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English Course for Law Enforcement Professionals

Part III

Курс професійної
англійської мови
для правоохоронців
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Укладено відповідно до навчальної програми для здобувачів освітнього ступеня «бакалавр» з метою підготовки їх до практичних занять, контрольних робіт, заліків, іспитів, поточного чи семестрового контролю. Вміщено 8 уроків (Units), кожен із яких охоплює тексти та післятекстові завдання лексичного, комунікативного і граматичного характеру.

Для здобувачів вищої освіти, котрі використовуватимуть англійську мову за професією в галузі правоохоронної діяльності та правознавства.

English Course for Law Enforcement Professionals is a specialized textbook, compiled in accordance with the curriculum for applicants for the bachelor degree and aimed at assisting them in preparation for practical classes, tests, credits, exams, current or final control works. The textbook consists of 8 units, each of which contains texts and post-texts lexical, communicative and grammatical exercises.

For applicants for the bachelor degree, who will use English in their professional activity in the field of law enforcement and jurisprudence.

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ПЕРЕДМОВА

Метою вивчення іноземної мови професійного спрямування є насамперед оволодіння комунікативною компетенцією, рівень якої має бути не нижче такого, що дає змогу використовувати мову у практичних цілях. Фахівці з вищою освітою, зокрема правоохоронці, повинні вміти за допомогою іноземної мови здійснювати професійну комунікацію в усній і письмовій формах.

Посібник **English Course for Law Enforcement Professionals** призначений для здобувачів вищої освіти, які застосовуватимуть знання з англійської мови у своїй практичній роботі в галузі правоохоронної діяльності та правознавства.

Окрім навчальних цілей, завдання посібника – стимулювати когнітивну діяльність здобувачів вищої освіти, розвивати їх уміння висловлювати думки чітко, логічно і послідовно, об'єктивно аналізувати факти.

Запропоноване видання містить 8 уроків (Units), об'єднаних за тематикою: «Law and Legal System», «Civil Law. Civil Cases», «Criminal Law», «Drugs. Drug-Related Crimes», «Organized Crime», «International Law (1). History and Purpose of International Law. Sources of International Law», «International Law (2). International Criminal Law. International Security Law. International Human Rights Law», «International Police Cooperation. INTERPOL». Тексти уроків адаптовані зі сучасних англомовних навчальних джерел. Структура уроків посібника уніфікована. Кожен урок містить текст та післятекстові завдання лексичного і комунікативного характеру. В кінці кожного уроку подано практичні завдання, максимально наближені до реальних комунікативних ситуацій, пов'язаних із темою, що вивчається. До кожного уроку запропоновано матеріали для додаткового читання, які рекомендуються для самостійного опрацювання і містять інформацію, що доповнює і поглиблює тему. Посібник доповнено англо-українським словником найуживаніших виразів та юридичних термінів.

Видання можна використовувати як базовий чи додатковий матеріал для засвоєння англійської мови професійного спрямування на заняттях в аудиторії і для самостійної роботи.

UNIT 1

LAW AND LEGAL SYSTEM

LAW AND BRANCHES OF LAW

Can you define?

authority	litigation	to adopt
execution	public law	to impose
justice	private law	to obey
legal entities	sanction	to promote
legislator	tacit	to resolve

Do you know?

- What is law?
- What are the functions of law?
- What are the main branches of law?

READING

The word «law» has multiple meanings that change over time. Law is defined as «a body of standards of behavior or conduct prescribed by controlling power, and having binding legal force» in Black's Law Dictionary. A law is something that people have to respect and abide by or face penalties or legal repercussions.

Law is a set of guidelines established and upheld by societal or governmental entities to control behavior. State-enforced laws can be made by a group legislature or by a single legislator, resulting in statutes; by the executive through decrees and regulations; or established by judges through precedent, usually in common law jurisdictions. Private individuals may create legally binding contracts, including arbitration agreements that adopt alternative ways of resolving disputes to standard court litigation. The creation of laws themselves may be influenced by a constitution, written or tacit, and the rights encoded therein. The law influences politics, economy, history, and society in a variety of ways and mediates interpersonal conflicts.

The law can be used in a country to (1) maintain the peace, (2) keep things as they are, (3) protect individual rights, (4) defend minorities

from majorities, (5) advance social fairness, and (6) facilitate orderly social change. These objectives are better served by some legal systems than by others.

Branches of Law

There are two categories of traditional legal standards: public law and private law.

The **public law** consists of all the rules of law relating to the organisation and functioning of the State and to relations between public authorities and individuals. It includes such branches of law as:

- Constitutional Law
- Criminal Law
- Administrative Law
- Financial Law

The **private law** is a system of rules governing relations between private individuals and legal entities. It includes the following branches:

- Civil Law
- Family Law
- Labor Law
- Commercial Law

Branches of Law in Ukraine

Such a division of legal norms is not typical of the legal system of Ukraine, because here traditionally the branches of law are distinguished by the subject of legal regulation and, in particular, from these positions there are such branches of law in Ukraine:

- *Constitutional law*, regulating interactions between the state and municipal governments as they are organized and exercised;
- *Administrative law*, managing relationships in the area of public authority management activity, and deciding what behaviors are considered administrative violations and what sanctions should be imposed on offenders;
- *Financial law*, which governs the relationships that emerge throughout the financial actions of public authorities, including the mobilization, distribution, redistribution, and consumer spending of public funds;
- *Civil law*, governing property and personal non-property relations;
- *Labor law*, which governs the relationships people enter into in connection with their jobs;
- *Family law*, which regulates marital and family relations;

- *Criminal law*, which determines what constitutes criminal behavior and the appropriate sanctions for offenders;
- *Land law*, which regulates the relations that emerge during the land use process;
- *Environmental law*, which regulates the relations that develop in the process of nature management;
- *Civil procedural law*, which regulates how civil disputes are handled by the court and how decisions are carried out by the court;
- *Criminal procedure law*, which defines the sequence of the pre-trial inquiry and criminal case trial, therefore regulating the relationships that arise during the course of the proceedings in criminal cases.

LEGAL SYSTEM

Can you define?

adherence	mandatory	to contradict
codified	normative act	to empower
deterrence	pandect	to facilitate
hierarchy	redress	to implement
legal system	resolution	transaction

Do you know?

- What are the main types of the legal system?
- What functions does the legal system perform?
- What are the features of the legal system in Ukraine?

READING

The two basic types of **legal systems** are common law and civil law. The significance of this distinction, according to contemporary scholars, has gradually diminished because modern legal systems share many characteristics that were once thought to be exclusive to common law or civil law. This is because modern legal systems have undergone a great deal of legal transplantation. The third form of legal system, which some nations accept without separating church and state, is religious law that is founded on the Bible. A nation's history, relationships with other nations, or adherence to international norms frequently influence the type of political system the nation employs. Any legal system's distinguishing characteristics are the sources that states accept as being legally binding.

The legal system as a whole is performing its four key functions: the deterrence of wrongful conduct, the facilitation of voluntary transactions, the resolution of private disputes, and the redress of the abuse of government power.

Legal System in Ukraine

Ukrainian legal system by its nature belongs to the Romano-Germanic legal family (the continental law system). This indicates that it is built on a pandect system, where codified laws serve as the primary sources of legislation. Additionally, it contains a clearly defined hierarchy of normative acts.

Despite its shortcomings and complexities, Ukraine's current legal system does offer a certain legal foundation for conducting business and for protecting the legitimate interests of those participating in it.

As with any civil law system, Ukraine's legal system is based on laws adopted by the Supreme Rada (the Parliament), with the Constitution being the fundamental law, followed by various codes (Civil Code, Criminal Code, Labor Code, Subsoil Code, etc.), followed by laws of general nature and laws of special nature. The main issue with Ukrainian laws is that they are frequently unstable and of poor quality. It can be challenging for everyone, including judges, to grasp which laws apply to specific situations at a given moment or, even more challenging, to make plans for the future because laws are always changing and occasionally contradicting one another.

The implementation of laws adopted by the Rada is based on subsequent edicts, decrees, regulations, etc., adopted by the President, Cabinet of Ministers, National Bank and various ministries (regulations adopted by the ministries are subject to mandatory review and registration by the Ministry of Justice).

It is significant to draw attention to one peculiar, yet temporary, feature of the current Ukrainian legal system: the President of Ukraine has the authority to issue Presidential Edicts, which have the same legal effect as laws on economic matters that are not covered by existing laws. If the Rada does not veto such decrees within 30 days, they become law. This element was designed to encourage a more conservative Rada to pass laws that favor the market more quickly and to provide the President the authority to intervene when the Rada moved too slowly.

FOLLOW-UP

Exercise 1. Match the words with their definitions.

- | | |
|--------------|-----------------|
| 1. sanction | 5. resolve |
| 2. tacit | 6. statute |
| 3. codify | 7. jurisdiction |
| 4. mandatory | 8. litigation |

- a) to arrange laws, rules, etc according to a system;
- b) to decide or express by formal vote, separate (something) into constituent parts, or come up with a solution;
- c) official authorization, sanction meant to compel compliance or conformity;
- d) the process of bringing or defending a claim, etc before a lawcourt;
- e) the official power to make legal decisions and judgements about sth;
- f) required by law or by certain rules; compulsory;
- g) not spoken, implied by or inferred from actions or statements;
- h) a law passed by an official ruling body and written down formally.

Exercise 2. Scan the texts. Are the statements true (T) or false (F)?

- 1. Resolving private disputes is one of the roles played by the legal system.
- 2. Constitutional law is one of the subfields of private law.
- 3. A law is a set of guidelines established and upheld by societal or non- governmental agencies to control behavior.
- 4. One of the roles of the law is to promote social fairness.
- 5. Administrative law establishes the behaviors that constitute administrative offenses and the sanctions to be imposed on offenders.
- 6. The ability of the Ukrainian Cabinet of Ministers to issue Presidential Edicts is an odd aspect of the existing legal system in Ukraine.

Exercise 3. Match the two halves. Use the expressions in the sentences of your own.

- | | |
|-------------------|---------------|
| 1. administration | a) litigation |
| 2. arbitration | b) behavior |
| 3. controlling | c) relations |
| 4. court | d) authority |

- | | |
|-------------------|------------------|
| 5. legal | e) acts |
| 6. non-property | f) laws |
| 7. normative | g) offences |
| 8. pre-trial | h) investigation |
| 9. state-enforced | i) consequence |
| 10. to regulate | j) agreements |

Exercise 4. Complete the table of words from the texts and active vocabulary.

Noun	Adjective	Verb
	legal	
justice		
		to adopt
		to regulate
investigation		
	codified	
authority		

Exercise 5. Translate the following words and word-combinations using active vocabulary.

Court litigation, галузі права, exercise of state power, захищати меншини, state-enforced laws, оберігати особисті права, регулювати відносини, subject to sanctions, немайнові відносини, legal consequence, застосувати покарання, to impose on perpetrators, кримінально-процесуальне право, to resolve disputes, відшкодування зловживань владою, adherence to international standards, mandatory review, застосування законів.

