws. Jurisdictions covered: AM, AZ, GE, KZ, TM, UZ; BY, BG, HR, MD, RO, YU, UA.

**Sanctions (International Law)**

Palmer et al., *Criminal And Civil Sanctions For Abuses Of The United Nations Oil-For-Food Program In Iraq* (Rep. No. 2004-00727, April 2004). Explores bribery, fraud, and other transnational criminal activities in connection with the Oil-for-Food program (created by U.N. Security Council Resolution 986), an exception to United Nations sanctions imposed on Iraq in U.N. Resolution 661. Also examines the extent to which activities that violate the U.N. resolutions are punishable under the respective national laws of those countries bound by the resolutions. Includes a brief overview of GAO findings regarding how officials circumvented restrictions related to the Oil-for-Food program. Jurisdictions covered: CH, EG, LB, JO, FR, RU, UA, BY.

**Taxation**

Clarke, *Taxation of Savings* (Rep. No. 2003-14557, May 2003). Reviews the extent to which savings are taxed, including related laws and regulations covering the
following: types of retirement savings accounts; compulsory or mandatory funds; whether retirement savings accounts are tax favored; type of tax preference; contribution limits; and rates of taxation for interest or withdrawals. Jurisdictions covered: CA, CL, DE, FR, IT, JP, MX, NL, HK, SE, UK.


Palmer et al., *Corporate Residency for Tax Purposes* (Rep. No. 2002-13369, July 2002). Evaluates requirements on corporations related to taxation, including: residency of companies and non-corporate intermediaries; limited partnerships; dual residence companies; trusts; and corporate management and control. The report contains a comparative summary of all the noted jurisdictions. Jurisdictions covered: AU, BR, CA, FR, MX, NL, DE, UK.

Atwill et al., *Taxation of Mutual Funds* (Rep. No. 2001-10618, March 2001). Describes the forms of mutual funds and the applicable taxes applied to them, including the treatment of non-resident taxpayers, capital gains, and dividends. The report includes a bibliography. Jurisdictions covered: FR, IT, JP.

**Terrorism**

Glos et al., *Suits Against Americans for Acts of Terrorism* (Rep. No. 2003-14887, July 2003). An overview of legislation and policy related to foreign nationals bringing civil lawsuits against the United States or American citizens for acts of terrorism, war crimes, or other violence. Includes discussions of immunity from suit, and the extent to which American citizens are subject to foreign laws when present on foreign soil. Jurisdictions covered: BE, CU, IR, KP; LY, SD, SY.

Salvo et al., *European Legal Cooperation Against Terrorism: Anti-terrorism Legislation and Enforcement* (Rep. No. 2002-13635, September 2002). Analyses post-September 11, 2001 legal responses to terrorism in European jurisdictions, including: immigration, asylum, and tracking of aliens; surveillance, intelligence and cooperation; anti-terrorism laws and measures; terrorist financing and measures. Includes a comparative chart for each jurisdiction detailing pre-September 11 and post-September 11 legal frameworks in each of these 4 areas. Jurisdictions covered: Europe.

Palmer et al., *Terrorism Talking Points* (Rep. No. 2002-13573, September 2002). Provides short summaries, by jurisdiction, of a variety of subjects, including: immigration; wiretapping; identity cards; financial reporting, terrorist funding and asset recovery; prohibited organizations; legislation; international conventions and organizations; criminal provisions; use of Internet; and asylum. Jurisdictions covered: AT, BE, BG, Baltic States, CH, CZ, FR, HR, IE, LU, MT, UK, PT, RU, SK.

DeGlopper et al., *Preventive Detention* (Rep. No. 2002-13512, September 2002). Examines the statutory and judicial provisions governing preventive detention of persons suspected of contemplating illegal activity, including terrorist suspects. Where applicable, also discusses pretrial detention and deportation of detainees. Jurisdictions covered: AU, BR, DE, ES, FR, IN, IT, MX, UK, ZA.

Roudik et al., *European Legal Cooperation Against Terrorism* (Rep. No. 2002-13356, August 2002). Analyses cooperative efforts to fight terrorism, including: pre-September 11, 2001 legislation; computer protection and the Internet; countries that have experienced terrorism and their policy, legislative, and investigative responses; post-September 11, 2001 legislation; and limits to counter-terrorism activity and
cooperation. Jurisdictions covered: AT, BE, BG, CH, CY, CZ, DE, EE, ES, EU, FR, GR, IE, IM, IT, LT, LU, LV, MT, NL, PL, PT, SK, UK.


