

US v Mousavi

Background Facts

Seyed Mahmood Mousavi faced charges for willfully providing services to Iran, violating the International Economic Emergency Powers Act (IEEPA) and the Iranian Transaction Regulations (ITR). The allegations are based on Mousavi's agreement to provide consulting services to a Kuwaiti company intending to conduct business in Iran.

Legal Questions

The court had to decide whether the evidence of Mousavi entering into an agreement with a Kuwaiti company, with goals for business in Iran, was enough to claim a violation of the ITR. The court also needed to determine how much knowledge was required for a conviction under ITR and see if the evidence supported Mousavi's guilt.

Court's Holding

The Court of Appeals held that the evidence of Mousavi entering into an agreement to provide future services to a Kuwaiti company, with the intention of doing business in Iran, did constitute a violation of the ITR. The court also said that the government only needed to prove that the defendant knew they were acting unlawfully for a conviction.

Reasoning

The court found Mousavi guilty based on his agreement to provide services for a business looking to operate in Iran. They also clarified that to convict someone under these rules, the government needed to show that the person knew they were breaking the law but didn't have to prove that the person knew all the specific details of the law. They took in Mousavi's background as a businessman, his relationship to Iran, and his experience in organizing travel as factors to support that he was aware he violated the law. This case shows how engaging in agreements, without the necessary licenses, can lead to criminal convictions.

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M. Habibur Rahman



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Essential Texts in International Law Stefan Talmon, 2016-08-26 *Essential Texts in International Law* draws together the most important documents needed for the study of international law in a uniquely handy user friendly format Unlike most other texts of this nature the documents are organised according to subject matter for ease of reference United Nations and International Peace and Security State Transactions State Immunity State Responsibility Diplomatic Relations Economic Relations Land Sea Air and Space Human Rights the Environment and International Criminal Law Each document has been allocated a unique number which facilitates navigation for use in the classroom and is complemented by a detailed subject index Key features Concise but authoritative selection of the essential texts makes this focussed and user friendly Intuitive organisation of documents by subject Unique reference number for each document facilitates navigation Small handy reference format for carrying to class

The Essence of International Trade Law: A Guide Bradford Davis, 2012-02-13 Through the use of outlines this text reviews topics commonly found in an International Trade Law course For students this may be an excellent reference to utilize when enrolled in International Trade Law Perhaps a topic requires clarification or you were unable to read the day's lesson this text may be exactly what you need For the instructor as well as others a basic understanding of topics related to International Trade Law may be gained from reviewing these materials Simple outlines are included on topics such as payment carriage contracts and marine insurance all requiring a basic understanding which this book offers Utilize the outlines prior to or to simply follow along with your reading At the end of each chapter several pages are blank for notes SAMPLE EXAM QUESTIONS FORMS and READINGS are included In short this text may allow you to WORK SMARTER

Environmental Law in Taiwan Anton Ming-Zhi Gao, 2023-01-20 Derived from the renowned multi volume International Encyclopaedia of Laws this book provides ready access to legislation and practice concerning the environment in Taiwan A general introduction covers geographic considerations political social and cultural aspects of environmental study the sources and principles of environmental law environmental legislation and the role of public authorities The main body of the book deals first with laws aimed directly at protecting the environment from pollution in specific areas such as air water waste soil noise and radiation Then a section on nature and conservation management covers protection of natural and cultural resources such as monuments landscapes parks and reserves wildlife agriculture forests fish subsoil and minerals Further treatment includes the application of zoning and land use planning rules on liability and administrative and judicial remedies to environmental issues There is also an analysis of the impact of international and regional legislation and treaties on environmental regulation Its succinct yet scholarly nature as well as the practical quality of the information it provides make this book a valuable resource for environmental lawyers handling cases affecting Taiwan Academics and researchers as well as business investors and the various international organizations in the field will welcome this very useful guide and will appreciate its value in the study of comparative environmental law and policy *Enforcement*

of European Union Environmental Law Martin Hedemann-Robinson, 2015-05-15 Offering a detailed account of the various legal arrangements at European Union level this book is an ideal reference tool for practitioners and legal scholars As well as examining the principal sources of EU environmental law enforcement it also contributes to the legal and political debates that surround the subject Spanning three parts the author examines the practical impact of the legal arrangements at Union level that are used to uphold EU environmental norms Offering a comprehensive account of the current state of EU environmental law enforcement and the developments affecting it Martin Hedemann Robinson explores the role of the European Commission the possibilities for private law enforcement and the responsibilities of member state national authorities Key legal developments that have occurred since the first edition have been incorporated including new statutory developments and case law Particular attention is paid to the impact of the 2007 Lisbon Treaty on foundational EU treaty provisions enabling the European Commission to take legal action against EU member states infringing Union environmental law the establishment of a new legal architecture at Union level on the topic of environmental criminal policy as well as increased EU legislative intervention in the area of environmental inspections The impact of the 1998 Aarhus Convention on EU environmental law enforcement is also addressed in detail including the influence of recommendations of the Aarhus Convention's Compliance Committee