Exercise 6. Match the synonym to the underlined word.

1. The company has consistently denied responsibility, but it agreed to the settlement to avoid the expense of lengthy litigation.

- a) offense
- b) lawsuit
- c) investigation

2. The minister is calling for mandatory prison sentences for people who assault police officers.

- a) compulsory
- b) unrequired
- c) possible

3. The President is predisposed towards negotiation and favours a peaceful way of resolving the crisis.

- a) contributing
- b) facilitating
- c) deciding

4. Therefore, the models include measures of deterrence as well as legitimacy and trust, in addition to control demographic variables.

- a) containment
- b) adherence
- c) execution

5. Some politicians fear that agreeing to the concession would set a dangerous precedent.

- a) case
- b) criterion
- c) verdict

6. Not making a will can have serious consequences for your children and other family members.

- a) reasons
- b) effects
- c) difficulties

Exercise 7. Fill in the blanks with the correct words from the word bank.

courts	secure	justice	responsibilities
obligation	enforcement	endeavors	legislative

What is the Legal System?

The legal system includes rules, procedures, and institutions by which public initiatives and private ... can be carried out through legitimate means. In other words, it is a system for interpreting and enforcing the laws. It elaborates the rights and ... in a variety of ways.

Jurisdiction's basis of applying law consists of (1) a constitution, written or oral; (2) primary legislation, statutes, and laws; authorized

by constitutionally authorized ... body; (3) primary legislation approved body enacts subsidiary laws or bylaws; (4) traditional practices upheld by the ...; (5) Civil, common, Roman, or other code of law as source of such principles or practices.

Most of us acknowledge the importance of the legal system in our society. As members of a community, we have a social ... to the people around us to create a safe environment for everyone and make us feel ... walking the streets and dealing fairly with one another. However, though we abide by these laws and rules each day, we are not the ones responsible for their ..., whether we choose to break or follow the law, is up to each person and enforcement falls into the hands of the criminal ... system.

Exercise 8. Complete the following text with the correct prepositions.

There are such legal systems ... the world today as: civil law, common law, customary law, religious law, and mixed legal systems.

Civil law systems have their origin in the Roman legal tradition. Civil systems vary widely, both ... procedure and substantive law, so conducting research ... a particular nation's civil law system should include looking ... that nation's specific system of law, but they do have some trademark characteristics. Nations with civil law systems have comprehensive, frequently updated legal codes. Most importantly, case law is a secondary source ... these jurisdictions. France and Germany are two examples ... countries ... a civil law system.

Common law systems, while they often have statutes, rely more .. precedent, judicial decisions that have already been made. Common law systems are adversarial, rather than investigatory, with the judge moderating ... two opposing parties. The legal system in the United States is a common law system (with the exception of Louisiana, which has a mix of civil and common law).

Customary law systems are based ... patterns of behavior (or customs) that have come to be accepted as legal requirements or rules of conduct within a particular country. The laws of customary legal systems are usually unwritten and are often dispensed ... elders, passed down through generations. As such, customary law research depends greatly ... the use of secondary sources. Oftentimes, customary law practices can be found in mixed legal system jurisdictions, where they have combined ... civil or common law.

Religious legal systems are systems where the law emanates ... texts or traditions

... a given religious tradition. Many Islamic nations have legal systems based in whole or in part ... the Quran.

Mixed legal systems refer ... legal systems where two or more of the above legal systems work together.

DISCUSSION QUESTIONS

Exercise 9. Read the text. Discuss the questions after the text.

10 Unusual laws from around the world

We must adhere to a number of laws and rules. But some nations have rules that are so bizarre that it's difficult to believe they're real or even necessary.

1. Except while attending a funeral or visiting a patient in the hospital, Milanese citizens are not allowed to frown in public.

2. In Singapore, it's against the law to chew gum. Actually, no gum is bought or sold here. According to the law, public areas are supposed to be kept tidy.

3. Lifting one's feet off the ground while riding a bicycle is prohibited in Mexico because it increases the risk of the rider losing control.

4. Flushing a toilet in an apartment complex after 10 p.m. is illegal in Switzerland.

5. Why did the chicken cross the road? Who knows? But it is better to think twice if you own chickens in Quitman, Georgia. It's illegal for a chicken to cross the road there!

6. In other chicken news, it's illegal to fly in a hot air balloon in New Zealand with a rooster.

7. Bringing a lion to the cinema is against the law in Baltimore, Maryland.

8. It's against the law to forget your wife's birthday in Samoa.

9. In Scotland, if someone knocks on your door and says they need to use the restroom, you have to let them in.

10. It's illegal to climb a tree in Oshawa, Ontario.

– Which of the laws above do you consider the most unusual? Why?

– What strange laws do you have in your country?

Exercise 10. Read the text from Supplementary Material. Then study the following situations and answer the question at the end of each situation.

1. Vandana Shiva draws a picture of a stream in a forest. According to her, the stream is considered unproductive in our society if it is just there, providing water for women's families and communities, until engineers come along and play with it, possibly damming it and exploiting it to generate hydropower. If a forest isn't replaced by a monoculture plantation of a business-oriented species, the same is true of it. A forest may very well be productive, safeguarding groundwater, producing oxygen, giving locals access to fruit, fuel, and craft materials, and providing a home for animals that are likewise significant resources. She challenges the notion that neither the forest nor the river can be viewed as a useful resource if there is no monetary amount that can contribute to the gross domestic product. Which legal school does her criticism represent?

2. Anatole France said, «The law, in its majesty, forbids rich and poor alike from sleeping under bridges». Which school of legal thought is represented by this quote?

3. Adolf Eichmann, a devoted National Socialist Party supporter in the Third Reich, put in a lot of effort during World War II to pick up Jews for internment and ultimately extermination in concentration camps like Auschwitz and Buchenwald. After an Israeli «extraction team» took him from Argentina to Israel, he was put on trial for «crimes against humanity». His defense was that he was «just following orders». Explain why Eichmann was not an adherent of the natural-law school of legal thought.

SUPPLEMENTARY MATERIAL

Read the text. Distinguish different philosophies of law – schools of legal thought – and explain their relevance.

Schools of Legal Thought

There are different schools (or philosophies) concerning what law is all about. The two primary schools of legal philosophy, commonly known as jurisprudence, are legal positivism and natural law. These two, though there are others, have the most impact on how people see the law.

Legal Positivism: Law as Sovereign Command

As legal philosopher John Austin concisely put it, «Law is the command of a sovereign». To put it another way, a law can only be considered legal if it originates from a recognized authority and can be enforced by that authority, or by a sovereign with power over a certain region or territory, such as a king, president, or dictator. According to the philosophical movement known as positivism, science is the only source of information that is accurate enough to be useful. But how should we interpret the social phenomenon of laws?

We could examine existing statutes – executive orders, regulations, or judicial decisions – in a fairly precise way to find out what the law says. For example, we could look at the posted speed limits on most US highways and conclude that the «correct» or «right» speed is no more than fifty-five miles per hour. Alternately, we may dig a little deeper and see how the written legislation is typically applied. Doing so, we might conclude that sixty-one miles per hour is generally allowed by most state troopers, but that occasionally someone gets ticketed for doing fifty-seven miles per hour in a fifty-five miles per hour zone. Either approach is empirical, even if not rigorously scientific. The first approach, examining in a precise way what the rule itself says, is sometimes known as the «positivist» school of legal thought. The second approach – which relies on social context and the actual behavior of the principal actors who enforce the law – is akin to the «legal realist» school of thought.

The positive-law school of legal thought would recognize the lawmaker's command as legitimate; questions about the law's morality or immorality would not be important. In contrast, the natural-law school of legal thought would refuse to recognize the legitimacy of laws that did not conform to natural, universal, or divine law. If a lawmaker issued a command that was in violation of natural law, a citizen would be morally justified in demonstrating civil disobedience. For example, in refusing to give up her seat to a white person, Rosa Parks believed that she was refusing to obey an unjust law.

Natural Law

The natural-law school of thought emphasizes that a fundamental moral code should serve as the foundation for all laws. Natural law was «discovered» by humans through the use of reason and by choosing between that which is good and that which is evil. Here is the definition of natural law according to the *Cambridge Dictionary of Philosophy*: «Natural law, also called the law of nature in moral and political

philosophy, is an objective norm or set of objective norms governing human behavior, similar to the positive laws of a human ruler, but binding on all people alike and usually understood as involving a superhuman legislator». *Cambridge Dictionary of Philosophy*.

The natural-law perspective is similar to that of the US Constitution and UN Charter in that it emphasizes certain objective principles and human rights of persons and nations.

The natural-law school has been very influential in American legal thinking. The idea that certain rights, for example, are «unalienable» is consistent with this view of the law. Individuals may have «God-given» or «natural» rights that government cannot legitimately take away. Government only by consent of the governed is a natural outgrowth of this view.

Other Schools of Legal Thought

The historical school of law believes that societies should base their legal decisions today on the examples of the past. Precedent would be more important than moral arguments.

The legal realist school flourished in the 1920s and 1930s as a reaction to the historical school. Legal realists have argued that because society and life are in perpetual flux, certain rules and doctrines must be updated or modified to remain relevant. Legal realists valued the social context of law more than the formal application of precedent to existing or pending legal conflicts. Legal realists noticed that judges had their own opinions, operated in a social environment, and would make legal decisions based on those beliefs and their own social context rather than assuming that judges always behaved objectively when applying an existing rule to a set of circumstances.

The legal realist view influenced the emergence of *the critical legal studies (CLS) school of thought*. The «Crits» believe that the social order (and the law) is dominated by those with power, wealth, and influence. The CLS school believes the wealthy have historically oppressed or exploited those with less wealth and have maintained social control through law. In so doing, the wealthy have perpetuated an unjust distribution of both rights and goods in society.

Related to the CLS school, yet different, is *the ecofeminist school of legal thought*. This school emphasizes – and would modify – the long-standing domination of men over both women and the rest of the natural world. Ecofeminists contend that man's exploitation and destruction of the natural environment are both caused by the same

social mentality that leads to the exploitation of women. They would say that male ownership of land has led to a «dominator culture,» in which man is not so much a steward of the existing environment or those «subordinate» to him but is charged with making all that he controls economically «productive». Until the nineteenth century, legal systems mainly granted rights to males with land solely, and wives, children, land, and animals were considered as economic resources. According to ecofeminists, even though some countries have begun recognizing the rights of children, animals, and the environment, as well as increasing civil and political rights for women (such as the right to vote), the legacy of the past for the majority of countries still confirms «man's» supremacy over both nature and women.

UNIT 2

CIVIL LAW. CIVIL CASES

CIVIL LAW

Can you define?

civil law	equity	to breach
codified	exploitative	to enshrine
comprehensive	injunction	to pertain to
consequences	jurisprudence	to promote
enactment	property law	tort law

Do you know?