Vafai et al., Terrorism: Foreign Legal Framework (Rep. Nos. 2001-11621, 2002-12004, 2002-12119, and 2002-12244; November 2001). Evaluates legal provisions related to terrorism, terrorists, or terrorist activity, including, where applicable, policies, statutes and international conventions on the following: Organization and Coordination of Anti-Terrorist Bodies; airport security; bio-terrorism; computer security; financial disclosure and money laundering; national identity cards; criminal jurisdiction; deportation; extradition; restrictions on religious activity; jurisdiction; penalties. Jurisdictions covered: AF, AU, CN, CZ, EU, FR, HK, IN, IR, IT, JP, LR, NL, PK, RU, TR, UK, ZA, IL, KR.

Vafai et al., Terrorism: Foreign Legal Responses (Rep. No. 2001-11538, September 2001). Evaluates legal provisions related to terrorism, terrorists, or terrorist activity, including, where applicable, policies, statutes and international conventions on the following: Organization and Coordination of Anti-Terrorist Bodies; airport security; bio-terrorism; computer security; financial disclosure and money laundering; national identity cards; criminal jurisdiction; deportation; extradition; restrictions on religious activity; jurisdiction; penalties. Jurisdictions covered: AF, AR, ARAB STATES, AU, BIB, CA, CN, CZ, DE, EU, GR, HK, IL, IN, IR, IT, JP, KR, LR, MX, NL, PK, PL, RU, TR, UK.

Tobacco Regulation


Trade

Papademetriou & Feikert, U.S.-U.K. Free Trade Agreement (Rep. No. 2004-00230, December 2003). Examines whether a member of the European Union (EU) can negotiate and enter into trade agreements with a non-member state. Also contains a memorandum that notes the issues around the efficacy of the United Kingdom’s EU membership, and proposals to evaluate that membership. Jurisdictions covered: EU, UK.

Rodriguez-Ferrand et al., Ratification of Trade Agreements (Rep. No. 2002-12263, June 2002). Evaluates the constitutional and statutory provisions that empower the government to conduct foreign affairs and enter into international agreements and conventions, including trade agreements, and presents specific procedures for ratification as well as details on implementing legislation specifically related to trade. Jurisdictions covered: AR, AU, CA, CZ, DE, FR, GR, IN, IT, NL, PL, CN, TW, CH, UK, Soviet Republics: BG, EE, GE, KY, LV, LI, MD.

Evaluates constitutional or statutory provisions that allow parliamentary or legislative bodies to grant the executive (or other negotiating authorities) the authority to deviate from or accelerate normal treaty negotiation or ratification processes for trade agreements. Also discusses specific provisions that grant treaty making authority, and the extent to which general policy provides executives with wide latitude when it comes to treaty negotiation. Jurisdictions covered: AU, BR, CA, CH, UK.

Shroff et al., *Antidumping and Antisubsidy Legislation* (Rep. No. 2001-10748, May 2001). Examines international trade-related antidumping and antisubsidy measures, including: types of duties; assessment, collection and suspension of duties; the relationship between legislation and a jurisdiction’s participation in GATT; retroactivity of provisions; recent investigations; and standards related to protecting the public interest. Jurisdictions covered: AU, CA, EU, MX.

**Traffic Regulation**

Palmer et al., *Cellular Phone Use Regulation While Driving* (Rep. No. 2001-11039, May 2001). Evaluates provisions related to using cell phones while operating a motor vehicle, including statutes and regulations that allow hands-free use, ban use altogether, and provide exceptions. Includes a chart of countries that ban cell phone use by motor vehicle drivers. Jurisdictions covered: AT, BR, CH, DE, ES, FR, IL, IT, JP, GH, PL, TR, TW, UK.

**Treaties & Agreements**


**War Crimes**

Glos et al., *War Crimes and Crimes Against Humanity* (Rep. No. 2001-10233, March 2001). Analyzes the extent to which constitutions and statutes define and proscribe war crimes or crimes against humanity, including: definitions of specific acts (including homicide, forced prostitution, terrorism, taking hostages, barbarism, torture, failure to administer humanitarian assistance, and genocide); whether a statute of limitations applies; the basis for territorial and extraterritorial jurisdiction; and specific criminal or military provisions or policies. Jurisdictions covered: BE, CA, CO, CR, CU, CZ, DE, DJ, ES, FR, GT, ID, IN, PK, IT, LB, LV, MG, MU, MX, MY, NG, PL, RO, RU, SN, SZ, VT, ZA, ZM.