Environmental Principles Nicolas de Sadeleir, 2020 With more states paying heed to environmental principles as catalysts for improving their environmental law this book traces the evolution of environmental principles from their origins to their embodiment in enforceable laws This edition will integrate to a greater extent the relationship between environmental principles and human rights

Legal Regime of Marine Environment in the Bay of Bengal M. Habibur Rahman, 2007 There Is A Growing Concern About The Change In Composition Of The Atmosphere Depletion Of The Ozone Shield Pollution Of Marines And Rapid Population Growth Leading To Alarming Imbalance Between Population And Resources Concerted Efforts Are Being Made Across The World To Curb The Environmental Degradation The Un Conference On The Human Environment Held In Stockholm In 1972 Marked The Beginning Of The Development Of International Environmental Law By Soft Law Mechanism With The Un Convention On The Law Of The Sea 1982 The State Parties Have Been Made Obligatory To Protect The Marine Environment Including All The Resources Therein The Present Book Is A Treatise On The Legal Regime Of The Marine Environment In The Bay Of Bengal It Provides A Comprehensive Description And Assessment Of The Legal Regime Governing This Particular Maritime Area It Focuses On Its Protection Preservation And Development It Deals With Fisheries As Well As The Protection Of The Environment Against Pollution And The Discharge Of Waste From Land Beginning With The Study Of Fisheries Management In The Bay Of Bengal The Book Includes In Its Study The Major Agreements And Protocols International Documents On Marine Environment Seabed Mining And Its Consequences Settlement Of Environmental Disputes And The Present Day Socio Economic Condition In The Bay Of Bengal Region The Book Also Provides A Bibliography To Enable The Readers To Pursue Their Study Further The Index That

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Change Law and Policy Javier De Cendra de Larragán, 2011-01-01 Climate change policy inevitably has two core components the goals and the means chosen to pursue those goals Decisions on goals and means necessarily have distributional consequences Any policy choice generates winners and losers While this outcome cannot be avoided even doing nothing leads to distributional consequences policymakers can through the choice design and implementation of policies shape to some extent the distribution of the burdens of mitigation and adaptation to climate change In greater depth than any previous legal study in the field this book deals with the way in which the European Union EU has dealt with climate change and with the distribution of the benefits and costs of climate change mitigation policies among affected parties With extraordinary thoroughness the author assesses the legality of choices made particularly concerning mitigation targets and timelines and examines the role that legal principles can play in the adoption interpretation and judicial testing of distributional choices His analysis of the tension between such choices and EU law is bolstered by an exploration of emerging legal principles which could provide additional guidance in this challenging and controversial area Among the core issues dealt with are the following relationship among mitigation adaptation and sustainable development regulations as means to make distributional choices distributional choices between generations and the principle of intergenerational justice distributional choices concerning firms and individuals the participation of affected parties in distributional choices access to justice in EU courts to challenge violations of procedural environmental rights the role of legal principles in making evaluating and testing distributional choices the principle of proportionality with its tests of appropriateness and necessity the principle of equality the precautionary principle the principle of prevention the polluter pays principle A concluding chapter offers deeply informed recommendations regarding the design of EU climate change law including a preliminary assessment of EU wide personal carbon trading In its insightful illumination of how the inevitable trade offs weaknesses inconsistencies and ambiguities in the way law deals with distributional choices renders them vulnerable to external pressures this book will be of enormous value to regulators and policymakers concerned with effective efficient and fair climate change measures As a critical assessment of existing EU climate change laws and policies and as a systematic analysis of the problem of burden sharing this book will also prove highly valuable to academics in environmental fields of study Corporate Environmental Accountability in International Law Elisa Morgera, 2020-09-03 This fully updated second edition of Corporate Accountability in International Environmental Law examines systematically all international sources of corporate accountability standards with specific reference to environmental protection and elaborates on their theoretical