- What is the civil law?
- What are the features of civil law?
- What are the branches of civil law?

READING

Civil law systems, also called *continental or Romano-Germanic* legal systems, are found on all continents and cover about 60% of the world. Most of Central and South America as well as those nations that were once protectorates or colonies of the French, Dutch, German, Spanish, or Portuguese adhere to the civil law system. The majority of the nations in Central and Eastern Europe, as well as East Asia, adhere to civil law.

Civil law systems are founded on ideas, classifications, and regulations taken from Roman law. Canon law also has some effect, and local custom or culture may occasionally add to or modify these elements significantly. Although secularized over time and emphasizing individual freedom more, the civil law tradition encourages human cooperation.

A codified system of law is the civil law system. In its strictest definition, civil law refers to the body of legislation that governs people, things, and the interactions that arise between them, and it excludes all other types of law, including criminal law, commercial law, labor law, etc. It promotes social harmony and discourages exploitative actions and unethical commercial practices.

What the civil law is:

- A *comprehensive system* of rules and principles usually arranged in codes and easily accessible to citizens and jurists.
- A *well organized system* that favors cooperation, order, and predictability, based on a logical and dynamic taxonomy developed from Roman law and reflected in the structure of the codes.
- An *adaptable system*, with civil codes avoiding excessive detail and containing general clauses that permit adaptation to change.
- A *primarily legislative system*, yet leaving room for the judiciary to adjust rules to social change and new needs, by way of interpretation and creative jurisprudence.

Features of a civil law system include:

- Basic rights and obligations are generally enshrined in written constitutions that are based on specific codes (such as the civil code, codes governing corporations, administrative law, tax law, and constitutional law); administrative law is, however, typically less codified, and administrative court judges tend to behave more like common law judges.
- Only legislative acts are regarded as universally binding. Although judges generally follow earlier court rulings, there is little room for judges to create new laws in civil, criminal, and commercial courts. However, administrative and constitutional courts have the power to overturn laws and regulations, and their decisions in such cases are binding on all parties.
- Courts specific to the underlying codes – there are therefore usually separate constitutional court, administrative court and civil court systems that opine on consistency of legislation and administrative acts.
- Less freedom of contract – many provisions are implied into a contract by law and parties cannot contract out of certain provisions.

Some salient features of the civil law:

- *Clear expression of rights and duties*, so that remedies are selfevident.
- *Simplicity and accessibility to the citizen*, at least in those jurisdictions where it is codified.
- *Advance disclosure of rules*, silence in the code to be filled based on equity, general principles, and the spirit of the law.
- Richly developed and to some extent transnational *academic doctrine* inspiring the legislature and the judiciary.

Main branches of civil law:

- *Contract Law*
- *Tort Law*
- *Property Law*
- *Family Law*

CIVIL CASES

Can you define?

breach	equitable	trial
case	lawsuit	to apply
complaint	party	to evict
defendant	plaintiff	to negotiate
dispute	tenant	to restrain

Do you know?

- What is a civil case?
- What are the types of civil cases?
- What are the stages of a civil case?

READING

Civil lawsuits involve disagreements between individuals or groups, including enterprises, and are frequently monetary in nature. A civil case typically starts when one person or entity (the «plaintiff») asserts that they have suffered injury as a result of the activities of another person or entity (the «defendant») and requests redress from the court by submitting a «complaint» and initiating a court case. The plaintiff may ask the court to grant «damages» (amounts of money to make up for any harm they have endured), or they may ask for a «injunction» to stop the defendant from doing something or to make them do something, or they may ask for a «declaratory judgment» in which the court ascertains the parties' rights under a statute or contract.

Eventually, to resolve the case, the court (by way of a judge or jury) will determine the facts of the case (in other words, figure out what really happened) and will apply the appropriate law to those facts. Based on this application of the law to the facts, the court or jury will decide what legal consequences ultimately flow from the parties' actions.

The parties to a case may also decide how to proceed on their own. The parties can agree to settle their differences and come

to a compromise at any point during the course of a case in order to save money by avoiding trial costs and the possibility of losing at trial. Payment of money is a common component of settlements, and they can even be designed to produce an enforceable judgment.

Types of cases in civil court

Civil courts handle a wide variety of cases involving numerous legal issues. Very broadly, civil cases may involve such things as, for example,

- *Tort claims.* A «tort» is a wrongful act (sometimes called a «tortious» act), other than a breach of contract, that results in injury to someone's person, property, reputation, or the like, for which the injured person is entitled to compensation. Cases involving claims for such things as personal injury, battery, negligence, defamation, medical malpractice, fraud, and many others, are all examples.

- *Breach of contract claims.* A breach of contract case often arises when someone breaches a clause in a written or verbal contract without a justifiable legal justification. Cases involving allegations of failing to complete a task, paying partially or late, failing to deliver products that were promised or sold, and many more situations are examples.

- *Equitable claims.* An «equitable claim» asks the court to order a party to take some action or stop some action. It may or may not be joined with a claim for monetary damages. Cases where a party is seeking a temporary restraining order or injunction to stop something (perhaps the destruction of property, the improper transfer of land, the solicitation of a business' customers) are examples.

- *Landlord/tenant issues.* Civil courts handle disputes arising between landlords and tenants. Examples include situations where a landlord is attempting to evict a tenant from a rental property or where a renter has moved out and is suing a landlord to get their security deposit back.

Stages of a civil case

Most civil lawsuits can be divided into the stages listed below:

- *Pre-filing.* During the pre-filing stage, the dispute arises and the parties make demands, try to negotiate a resolution, and prepare for the possibility of a court action.

- *Initial pleading.* During this stage, one party files papers (called a «complaint») to start the court action, and the other party files some type of response (an «answer»).

- *Discovery.* During the discovery stage, both sides exchange information and learn about the strengths and weaknesses of the other side's case.

– *Post discovery/pre-trial.* The parties begin preparing for trial at this point. They organize their witnesses and evidence, they may hold a settlement conference, and they may submit motions with the court to settle the dispute.

– *Trial.* During this stage, the case is actually heard by the judge or a jury (which could last for a couple of hours or a couple of months, depending on the complexity of the case); witnesses are examined, evidence is presented, and the case is eventually decided and a judgment entered.

– *Post-trial.* During the post-trial stage, one or both of the parties might appeal the judgment that was entered at trial, or the winning party might try to collect the judgment that was entered.

But these stages are not always followed in civil cases.

FOLLOW-UP

Exercise 1. Match the words with their definitions.

- | | |
|--------------|---------------|
| 1. equity | 5. trial |
| 2. enactment | 6. breach |
| 3. complaint | 7. claim |
| 4. civil | 8. injunction |

a) a formal directive, particularly a written directive from a court, requiring that something be done or not done;

b) an expression of irritation or dissatisfaction with something;

c) a formal review of the evidence in court by a judge and frequently a jury to determine whether or not the party accused of a crime is guilty;

d) the circumstance where everyone is treated equally and fairly;

e) a declaration of something as being true or a fact, especially one that others might not accept or concur with;

f) of or relating to the citizens of a country;

g) the violation of or failure to comply with a duty, agreement, or other requirement;

h) the act or procedure of enacting or passing legislation.

Exercise 2. Scan the texts. Are the statements true (T) or false (F)?

1. Cases involving equitable claims include those involving personal injury, battery, negligence, defamation, misconduct in the medical field, fraud, and many other types of claims.

2. When a conflict emerges, the parties make demands, attempt to settle it through negotiation, and get ready for potential legal action during the pre-filing phase.

3. The article claims that the civil law is a thorough set of regulations and principles that are frequently codified and readily available to laypeople and legal professionals.

4. Both sides of a civil case exchange information and learn about the advantages and disadvantages of the other side's case during the post-trial phase.

5. One of the key aspects of civil law is the explicit declaration of rights and obligations, making remedies obvious.

6. The court will decide the case's facts and will apply the proper law to those circumstances in order to reach a decision.

Exercise 3. Match the two halves. Use the expressions in the sentences of your own.

- | | |
|------------------|----------------------|
| 1. basic | a) system |
| 2. canon | b) damages |
| 3. comprehensive | c) features |
| 4. exploitative | d) stage |
| 5. medical | e) rights and duties |
| 6. monetary | f) malpractice |
| 7. pre-filing | g) claims |
| 8. rental | h) law |
| 9. salient | i) property |
| 10. tort | j) behavior |

Exercise 4. Complete the table of words from the texts and active vocabulary.

Noun	Adjective	Verb
cooperation		
		to encourage
		to adopt
	comprehensive	
		to adjust
predictability		
defendant		
	modified	

Exercise 5. Translate the following words and word-combinations using active vocabulary.

To promote cooperation between human beings, закріпити основні права, to deter exploitative behavior, чітке вираження прав та обов'язків, to opine on consistency of legislation, ґрунтуватися на справедливості та законах, to negotiate a resolution, порушення вимог контракту, easily accessible to citizens, комплексна система правил і принципів, to adjust rules to social change and new needs, визначати права сторін за договором чи статутом.

Exercise 6. Match the synonym to the underlined word.

1. The government should be playing a more prominent role in promoting human rights.

- a) encouraging
- b) violating
- c) defining

2. Solutions which seem self-evident to humans are often beyond the grasp of computers.

- a) visible
- b) obvious
- c) unclear

3. The right of freedom of speech is enshrined in the Constitution.

- a) consolidated
- b) prescribed
- c) defended

4. Everyone has the right to living in a society based on equity and social justice.

- a) obligation
- b) fairness
- c) treatment

5. Solicitors who breach the rules may be reprimanded or charged with misconduct.

- a) prevent
- b) deter
- c) violate

6. We are only interested in the parts of the proposals that pertain to local issues.

- a) connect
- b) deal
- c) concern

Exercise 7. Fill in the blanks with the correct words from the word bank.

legislation	liberties	democracy	guarantee	protection
vote	discrimination	rights		

Civil rights are guarantees of equal social opportunities and equal ... under the law, regardless of race, religion, or other personal characteristics.

Examples of civil rights include the right to ..., the right to a fair trial, the right to government services, the right to a public education, and the right to use public facilities. Civil rights are an essential component of ...; when individuals are being denied opportunities to participate in political society, they are being denied their civil In contrast to civil ..., which are freedoms that are secured by placing restraints on government, civil rights are secured by positive government action, often in the form of Civil rights laws attempt to ... full and equal citizenship for people who have traditionally been discriminated against on the basis of some group characteristic. When the enforcement of civil rights is found by many to be inadequate, a civil rights movement may emerge in order to call for equal application of the laws without

Exercise 8. Complete the following text with the correct prepositions.

Civil law problems are in most part problems ... everyday life; problems people face as constituents of a broad civil society. Following the establishment ... the past 30 years of an extensive range of rights and obligations related ... children, education, employment, debt, health, housing, and welfare benefits, the problems ... which civil legal principles and processes can be applied today involve more issues ... basic social wellbeing than ever before. Despite this, little research has been undertaken into the role of such problems ... the experience of social exclusion (the «shorthand term ... what can happen when people or areas suffer ... a combination of linked problems such as unemployment, poor skills, low incomes, poor housing, high crime, bad health and family breakdown»), or their relation ... morbidity. Also, ... least until recently, little governmental interest has been exhibited ... the utilisation of legal services and processes to tackle problems of social exclusion and public health.

DISCUSSION QUESTIONS

Exercise 9. Read the text. Discuss the questions after the text.

Modern developments in civil law

Civil-law systems underwent significant transformation in the later half of the 20th century and into the 21st century as a result of the shifting sources of law in contemporary, bureaucratic, regulatory nations. In order to control significant facets of social and economic life, virtually all contemporary civil-law systems now frequently use uncodified statutory law.

Even when it touches on issues related to contract or delict, areas of law that were previously governed by the codes, such legislation often isn't covered by them. Furthermore, while regulatory organizations oversee a large portion of current statutory law, it lacks the civil-law codes' systematically integrated conceptual framework, which was influenced by legal and cultural traditions. Even in the areas that were once thought to fall under the purview of «private» law, contemporary statutory law tends to reflect the considerably greater role of the state in contemporary society. Additionally, a broader concern for fundamental rights has been reflected in both constitutional law and international law in ways that also give civil law a more public orientation. The traditional scope and content of civil law have been significantly impacted by such innovations in contemporary law. As many code-based legal systems today rely on broad areas of non-codified «special legislation» as well as the case law of national and supranational tribunals, the impact and importance of classical codes have diminished. As the law addresses new issues like consumer protection and sports law that were not considered by the preceding legal categories, the conventional divides of fields of law under civil codes have become more ambiguous. Nearly every aspect of civil law has been affected by public-law concerns: for instance, the once- patriarchal family-law sections of all civil codes have been radically modified by equal treatment principles.

These changes are most noticeable in nations that are part of the European Union (EU), largely as a result of supranational initiatives to unite national laws and integrate European markets. Although it does not always use classic civil-law juridical frameworks or observe old dogmatic civil-law categories, European law, or European Union law, frequently impacts and even supersedes the substantive principles

of the civil law. As a result, it aids in the continued disintegration of the civil codes.

- What changes have civil-law systems undergone?
- What caused the modifications of civil-law systems?

Exercise 10. Make a list of 10 community-wide occurrences that might fall under the category of civil law.

Pay attention to the following examples.

1) Your dog constantly barks, keeping the neighbors up at night. Are you accountable?

2) Are you legally responsible if you post an abusive comment about someone on Facebook?

3) When a new kitchen that a homeowner paid a contractor to construct needs to be renovated because it was built improperly, the homeowner sues the builder. Is the homeowner right?

As a group, discuss the key concepts of civil law based on each scenario.

SUPPLEMENTARY MATERIAL

Read the text. In pairs, discuss the similar Civil Legal Aid Services in your country.

What is Civil Legal Aid?

Civil legal aid is a set of services and tools that enables Americans from all socioeconomic backgrounds to successfully navigate the legal system, including those who face the most difficult legal issues, such as children, veterans, seniors, people who are ill or disabled, and victims of domestic violence.

Regardless of your financial situation, civil legal assistance serves to ensure that everyone has access to the court system fairly. It gives them access to legal assistance so they can safeguard their families, their health, and their means of subsistence. Civil legal aid makes it simpler for people to get information so they are aware of their rights, whether through easily comprehensible forms, including online forms, legal assistance or representation, or legal self-help centers.

Americans can access a variety of services through civil legal aid to help them navigate the complex legal system, including legal advice

and representation, self-help centers and other court-based services, free legal clinics and pro-bono assistance, as well as access to online information and forms.

What are examples of civil legal aid?

Civil legal aid provides:

- Easy-to-understand forms, including online forms, that people can use in civil legal proceedings.
- Legal assistance, including legal self-help centers, so people can know their rights.
- Legal representation to those who cannot afford it.

What kinds of people are helped by civil legal aid?

Americans of all ages and backgrounds, including families, kids, veterans, elders, and those who are ill or disabled.

Does civil legal aid just help the poor?

A variety of services are offered through civil legal assistance, some of which are accessible regardless of financial status. Civil legal aid providers often can only represent the lowest of the poor due to extremely limited resources. Anybody can access some forms of civil legal aid, regardless of their financial situation, such as internet resources or self-help kiosks in courts.

How does civil legal aid help?

Regardless of one's financial situation, civil legal assistance serves to ensure that everyone has access to the court system fairly. Equal justice under the law is a core American concept that is inscribed on the Supreme Court building and discussed in schools all around the nation. Civil legal assistance contributes to ensuring that everyone has access to justice, not just a select few who can afford it.

Additionally, civil legal assistance aids in lowering, not raising, taxpayer expenditures. The success of legal aid in lowering the incidence of domestic abuse and homelessness for children, veterans, seniors, individuals with disabilities, and others results in financial savings for taxpayers.

How does civil legal aid help the court system?

With fewer pointless cases, lower court expenses, and less staff overtime, civil legal assistance contributes to the court system's streamlining. While self-help resources and online legal forms can aid parties in better navigating the system, legal assistance helps increase the effectiveness of civil court procedures.

UNIT 3

CRIMINAL LAW

Can you define?

apprehension	felony	misdemeanour
claim	grievance	probation
confinement	heinous	parole
corporal	incarceration	plea
extradition	infraction	to liaise

Do you know?

- What is Criminal law?
- What are the functions of Criminal law?
- What features should a person have to be a good criminal lawyer?

READING

Criminal law, the body of law that defines criminal offenses, regulates the apprehension, charging, and trial of suspected persons, and fixes penalties and modes of treatment applicable to convicted offenders. Most criminal laws are formed through statute, which means that a legislature enacts them. People who break such laws are subject to punishment and rehabilitation under criminal law.

Criminal law deals with all types of offenses, including minor infractions, severe crimes, fraud, and white-collar crimes. In especially when it comes to matters like extradition, money-laundering, cross-border crimes, and terrorism, it can also entail international relations and multiple jurisdictional laws.

Functions of Criminal Law. The following are some of the multiple functions of criminal law and how they help society:

Maintaining order. Criminal law offers predictability, enabling individuals to know what to anticipate from others. There would be anarchy and confusion without the criminal law.

Resolving disputes. The law enables the settlement of conflicts and disagreements between contending citizens. It offers a tranquil, organized means of resolving complaints.

Protecting individuals and property. Criminal law safeguards citizens from offenders who would cause bodily harm to others or rob them of their worldly possessions.

Providing for smooth functioning of society. Criminal law enables the government to collect taxes, control pollution, and accomplish other socially beneficial tasks.

Safeguarding civil liberties. Individual rights are protected by criminal law.

Criminal offenses are defined by federal, state, or local laws and can range from serious crimes like murder to minor infractions like speeding. **Criminal punishments**, also established by statutory law, are usually proportional to the severity of the crime. Only a small fine or a brief period of probation may be used as punishment for minor offenses. Depending on the situation and the jurisdiction, violent offences may result in years in jail, life sentences, or even the death penalty. Although these penalties are outlawed in many parts of the world, physical or corporal punishments like flogging or caning may be used. Depending on the jurisdiction, someone may be detained in prison or a jail under a variety of circumstances. Confinement may be solitary. The duration of imprisonment can range from a day to a lifetime. Convicts may be subject to government monitoring, including house arrest, and they may need to follow specific rules as part of a parole or probation program.

Criminal lawyers will usually work on the case from the beginning to the end. This involves filing the case; investigation; visiting police stations and prisons; taking witness statements; checking medical reports; liaising with court personnel, police and probation officers; filing pleas and motions.

Post sentencing, criminal lawyers might work on appeals at higher judicial levels.

This will involve piles of paperwork and a huge amount of research.

Dealing with cases often entails dealing with extradition requests, dealing with the effects of delinquency or criminal negligence, and communicating with peers and judicial authorities from other jurisdictions.

What makes a good criminal lawyer?

A complete awareness of criminal law, procedures, and the operation of the legal system are prerequisites for becoming a criminal lawyer, as well as social awareness, dexterity, and quick thinking.

Additionally, you should be able to manage a lot of work and operate effectively under pressure while maintaining a strict attention to detail.

You must have excellent bargaining and communication abilities, as well as be adept at working with a variety of personalities. You'll need to become used to putting in extended and irregular hours of work.

It's important to put aside personal judgment and prejudice and take an objective and professional approach when treating people because many of the clients a criminal lawyer deal with may be dangerous, mentally ill, drug addicts, or repeat offenders.

It's crucial for a lawyer to exercise complete discretion when dealing with their clients because crime by its very nature attracts attention and animosity.

Honesty and dependability are crucial, and this goes for everyone involved in the legal profession, from reporters and court clerks to legal secretaries and administrators.

FOLLOW-UP

Exercise 1. Match the words with their definitions.

- | | |
|------------------|-----------------|
| 1. apprehension | 5. misdemeanour |
| 2. extradition | 6. parole |
| 3. grievance | 7. plea |
| 4. incarceration | 8. punishment |

- a) the state of being confined in prison; imprisonment;
- b) a formal statement by or on behalf of a defendant or prisoner, stating guilt or innocence in response to an accusation, making a factual allegation, or insisting that a certain rule of law should be followed;
- c) the provisional or unconditional release of a prisoner prior to the completion of a sentence in exchange for good behavior;
- d) the imposing or inflicting of a punishment as retaliation for an offense;
- e) the action of seizing or arresting sb, esp by the police;
- f) a minor wrongdoing;
- g) a formal complaint about an alleged wrongdoing or unfair practice;
- h) the practice of returning someone who has been charged with or found guilty of a crime to the country where the offence was committed.

Exercise 2. Scan the text. Are the statements true (T) or false (F)?

1. The purpose of criminal law does not include the protection of people and property.

2. A skilled criminal lawyer should be adept at interacting with a variety of persons.

3. Punishments for breaking the law include fines and rehabilitation.

4. In many parts of the world, physical or bodily punishment is permitted.

5. Criminal attorneys' responsibilities include include conducting investigations, visiting jails and prisons, and interviewing witnesses.

6. Life sentences are the sole possible punishment for minor offenses.

Exercise 3. Match the two halves. Use the expressions in the sentences of your own.

- | | |
|----------------|----------------|
| 1. civil | a) negligence |
| 2. corporal | b) crimes |
| 3. court | c) claims |
| 4. criminal | d) harm |
| 5. extradition | e) clerks |
| 6. heinous | f) liberties |
| 7. minor | g) regimen |
| 8. physical | h) grievances |
| 9. probation | i) infractions |
| 10. to handle | j) punishment |

Exercise 4. Complete the table of words from the texts and active vocabulary.

Noun	Adjective	Verb
apprehension		
	convicted	
		to protect
	punishable	
		to incarcerate
	applicable	
suspect		
	modified	

Exercise 5. Translate the following words and word-combinations using active vocabulary.