and practical implications for international environmental law The book argues that although international environmental law does not bind multinational corporations and other business entities growing practice points to the emergence and consolidation of international legal standards These standards allow adapting and translating inter State obligations embodied in international environmental law into specific normative benchmarks to determine the legitimacy of the conduct of the private sector against internationally recognized values and rules The role of international organizations who in the absence of State intervention identify and promote the application of selected international environmental standards is analyzed in depth This analysis demonstrates how these international organizations are a driving force in establishing and operationalizing international standards for corporate environmental accountability The new edition includes a recent assessment of the Rio 20 Summit analysis of the UN Framework on Business and Human Rights and the 2012 Performance Standards It contains a discussion on the role of fair and equitable benefit sharing under the Convention on Biological Diversity and international human rights law and analysis of the monitoring practice of the UN Special Rapporteur on Indigenous Peoples Rights This is an open access title available under the terms of a CC BY NC ND 4 0 International licence It is offered as a free PDF download from OUP and selected open access locations *Handbook of Terminology* Łucja Biel, Hendrik J. Kockaert, 2023-12-15 As a core component of legal language used to draft enforce and practice law legal terms have fascinated lawyers linguists terminologists and other scholars for centuries Third in the series this Handbook offers a comprehensive compendium of the current state of knowledge on legal terminology It is the first attempt to bring together perspectives from the domains of Terminology Translation Studies Linguistics Law and Information Technology in a single place This interdisciplinary endeavour comprises systematic reviews case studies and research papers which overview key properties of legal terms and concepts terminological tools and resources training aspects as well as translation in national contexts and multilingual organizations The Handbook attests to the complex multifaceted nature of legal terminology and showcases its cultural communicative cognitive and social contexts in diverse legal systems It is a rich resource for scholars practitioners trainers and students presenting vibrant research and practice in this area

Environmental Law and Governance for the Anthropocene Louis Kotzé, 2017-06-15 The era of eco crises signified by the Anthropocene trope is marked by rapidly intensifying levels of complexity and unevenness which collectively present unique regulatory challenges to environmental law and governance This volume sets out to address the currently under theorised legal and consequent governance challenges presented by the emergence of the Anthropocene as a possible new geological epoch While the epoch has yet to be formally confirmed the trope and discourse of the Anthropocene undoubtedly already confront law and governance scholars with a unique challenge concerning the need to question and ultimately re imagine environmental law and governance interventions in the light of a new socio ecological situation the signs of which are increasingly apparent and urgent This volume does not aspire to offer a univocal response to Anthropocene exigencies and

phenomena Any such attempt is in any case unlikely to do justice to the multiple implications and characteristics of Anthropocene forebodings What it does is to invite an unrivalled group of leading law and governance scholars to reflect upon the Anthropocene and the implications of its discursive formation in an attempt to trace some initial often radical future facing and imaginative implications for environmental law and governance

Human Rights and Environmental Protection Marek Prityi, 2024-11-15 This book explores the complex relationship between human rights and environmental protection It analyzes the concept of environmental procedural rights from a comparative perspective in the European Union India and China Arguing the need to apply a holistic approach which acknowledges the interlinkages between democracy environmental protection and climate change it examines both theoretical and practical dimensions of the topic with case studies drawn from empirical research The work highlights the important role of environmental procedural rights at the intersection of environmental law and human rights emphasizing the need for effective channels of communication between citizens and public authorities The study calls for the taking into account of non binding recommendations such as the Maastricht Recommendations on Promoting Effective Public Participation in Environmental Matters for developing public participation procedures in a manner that allows authorities to tailor these to the needs and situations of marginalized people The book will be a valuable resource for academics researchers and policy makers working in the areas of environmental law international human rights law and transnational law and governance

United Nations Convention on the Law of the Sea, 1982 Myron H. Nordquist, Shabtai Rosenne, 1985 These commentaries are based almost entirely on the formal and informal documentation of the Third United Nations Conference on the Law of the Sea UNCLOS III 1973 1982 coupled where necessary with the personal knowledge of editors contributors or reviewers many of whom were principal negotiators or UN personnel who participated in the Conference

Purposive Interpretation in Law Aharon Barak, 2011-10-16 This book presents a comprehensive theory of legal interpretation by a leading judge and legal theorist Currently legal philosophers and jurists apply different theories of interpretation to constitutions statutes rules wills and contracts Aharon Barak argues that an alternative approach purposive interpretation allows jurists and scholars to approach all legal texts in a similar manner while remaining sensitive to the important differences Moreover regardless of whether purposive interpretation amounts to a unifying theory it would still be superior to other methods of interpretation in tackling each kind of text separately Barak explains purposive interpretation as follows All legal interpretation must start by establishing a range of semantic meanings for a given text from which the legal meaning is then drawn In purposive interpretation the text's purpose is the criterion for establishing which of the semantic meanings yields the legal meaning Establishing the ultimate purpose and thus the legal meaning depends on the relationship between the subjective and objective purposes that is between the original intent of the text's author and the intent of a reasonable author and of the legal system at the time of interpretation This is easy to establish when the subjective and objective purposes coincide But when they don't the relative

weight given to each purpose depends on the nature of the text For example subjective purpose is given substantial weight in interpreting a will objective purpose in interpreting a constitution Barak develops this theory with masterful scholarship and close attention to its practical application Throughout he contrasts his approach with that of textualists and neotextualists such as Antonin Scalia pragmatists such as Richard Posner and legal philosophers such as Ronald Dworkin This book represents a profoundly important contribution to legal scholarship and a major alternative to interpretive approaches advanced by other leading figures in the judicial world