Treatment applicable to convicted offenders, дотримуватися абсолютного розсуду, to safeguard civil liberties, зв'язок з персоналом суду, to handle grievances, домашній арешт, захищати майно, length of incarceration, захист громадянських свобод, підтримувати порядок, to be punishable by a fine, умовно-достроковий режим, top-notch negotiation skills, довічне ув'язнення, to get accustomed to working unconventional hours, смертна кара, to set aside personal prejudices.

Exercise 6. Match the synonym to the underlined word.

1. The criminal received the death penalty for his heinous crime.
 - a) serious
 - b) minor
 - c) organized
2. A special committee investigates prisoners' grievances.
 - a) crimes
 - b) trials
 - c) appeals
3. His confinement was strict and injured his health, but he was allowed the use of books.
 - a) incarceration
 - b) prison
 - c) penalty
4. These were not considered acts of corporal punishment but were the result of a loss of temper and control.
 - a) imposed
 - b) harsh
 - c) physical
5. Judges are imposing increasingly heavy fines for minor driving offences.
 - a) applying
 - b) dealing
 - c) using
6. Our head office will liaise with the suppliers to ensure delivery.
 - a) investigate
 - b) communicate
 - c) interrogate

Exercise 7. Fill in the blanks with the correct words from the word bank.

confinement	guilty	intimidation	sentence
appeal	suppress	restitution	motions

Criminal cases include limited pretrial discovery proceedings, similar to those in civil cases, but with restrictions to protect the identity of government informants and to prevent ... of witnesses. The attorneys also may file ..., which are requests for rulings by the court before the trial, such as to ... evidence that could violate a defendant's constitutional rights.

If a defendant is found not ..., the defendant is released and the government may not

... . The person may not be charged again for the same offense in a federal court. Double jeopardy, or being tried twice for the same crime, is prohibited under the Constitution.

If the verdict is guilty, the judge determines the defendant's The U.S. Sentencing Commission's guidelines, the evidence presented at the trial, and pertinent information given by the pretrial services officer, the U.S. attorney, and the defense lawyer are all things the court may take into account when imposing a sentence.

A sentence may include time in prison, a fine to be paid to the government, and ... to be paid to crime victims. The court's probation officials uphold court-imposed requirements as a component of a criminal sentence. Supervision of offenders may involve services such as substance abuse testing and treatment programs, job counseling, and alternative detention options, such as home ... or electronic monitoring.

Exercise 8. Complete the following text with the correct prepositions.

... the night of the killing, the male accused had been drinking with a friend ... a bar. He was depressed because a woman that he was interested ... had recently rejected him. ... his way home from the bar, the accused broke ... the male victim's home. The victim awoke to find the accused standing ... the foot of his bed. ... that point, the accused crawled ... the bed and started slashing at the male victim, killing him. A female occupant tried to escape ... the stairs, but the accused grabbed her, stabbing her repeatedly, but she was not fatally injured. Another male occupant called 911, but the accused heard him and fled.

The accused lived ... an apartment building just behind the victims' home, but they did not know each other. The accused later indicated that he had been ... a three-day drinking binge, prompted by the loss of his girlfriend and indicated that he was inclined to lose his temper when he had been drinking. The defendant was charged ... first-degree murder (and a female victim's attempted murder), but pleaded guilty ... second-degree murder and was sentenced ... life in prison with no parole ... 17 years.

DISCUSSION QUESTIONS

Exercise 9. Read the text. Discuss the questions after the text.

3 Differences Between Civil Law and Criminal Law

1. Definitions

Criminal laws define criminal behavior and set out the punishments for individuals found guilty of crimes including robbery, assault, and arson. Only the criminal court system handles instances involving the criminal law.

Civil laws, on the other hand, deal with people's private rights. Civil laws are used when someone's rights have been violated or when there is a disagreement between two people or groups of people. Some civil law cases are resolved outside of a court of law, for example, by a third-party mediator. Alternative dispute resolution methods include non-criminal trials.

2. Burden of Proof

Standards for criminal and civil courts differ. A defendant is either cleared or proven guilty beyond a reasonable doubt in a criminal court. It is the duty of the state or federal government to establish beyond a reasonable doubt that the defendant committed the crime.

A plaintiff files a lawsuit against a defendant in a civil court. The plaintiff has the duty of proving that there is a greater likelihood than not that the defendant caused the issue. A defendant is referred to as liable rather than guilty if a jury finds that they were in charge.

3. Legal Penalties

A defendant who has been found guilty by a jury in a criminal case is sentenced by a judge. The sentence criteria established by current criminal legislation must be followed by the judge. The judge

may exercise some discretion within such sentence parameters. Prison sentence, probation, and fines are all possible legal sanctions in a criminal case.

In a civil case, a defendant who is found to have committed a wrongdoing may be required by the jury to provide the plaintiff with damages (financial compensation). Losses that may be measured, like medical expenses, can be compensated, as can losses that are more intangible, such pain and suffering. Additional punitive damages may occasionally be granted by a jury.

- What are the differences between Civil Law and Criminal Law?
- Where does the term fit?

Accused, Advice, Arrested, Arbitration, Civil action, Claim, Consumer and Property Law, Compensation, Constitutional, Doubt, Burglary and murder, Committal hearing, Supreme Courts, Community based order, Conviction, Costs, Family, Damages, Defamation, Evidence, Fine, Gather evidence, Good behaviour bond, Guilty, Homicide, Imprisonment, Indictable offences, Innocent, Investigate, Individuals, Injunction, Judgment, Judge and jurors, Liable, Majority verdict , Mediation, Monetary amounts, Not guilty, Negligence, Not liable, Nuisance, Orders, Perjury, Prosecute, Prosecution, Prosecutor, Punishment, Remedy, Responsible, Restitution, Rights, Reasonable grounds, Specific performance, Sue, Sanction, Sentence, Summary, Trespass, Terrorism, Theft, Traffic Offences

<i>Criminal Law Terms</i>	<i>Applies to both Criminal & Civil Law</i>	<i>Civil Law Terms</i>

Exercise 10. Discuss these scenarios.

1) What types of crimes can the following crimes be defined as? Study the example.

Example: On their honeymoon, Joe and his new wife Kamala decide to travel to Kyiv. When Jill, Joe's envious ex-wife, learns which airline they are traveling with, when they are flying, and which aircraft they will be using, she puts a bomb on that aircraft. Although Jill doesn't know what time the plane takes off, she sets the explosives to detonate at 7:00 in the morning. Unsurprisingly, the device detonates around 7:00 in the morning, killing a baggage porter who was boarding the aircraft with luggage.

Homicide can be defined as follows: «intentionally, knowingly, recklessly committed crime causing death to another human being».

1. In order to take Donald's bowling ball, Joe breaks into Donald's home.

2. While Donald and his wife are away on vacation, Joe enters Donald's home to feed Donald's pet, who has been left alone for days.

3. While Donald and his wife are away on vacation, Joe enters Donald's home to feed Donald's pet, who has been left alone for days. Joe feeds the animal and then sees some cash on the table, so he takes it.

4. On a chilly night, homeless Joe enters Donald's home with the intention of merely getting warm.

5. Joe and Kamala, his new wife, decide to spend their honeymoon in Croatia. After learning which plane Joe and Kamala will be traveling on, Jill, Joe's envious ex-wife, detonates a bomb on the aircraft with the purpose of killing Joe and Kamala. Prior to takeoff, Jill changes her mind and tries to notify the airline that there is a bomb on board. She fails. Joe, Kamala, and everyone else on board are killed when the bomb detonates as the plane takes off.

6. Twenty years have passed since Joe and Jill's wedding. Joe has recently started to have suspicions that Jill and Donald are having an affair. Joe buys a gun and shoots Jill to death after becoming furious that his wife could be having an affair.

7. Joe and Jill have been wed for fifty years. Jill was just given a ten-year prison term for robbery. Right before being incarcerated, Jill begs Joe to put an end to her suffering. Joe loves Jill and will do anything for her. So after saying his goodbyes, he grabs a revolver and shoots her.

8. One night, Don goes to his neighborhood tavern, downs seven beers, then gets in his car and heads home. Predictably, on the way home, Don loses control of his vehicle and crashes over a man, killing him.

9. Jane has long been the object of Ian's obsession. Once, he made the choice to have sex with her whether or not she wanted to. They attended a party at a friend's house on Saturday. Jane was placed on the bed in Ian's bedroom and she was immediately undressed. Jane fought him off and managed to escape.

10. Mike made the decision to rob a bank. He entered the Canada Trust bank on Bay Street while carrying a weapon. Mike was detained by a security guard before he demanded the teller's money.

II) Analyze whether the perpetrators have a defence or not. If so, discuss what defence they have. If not, discuss why there is no defence.

1. Monica is taking an evening walk outside when an earthquake strikes New York City. She quickly breaks into Central Perk Cafe in order to protect herself.

2. Ross visits a bar to drink after splitting with Rachel. He gets quite drunk, and the bartender stops bringing him drinks. He throws a chair through the window of the bar. He then punches the bartender in the face.

3. Harry suffers from hallucinations and blackout episodes, where he cannot recall what he has done. During one such blackout episode, Harry steals Ron's Nimbus 2000 broomstick and breaks it.

4. An undercover police officer asks a suspect, Ben, to sell him marijuana. Ben says no. The police officer asks several more times until Ben finally agrees to sell him marijuana. The police officer immediately arrests Ben.

5. Ben is under investigation for being suspected of selling marijuana. An undercover police officer asks Ben if he can purchase marijuana from him. Ben agrees to sell him marijuana. The police officer immediately arrests Ben.

SUPPLEMENTARY MATERIAL

Read the text. In pairs, discuss what facts about criminal justice you agree with and which of them you do not agree with, and why.

10 interesting facts about criminal justice

Why do young criminals receive different treatment? Why aren't jails able to handle every single crime? And how can we ensure that those who are set to be released from prison have a comfortable transition? Julian Roberts, author of *Criminal Justice: A Very Short Introduction*, tells us the top 10 things everyone should know about criminal justice, and what the chances and limitations of the Western system are.

1. The police, the prosecution, the judges, the jail system, probation, and parole are all elements of criminal justice.

2. The criminal justice system must strike a balance between the interests of the victim and the defendant's right to due process, as well as the larger public interest and cost- effectiveness factors.

3. Preventing crime is at least as important as punishing offenders. The three types of situational crime prevention, such as preventing bank robberies, entail raising the bar for criminal behavior in terms of both the effort required to commit a crime and the risk of being caught, as well as lowering the rewards associated with it, such as by reducing the amount of cash kept in a facility.

4. In Western countries, criminal prosecution should only be used as a last resort, criminal justice interventions should only be used when absolutely necessary (if a warning is all that's needed, don't lock the offender up), and the severity of the sentence should rise as the crime's seriousness increases.

5. Only 10% of crimes are reported to the police, on average. There are several explanations for this, including the fact that the incident was not particularly serious, the perception that nothing can be done by the police, or the victim's concern over not being believed.