Sustainable Energy Development Gamze Tanil,2023-05-23 This book investigates how the EU member states domestic energy policies have transformed in the last two decades as a consequence of horizontal and vertical integration forces Integration is a dynamic process where member states adopt community rules norms and values and meanwhile learn from each other s experiences Today Europe experiences an energy transition from fossil fuels to cleaner sources of energy and European policy makers are committed to taking this significant step forward Domestic structural change is thus observed in all member states environmental and energy policies This book presents an overview of the EU norms legislation and policy standards for renewable energies and analyses how member states transpose them into their domestic structure The book also analyses the policy outcomes in the EU member states in a comparative perspective by using the most recent statistical data This comparative analysis gives insight to investors and developers to decide on investment projects and or manufacturing of renewable energy devices to these countries It also provides a useful reference for policy makers academics students and NGOs who need a quick overview of relevant national and EU legislation policy standards and policy outcomes

The Ashgate Handbook of Legal Translation Le Cheng,King Kui Sin,Wagner Anne,2016-04-01 This volume investigates advances in the field of legal translation both from a theoretical and practical perspective with professional and academic insights from leading experts in the field Part I of the collection focuses on the exploration of legal translatability from a theoretical angle Covering fundamental issues such as equivalence in legal translation approaches to legal translation and the interaction between judicial interpretation and legal translation the authors offer contributions from philosophical rhetorical terminological and lexicographical perspectives Part II focuses on the analysis of legal translation from a practical perspective among different jurisdictions such as China the EU and Japan offering multiple and pluralistic viewpoints This book presents a collection of studies in legal translation which not only provide the latest international research findings among academics and practitioners but also furnish us with a new approach to and new insights into the phenomena and nature of legal translation and legal transfer The collection provides an invaluable reference for researchers practitioners academics and students specialising in law and legal translation philosophy sociology linguistics and semiotics

Judicial Handbook on Environmental Law Dinah Shelton,Alexandre Charles Kiss,2005 This handbook is intended to enable national judges in all types of tribunals in both civil law and common law jurisdictions to identify environmental issues coming before them and to be aware of the range of options available to them in

interpreting and applying the law It seeks to provide judges with a practical guide to basic environmental issues that are likely to arise in litigation It includes information on international and comparative environmental law and references to relevant cases P iii *The Precautionary Principle in Marine Environmental Law* Bénédicte Sage-Fuller,2013-07-18 The book examines whether the jurisdiction of coastal States under international law can be extended to include powers of intervention towards vessels posing a significant risk to their coastal and marine environment but which have not yet been involved in any incident or accident The books sets out how it is that coastal State jurisdiction can indeed be seen as including powers of intervention towards High Risks Vessels before an incident or accident happens on the basis of the precautionary principle The precautionary principle requires taking action when a risk of damage to the environment is suspected but cannot be confirmed scientifically The book thus considers the potential opportunities for the coastal state under international law to regulate international shipping where they consider vessels to an unacceptable risk to the environment in order to prevent or minimise the risk of occurrence of the accident or incident leading to damage The book acknowledges that this puts into question some very old and established principles of the law of the sea most importantly the principle of freedom of navigation But B n dicte Sage Fuller contends that this change would itself be a consequence of the evolution since the end of WWII of on the one hand international law of the sea itself and of international environmental law on the other hand *Aboriginal Dreaming Paths and Trading Routes* Dr Dale Kerwin,2011-12-07 Highlights the contribution Aboriginal people made in assisting European explorers surveyors and stockmen to open the country for colonisation and explores the interface between Aboriginal possession of the Australian continent and European colonisation and appropriation Sports Law Jack Anderson,2023-08-14 In this essential primer on the key themes in sports law Jack Anderson explains how law has become important to all aspects of sport including participation administration and the resolution of disputes Crossing legal jurisdictions and sporting codes it covers issues ranging from ambush marketing to broadcasting corruption and doping **International Environmental Law** Vasilka Sancin,2012

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