6. There are numerous ways to penalize an offender, including monetary fines, community-based punishment (such as incarceration), community work, a curfew, and a residency requirement.

7. A suspended prison sentence works best with young or first-time offenders since the fear of punishment is frequently enough to deter them.

8. Despite having the same rates of crime, different civilizations have very different legal responses to crime. For example, while detention accounts for over 70% of sentencing in the US, imprisonments only make up around 7% of punishments in Holland.

9. We want offenders to leave jail as better individuals, thus we expect our prisons to punish and rehabilitate. However, even if offenders changed their minds after being released from prison, their criminal record remains with them always and negatively affects their employment opportunities, making it harder for them to lead happy, fulfilling lives.

10. The annual expense to house one prisoner in England is approximately £38,000 (\$60,000). Simply because of this, it is crucial to make sure that no one is imprisoned until it is really required.

UNIT 4

DRUGS. DRUG-RELATED CRIMES

Can you define?

addiction	paraphernalia	syringe
cannabis	possession	to inhale
cocaine	potent	to sniff
dealing	sedative	to swallow
drug	stimulant	trafficking

Do you know?

- What is a drug?
- What are the classes of drugs?
- What drug-related crimes do you know?

READING

A drug is a chemical with sedative or stimulating effects that has the potential to lead to addiction. Drugs can be consumed orally, inhaled, smoked, injected, or used in other ways.

Typically, three classes or categories are used to classify drugs. The first class of drugs are the strongest and are thought to be the most addictive. They consequently pose the greatest risk of injury and are subject to the harshest punishments. A life sentence may result from the production or trafficking of such substances. Cocaine, LSD, ecstasy, and the stronger opioids (heroin and morphine) are considered first-class substances.

The prison terms for possession of the second category of drugs are also believed to be less severe. Cannabis, less potent opioids, stronger synthetic stimulants, and sedatives are all included.

The third class of substances are the least harmful, and possession convictions for associated offenses have the lightest punishments. These substances include sedatives, stimulants, and several less strong medicines.

Whatever type of drug crime is involved, having any kind of drug conviction on your record can have severe consequences. Some common types of drug crimes include:

Paraphernalia

In general, «drug paraphernalia» describes any equipment that is used to prepare, inject, inhale, or conceal illegal drugs. It also includes any machinery used to create or conceal drugs. Any sort of drug paraphernalia that is sold, imported, or exported is prohibited by law. Drug paraphernalia examples include, but are not limited to:

- Bongs
- A wide variety of pipes
- Rolling papers
- Syringes

The problem that often occurs with drug paraphernalia is that many are made to look as if they are designed for legal purposes. For example, many bongs include labeling stating that they should only be used with tobacco. Depending on where you bought the item or how it appears, you may still be accused of possessing drug paraphernalia even if it contains a label.

Possession

Depending on the substance in question and the quantity, different states have different laws regarding drug possession. However, it is against the law to possess any illegally produced, controlled narcotics, such as heroin, cocaine, or marijuana. Simple possession or possession with intent to distribute charges may be brought against someone found in possession of an illicit substance. Small amounts of drugs are typically charged as simple possession, however large amounts may result in a charge of possession with the intent to distribute and heavier penalties. The same laws mentioned above about drug paraphernalia may also apply to charges of drug possession.

Manufacturing/Delivery

Another type of drug crime is drug manufacturing, involving any step of the production process of an illegal drug. The delivery of any illicit drug is also considered a crime under laws. Usually prosecutors must prove intent to manufacture and possession in order to convict an alleged drug manufacturer. If convicted, a drug manufacturer could face fines and prison time.

Trafficking

Selling, transporting, and importing illicit controlled substances like marijuana and cocaine are prohibited by laws on drug trafficking and distribution. Drug trafficking and distribution, which are felonies, are more serious offenses than simple drug possession since they

typically include the transportation of a significant quantity of drugs. However, even having sizable amounts of an illicit substance may cause police to suspect that you planned to sell the drugs and result in charges of distribution. The sentence for a drug trafficking conviction can range from three years to life in prison.

Dealing

«Drug dealing» generally refers to the selling of illegal drugs on a smaller scale. It's important to remember that trafficking and dealing are defined differently under the laws. It's crucial to keep in mind that dealing and trafficking have different legal definitions. Since one person often sells a little quantity of drugs, the punishment is less severe than if more drugs are sold.

FOLLOW-UP

Exercise 1. Match the words with their definitions.

- | | |
|--------------|-------------------|
| 1. addictive | 5. substance |
| 2. cocaine | 6. syringe |
| 3. potent | 7. to manufacture |
| 4. sedative | 8. to swallow |

a) a drug which some people take illegally for pleasure and may become addicted to;

b) a drug or medicine that calms the nerves or makes sb sleep;

c) causing one to become a person who is unable to stop taking drugs, alcohol, etc.

d) a device for sucking liquid in and forcing it out again in a thin stream;

e) to manufacture a lot of things;

f) to cause food, drink, pills, etc., to move from one's mouth into one's stomach by using the muscles of the throat;

g) having a strong effect;

h) the actual physical substance that gives a person or object its tactile, substantial presence.

Exercise 2. Scan the text. Are the statements true (T) or false (F)?

1. Cocaine and heroin belong to the most potent drugs.
2. «Drug paraphernalia» refers to any apparatus used to create, inject, inhale, or conceal illegal substances.

3. The possession of drugs in the third class is punishable by the harshest punishments since they are thought to be the most harmful.4. A chemical that has sedative or stimulating effects but cannot lead to addiction is considered a drug.

5. Possession of any illegally controlled narcotics, such as marijuana, cocaine, or heroin, is illegal under current drug laws.

6. Since drug possession typically entails the transit of a significant quantity of narcotics, it is a more serious crime than drug trafficking and distribution.

Exercise 3. Match the two halves. Use the expressions in the sentences of your own.

- | | |
|----------------|------------------|
| 1. drug | a) substances |
| 2. drug | b) consequences |
| 3. harsh | c) drugs |
| 4. illicit | d) sentence |
| 5. life | e) stimulants |
| 6. sedative | f) conviction |
| 7. severe | g) addiction |
| 8. synthetic | h) penalty |
| 9. to cause | i) effect |
| 10. to produce | j) paraphernalia |

Exercise 4. Complete the table of words from the texts and active vocabulary.

Noun	Adjective	Verb
addiction		
	dangerous	
stimulant		
		to possess
		to distribute
	harmful	
production		
	modified	

Exercise 5. Translate the following words and word-combinations using active vocabulary.

Substance with a sedative or stimulant effect, викликати залежність, the most addictive drugs, ковати наркотики, drug paraphernalia, вдихати нелегальні наркотики, to be charged with drug dealing, зберігання наркотиків, illicit substances, покарання за торгівлю наркотиками, to face fines and prison time, зберігання наркотиків з наміром їх збуту, to convict an alleged drug manufacturer, протизаконно продавати будь-які наркотики, to have severe consequences.

Exercise 6. Match the synonym to the underlined word.

1. She became ill shortly after inhaling the fumes.
 - a) swallowing
 - b) breathing in
 - c) smoking
2. «I'm arresting you on suspicion of illegally possessing drugs», said the police officer.
 - a) owning
 - b) buying
 - c) selling
3. This is a very potent drug and can have unpleasant side-effects.
 - a) weak
 - b) little
 - c) strong
4. That paper charged her with using the company's money for her own purposes.
 - a) blamed for
 - b) dealt with
 - c) contributed to
5. It has been found that illicit use of marijuana, as in smoking its dried leaves, produces a feeling of mild euphoria.
 - a) criminal
 - b) lawful
 - c) illegal
6. We thought the punishment was rather harsh for such a minor offence.
 - a) severe
 - b) powerful
 - c) effective

Exercise 7. Fill in the blanks with the correct words from the word bank.

addiction	brain	overdose	consequences
substances	illegal	resist	damaging

What Is Drug Addiction?

Addiction is a disease that affects your brain and behavior. When you're addicted to drugs, you can't ... the urge to use them, no matter how much harm the drugs may cause. The earlier you get treatment for drug ..., the more likely you are to avoid some of the more dire ... of the disease.

Drug addiction isn't about just heroin, cocaine, or other ... drugs. You can get addicted to alcohol, nicotine, sleep and anti-anxiety medications, and other legal

The narcotic painkillers known as opioids, whether taken legitimately or illegally, can also cause addiction. In the US, this issue is at epidemic proportions. In 2018, opioids played a role in two-thirds of all drug ... deaths.

When you initially start using drugs, you might do so because you enjoy the way they make you feel. Perhaps you believe you have some control over how much and how frequently you use it. But over time, drugs change how your ... works. These physical alterations may persist for a very long period. They make you lose control and can lead to ... behaviors.

Exercise 8. Complete the following text with the correct prepositions.

The three main methods of drug consumption are injection, inhalation, and ingestion. The effects of the drug ... the body can depend ... how the drug is delivered.

... example, the injection of drugs directly ... the bloodstream has an immediate impact, while ingestion has a delayed effect. On the other hand, the brain is impacted by all medicines that are misused. They cause large amounts of dopamine, a neurotransmitter that helps regulate our emotions, motivation and feelings ... pleasure, to flood the brain and produce a «high.» Eventually, drugs can change how the brain works and interfere ... a person's ability to make choices, leading ... intense cravings and compulsive drug use. Over time, this behavior can turn ... a substance dependency, or drug addiction.

Today, more than 7 million people suffer ... an illicit drug disorder, and one in four deaths results ... illicit drug use. ... fact, more deaths, illnesses and disabilities are associated ... drug abuse than any other preventable health condition. People suffering ... drug and alcohol addiction also have a higher risk ... unintentional injuries, accidents and domestic violence incidents.

DISCUSSION QUESTIONS

Exercise 9. Read the text. Discuss the questions after the text.

Tips for reducing or quitting drug use

You can improve your happiness, safety, and health by taking action against your drug usage. You can follow the instructions listed below.

It can be challenging to examine your drug usage, but doing so can have a significant impact on your health and happiness.

Whether it's cocaine, cannabis, or prescription medications, any drug can develop problems. Drug dependence can be either physical or psychological, or even both.

You may have seen that you need to use in order to perform routine tasks, or you may have felt some form of withdrawal after you stop using.

It's possible that other people have noticed a shift in your behavior or that you have started taking risks with your safety or health.

Change is possible for any reason with the correct assistance.

Things to think about before you start

If you're thinking of taking steps to stop taking drugs or cut down, don't be afraid to reach out for help. It's much easier to make positive changes when you've got help and support from other people.

You could:

- Speak to your doctor about your worries. They'll be able to give you advice and useful information.
- If you can, talk to family and friends about your drug use. Asking for help can make a big difference, especially in the first few weeks.
- Find your nearest drug service. You can search for your nearest service and look at treatment options further down the page.
- Join a peer support group like Narcotics Anonymous or Cocaine Anonymous.

Please consult a specialist if you have a dependency before abruptly quitting use so you can carefully treat any withdrawal symptoms.

How you can start to reduce or quit taking drugs

Once you've made your decision, try these steps to address your drug use:

- Maintain a drug diary. Make a note of how much, what, and when you use. It's important to mention your current location, your companions, and your previous activities.

- You can start creating a plan if you can identify the people, places, and things that make you take drugs. You may want to completely wipe out some triggers or stay away from any combos that make you crave certain things.

- If you need to, take your time. The best method of quitting is frequently a gradual decline.

- Embrace each step you take toward your goal, no matter how small, and be nice to yourself. Also, don't feel bad about any failures. Every obstacle presents an opportunity to learn more about it because it's a process.

- If you start having cravings, distract yourself for a few minutes. Mindfulness or meditation apps and videos are good distractions.

Always remember that you're not alone. There's lots of support online and other people who are in a similar position to you.

- What physical measures should be taken to stop using drugs?
- What psychological measures should be taken to stop using drugs?

- What do you usually do to get rid of bad habits?

Exercise 10. Discuss the scenarios below. Which of them can lead to potential jail?

Example: Kim goes out for a night on the town with girlfriends. After an extensive pub crawl she is wasted. Rarely able to speak, she picks up the phone and requests a ride home from an Uber driver.

No jail. Being super drunk is not a crime in itself (as long as you're 21 and over). Although Kim's condition may anger the Uber driver, she is really preventing a crime (driving while intoxicated) rather than committing one.

1. Kourtney is slouching on the pavement and occasionally drifting off to sleep. After noticing her, a patrol officer decides to investigate. In the end, Kourtney is found in possession of a little quantity of Xanax that was not prescribed to her.

2. Robert experiences persistent back pain. He feels that he requires a stronger medication than the Ibuprofen he has been taking every day. Robert's doctor advises against it and says he should give yoga a try. To determine whether taking narcotic painkillers could be a better choice, Robert seeks a second viewpoint.

3. Nina's supply of painkillers was running low. Her doctor wouldn't give her more, so she found another who would. When asked if she had received any similar prescriptions from other physicians, she lied. This cycle of going from doctor to doctor to obtain her next fix continued as Nina's addiction worsened.

SUPPLEMENTARY MATERIAL

Read the text. In pairs, discuss the problems of drug addiction.

Drug addiction

Drug addiction is a chronic brain disease. Despite the harm that drugs might do, it makes a person keep using them. Drug abuse can alter the brain and cause addiction.

The brain changes from addiction can be lasting, so drug addiction is considered a «relapsing» disease. This means that people in recovery are at risk for taking drugs again, even after years of not taking them.

Does everyone who takes drugs become addicted?

Drug usage does not always lead to addiction. Because everyone's bodies and brains are unique, so can be their responses to medications. Some people may develop an addiction rapidly while others may do it gradually. Others never develop an addiction. Numerous variables affect whether or not someone develops an addiction. They consist of developmental, environmental, and genetic elements.

Who is at risk for drug addiction?

Various risk factors can make you more likely to become addicted to drugs, including

– **Your biology.** People can react to drugs differently. Some people like the feeling the first time they try a drug and want more. Others hate how it feels and never try it again.

– **Mental health problems.** People who have untreated mental health problems, such as depression, anxiety, or attention deficit/

hyperactivity disorder (ADHD) are more likely to become addicted. This can happen because drug use and mental health problems affect the same parts of the brain. Also, people with these problems may use drugs to try to feel better.

– **Trouble at home.** If your home is an unhappy place or was when you were growing up, you might be more likely to have a drug problem.

– **Trouble in school, at work, or with making friends.** You might use drugs to get your mind off these problems.

– **Hanging around other people who use drugs.** They might encourage you to try drugs.

– **Starting drug use when you're young.** When kids use drugs, it affects how their bodies and brains finish growing. This increases your chances of becoming addicted when you're an adult.

What are the signs that someone has a drug problem?

Signs that someone has a drug problem include

- Changing friends a lot
- Spending a lot of time alone
- Losing interest in favorite things
- Not taking care of themselves – for example, not taking showers, changing clothes, or brushing their teeth
- Being really tired and sad
- Eating more or eating less than usual
- Being very energetic, talking fast, or saying things that don't make sense

– Being in a bad mood

– Quickly changing between feeling bad and feeling good

– Sleeping at strange hours

– Missing important appointments

– Having problems at work or at school

– Having problems in personal or family relationships

What are the treatments for drug addiction?

Treatments for drug addiction include counseling, medicines, or both. Research shows that combining medicines with counseling gives most people the best chance of success.

The counseling may be individual, family, and/or group therapy. It can help you

– understand why you got addicted;

– see how drugs changed your behavior;

- learn how to deal with your problems so you won't go back to using drugs;
- learn to avoid places, people, and situations where you might be tempted to use drugs.

Medicines can help with the symptoms of withdrawal. For addiction to certain drugs, there are also medicines that can help you re-establish normal brain function and decrease your cravings.

If you have a mental disorder along with an addiction, it is known as a dual diagnosis. It is important to treat both problems. This will increase your chance of success.

If you have a severe addiction, you may need hospital-based or residential treatment.

Residential treatment programs combine housing and treatment services.

UNIT 5

ORGANIZED CRIME

Can you define?

accountant	insurgent commander	severity
asset seizures	money laundering	smuggling
continuity	non-regular basis	surveillance
counterfeit	proceeds	to commence
incarceration	random	warlord

Do you know?

- What are the characteristics of organized crime?
- What are some organized criminal groups?
- What is the most powerful organized crime group?

READING

The mafia and depictions of organized crime in popular culture, such as «The Godfather» or «The Sopranos», come to mind when people hear the term «organized crime». The laws that historically applied to the Mafia were expanded to apply to many different types of criminal enterprises as crime changed and evolved through time. Particularly, law enforcement and prosecutors have dealt with street gangs similarly to how they dealt with the mafia in the past. The criminal conduct can be prosecuted locally, under federal law, or even under international law. Organized criminal groups can operate on a local, national, or even international scale.

The number of people, organizations, and networks engaged in organized crime today is essentially limitless. Globally operating organized criminal enterprises include anything from extortion rings and unlawful protection industries to cybercrime, oil theft, money laundering, counterfeiting, maritime piracy, and the trafficking and/or smuggling of illegal substances, people, weapons, and wildlife.

While the majority of criminal law and study focuses on illegal activities or specific persons, understanding how groups of people collaborate to commit a crime has grown in importance. The majority of definitions include a variety of characteristics (criteria), including

organizational structures, interpersonal dynamics, consistency, the seriousness of crimes (determined by the length of incarceration), corruption trends, the use of violence or threat of violence, market position, and group philosophies/objectives.

The definition of organized crime in the United Nations Convention Against Transnational Organized Crime, which has been ratified by 179 countries around the world, includes similar attributes. The definition of an «organized criminal group» in Article 2(a) is:

- A group of three or more persons that was not randomly formed;
- Existing for a period of time;
- Acting in concert with the aim of committing at least one crime punishable by at least four years' incarceration;
- In order to obtain, directly or indirectly, a financial or other material benefit. Organized crime is not an «alien», external threat. Mafia bosses, drug lords, paramilitary and insurgent commanders, warlords, and gang leaders all plan, design, and carry out criminal operations, along with members of many other professions such as politicians, military and law enforcement personnel, civil servants, investment bankers, and accountants.

Organized crime promotes «non-development» in four key areas:

- Economic: The legitimate economy loses a significant amount of money via illegal and criminal activity, and legal markets are distorted.
- Political and governance: As illegal-criminal interests that cross the public- private split and involve both non-state and state actors modify economic, political, and social institutions, organized crime affects the political economy of developing nations.
- Social: Communities and societies are becoming less cohesive as criminal subcultures take the place of established values and standards.
- (Human) security: Organized crime puts the safety of both persons and nations in jeopardy. Criminal organizations' organizational structures vary greatly. These various levels of organization range from being extremely organized to being unorganized.

Reactive law enforcement, which begins after a crime is committed, has been shown ineffective in nations with a history of combating organized crime, such as the United States and Italy. A proactive strategy to law enforcement that uses a variety of evidence to make a case against criminal organizations should be supported by capacity building. In this proactive approach, surveillance, informants, and asset seizures are essential tactics. As a result, the capacity to seize items used in criminal

activity is a crucial tool. Organized crime will probably be more worried about losing their fortune than about going to jail.

FOLLOW-UP

Exercise 1. Match the words with their definitions.

- | | |
|------------------|-----------------|
| 1. accountant | 5. random |
| 2. counterfeit | 6. smuggling |
| 3. incarceration | 7. surveillance |
| 4. piracy | 8. wildlife |

a) organisms that develop without human intervention, typically in the course of nature;

b) happening, done, or chosen by chance rather than according to a plan;

c) a person who maintains or reviews the books of money received, disbursed, and owed by a business or individual;

d) an imitation of something that isn't the real thing, typically done dishonestly or illegally;

e) the act of attacking ships with the intent to steal from them, as well as illegally duplicating and reselling music, movies, computer programs, and other media;

f) the act of placing or maintaining a person in jail, prison, or another location used as a jail;

g) the vigilant observation of a person or location, especially by the military or police, because a crime has occurred or is anticipated;

h) the illicit importation or exportation of commodities or people.

Exercise 2. Scan the text. Are the statements true (T) or false (F)?

1. Organized criminal groups can operate only on local level.

2. Two mafia movies, namely, «The Irishman» and «The Untouchables» are mentioned in the text.

3. The security of both citizens and states is endangered by organized crime.

4. Criminal operations are usually spontaneous.

5. According to the text, organized criminals are more concerned by the prospect of serving time in prison than by losing their wealth.

6. The United Nations Convention Against Transnational Organized Crime has not been ratified yet.

Exercise 3. Match the two halves. Use the expressions in the sentences of your own.

- | | |
|-----------------|---------------|
| 1. civil | a) approach |
| 2. developing | b) benefit |
| 3. federal | c) cohesion |
| 4. insurgent | d) commanders |
| 5. material | e) countries |
| 6. money | f) gangs |
| 7. proactive | g) laundering |
| 8. social | h) law |
| 9. street | i) servants |
| 10. traditional | j) values |

Exercise 4. Complete the table of words from the texts and active vocabulary.

Noun	Adjective	Verb
		to organize
		to act
		to operate
protection		
threat		
	punishable	
	interactional	
	modified	

Exercise 5. Translate the following words and word combinations using active vocabulary.

Criminal organizational structures, відбувати покарання у в'язниці, paramilitary and insurgent commanders, державні службовці, patterns of corruption, замінити традиційні цінності та норми, the ability to seize assets, соціальна згуртованість, time of incarceration, історія боротьби з організованою злочинністю, to distort lawful markets, доходи від незаконної діяльності, to support a proactive approach, фінансова або інша матеріальна вигода, use or threat of violence.

Exercise 6. Match the synonym to the underlined word.

1. Be alert to the dangers of buying counterfeit goods, particularly health and safety risks.

- a) fake
- b) expensive
- c) damaged

2. This sentence, after a month's incarceration, was also commuted.

- a) liberation
- b) imprisonment
- c) limitation

3. Company have seen a 20% rise in proceeds this year.

- a) income
- b) expenditures
- c) taxes

4. It has no independent status and comes under the complete control of the military commander responsible for these military operations.

- a) suspect
- b) offender
- c) warlord

5. What they lacked in armaments and numbers, the insurgents made up for with competent leadership, skill, mobility, motivation, courage, determination and perseverance.

- a) rebels
- b) insurance
- c) surgery

6. Please also provide information on the situation of women workers in non-regular employment and measures taken to ensure their rights to pension, health benefits and job security.

- a) normal
- b) frequent
- c) occasional

Exercise 7. Fill in the blanks with the correct words from the word bank.

distributorship	mafi	mobsters	power
testifying	violence	enemies	gun

One of the most enduring and captivating stories in cinema, «The Godfather» draws heavily on actual characters and events. Don Vito Corleone has similarities to several real-life ..., including Joe Profaci, who used his olive oil ... as a front for his illegal activities, and Carlo Gambino, who used a quiet, non-flashy style en route to power. But Corleone most closely resembles Frank Costello, known as «The Prime Minister» of the Costello preferred to draw little attention to himself, choosing reason over ... whenever possible and using diplomacy and his extensive connections in politics and business to maintain In fact, Marlon Brando even based Corleone's soft, raspy voice on Costello's after he listened to tapes of Costello ... to the Kefauver Committee on Organized Crime.

Exercise 8. Complete the following text with the correct prepositions.

The year 2020 saw a significant shift in the world. The classic adage «everything changes, yet everything stays the same» applies here, though. That certainly applies ... organized crime. In the wake of the pandemic caused ... the coronavirus, the illicit economy has changed: the contours of trafficking have altered; criminal groups are consolidating legitimacy through the provision of services; opportunistic criminal enterprises are springing up ... response ... new demand, social distancing and prohibitions; illicit money has permeated sectors of the economy that have been closing down in the increasingly acute global recession.

The institutional response ... the pandemic and the consequent reshaping of socio-economic norms worldwide will affect how criminal networks operate, as well as the nature ... law-enforcement responses ... them.

Constraints ... travel and movement in public spaces and dramatic reductions ... economic activity and ... international trade have put the brakes ... organized criminal activity. However, given how quickly unlawful activities quickly recreate themselves to satisfy both previous and future market demand, this effect is probably just temporary. Social distancing measures and lockdowns, ... example, have had an impact

... violent street crime, often linked ... organized criminal activity. Since the movement of cars is limited, the streets are empty ... people and there is a greater presence ... law-enforcement officers patrolling to control movement. As a result, the chances ... a perpetrator getting away are dramatically reduced.

DISCUSSION QUESTIONS

Exercise 9. Read the text. In pairs, discuss the questions after the text.

While still in high school, Jonathan Lebed and two other competitors participated in a stock-picking competition that piqued his interest in the stock market. After that, he devised a plan to start a legitimate business from his bedroom. He purchased inexpensive equities online that were traded on the stock exchange using brokerage accounts his father had set up. Then he would post a ton of incorrect and misleading information on message boards on the Internet, creating the appearance that these cheap stocks would appreciate quickly. He gave the impression that he had inside information about these cheap stocks and the firms who issued them with statements like «Net stock to gain 1000 percent» and bogus claims that he was the company president. He posted the deceptive statements about the cheap stocks he had bought under various bogus names to keep his identity or the source of the postings from being discovered.

Lebed sold his shares for a rapid profit as soon as the stock prices increased as a result of his postings. Investigators claim that he made profits of between \$11,000 and \$70,000 on each trade. In the end, he was accused of manipulating stocks over the Internet and making USD 273,000 in unlawful profits. When he agreed to provide the Government USD 285,000, the case was resolved.

- Explain whether you would characterize this scheme as white-collar crime or organized crime?
- How can the Organized Crime Convention be used to identify the difference between these two forms of crime?

Exercise 10. Consider the following scenario and decide if organized crime was beneficial for East St. Louis since it allegedly kept the locals secure or whether it simply made the city's basic issues with vice and corruption worse?

According to Bill Nunes and other prominent academics who researched or lived in East St. Louis, organized crime and criminals like Buster Wortman ironically kept the neighborhood secure. Saloons, casinos, and brothels operated by persons like Wortman benefited from tourists seeking a good time in East St. Louis. He couldn't afford to have

criminals terrorizing and harming locals since that would have damaged the city's reputation and made tourists frightened to visit, which would have cost him revenue. It did, however, draw a lot of problems, and gang fights and shootings were frequent. Additionally, the power that leaders of organized crime must have had over politicians and police officers in East St. Louis could only result in more corruption.

SUPPLEMENTARY MATERIAL

Read the text. In pairs, discuss the steps which can be taken to reduce organized crimes in society.

How can we fight organized crime?

Virtually all severe international crimes with a business motive that involve more than one country fall under the umbrella of transnational organized crime. Transnational organized crime encompasses a wide range of criminal activities, including the trafficking of illegal drugs, people, weapons, counterfeit goods, wildlife, and cultural artifacts, as well as various forms of cybercrime. It jeopardizes international peace and human security, results in the violation of human rights, and impedes the political, social, cultural, and civil development of societies all over the world. The enormous sums of money involved have the potential to undermine legitimate economies and directly affect government, for example through corruption and the «buying» of elections. Numerous lives are lost each year as a result of organized crime. This includes things like drug-related health issues and violence, gun-related fatalities, and the dishonest tactics and goals of human traffickers and migrant smugglers. The actions of organized crime groups annually have an impact on millions of victims.

Transnational organized crime is a global phenomenon that requires cooperation at all levels to combat. There is a role for governments, companies, civic society, international organizations, and people everywhere in the world. Among the crucial elements in the battle against organized crime are:

- Coordination: identification, investigation, and prosecution of those responsible for these crimes need concerted international action.
- Education and awareness-raising: The general public should be educated on organized crime and how it affects daily life. To ensure

that this genuinely global threat is given top priority among the public's primary concerns by policy and decision makers, voice your concerns to them. Additionally, consumers have a crucial role to play. They should be knowledgeable about the products they buy, act responsibly, and avoid supporting organized crime.

- Intelligence and technology: Crime justice institutions and traditional law enforcement techniques frequently fall short when faced with strong criminal networks. More specialized law enforcement teams must be trained, and they must be provided with cutting-edge technology, in order to build better intelligence procedures.

- Assistance: developing countries require help enhancing their ability to fend off these challenges. The United Nations Convention against Transnational Organized Crime, which has been adopted by 170 parties and offers a global legal framework to aid in the identification, deterrence, and dismantlement of organized criminal groups, is a significant tool that can assist with this. The Conference of the Parties to the United Nations Convention against Transnational Organized Crime will have its sixth session in Vienna in October 2012. In order to ensure better implementation in addressing this global issue, this biennial series of meetings brings together Governments from all around the world to promote and assess the Convention's implementation. With training and technical support for tracing the money trail, UNODC helps States improve their ability to detect and stop money-laundering. These actions can aid in reducing the revenue generated by crime.

UNIT 6

**INTERNATIONAL LAW (1). HISTORY
AND PURPOSE OF INTERNATIONAL LAW.
SOURCES OF INTERNATIONAL LAW**

HISTORY AND PURPOSE OF INTERNATIONAL LAW

Can you define?

ambassador	humanity	stakeholder
common good	international law	to ameliorate
diplomatic immunity	inter-state relations	to exert power
envoy	justification	to perpetuate
extraterritorial	persecution	to protect

Do you know?

- What is international law?
- How has international law developed?
- What contributions did Romans make to international law?

READING

International law is viewed by some people as anarchic system of interstate relations that governments and their representatives abuse to exercise power and influence over weaker states and individuals. Others see it as a promise of justice, peace, and a world community that may lessen oppression and poverty. International law cannot satisfy the interests of all of its stakeholders, like all legal systems and most definitely all social and political institutions. It is certainly not flawless, and it serves to solidify and maintain certain power paradigms that have a negative effect on people who are most in need. It also reflects humanity's capacity to work together for the common good, to lessen harm, and to safeguard the weak.

Generally speaking, international law lays out the guidelines that govern interactions between states. Additionally, it lays out guidelines for a wide range of topics that governments have determined are of global significance. Numerous topics are covered under international

law. Human rights, international trade, international crimes (such as genocide and crimes against humanity), the law of war (also known as international humanitarian law), diplomatic ties, extradition, investment treaties, economic growth, climate change, international dispute settlement, international monetary affairs, and double taxation treaties are just a few examples.

The origins of many contemporary international legal norms can be traced back to ancient civilizations, including those governing diplomatic immunity, the use of force and the conduct of war, and even the more or less universally acknowledged human rights concepts. When trade and business with the outside world have been necessary, international law has consistently developed as a system of laws and organizations.

Greece serves as an illustration of an ancient civilisation that created a legal system to control trade and travel. It established regulations for the drafting and implementation of treaties and agreements, the construction of ongoing diplomatic channels, and the defense and granting of extraterritorial rights to ambassadors. Greece also created a system to cope with the presence of foreigners on its soil, which included complex procedures like laws governing criminal extradition - an area of international law that continues to be extremely difficult when comparing international and local law.

One of the most influential civilizations in the growth of international law as it is known today is the Roman Empire. Rome established diplomatic embassies with a set of rights and privileges, as well as protocols for signing treaties and receiving ambassadors from other countries.

The laws governing the use of force and the conduct of war have played a significant role in the evolution of international law throughout history. Romans created the concept of the just war, which is frequently credited with being created by St. Augustine in the Middle Ages and giving Rome a legal justification for its numerous aggressive wars. During the Middle Ages and the Renaissance, a large portion of the literature on war and international law was devoted to the idea of a just war.

The formation of international law was significantly influenced by the seventeenth century. Hugo Grotius, a scholar and legal practitioner, created the idea of international law in his renowned work, «On the law of war and peace», published in the early 1600s. The Peace of Westphalia in 1648, which ended the brutal Thirty Years War, which eventually

involved nearly all of Europe in a quest for political and military dominance, is primarily responsible for the structure and shape of the contemporary international order. It paved the way for the development of the contemporary system of international law, which helped the nation state become the primary player in international politics and law. States came to be viewed as perpetually existing, corporate entities in their own right, distinct from the rulers who ruled them at any given time, as the concept of the nation state evolved.

The United Nations Charter, which demonstrates the now supreme importance of the principle of sovereignty in international law, reflects the fact that the principle of state sovereignty was and continues to be the fundamental basis on which contemporary international law is based.

SOURCES OF INTERNATIONAL LAW

Can you define?

advisory opinion	customary law	law scholar
dispute	endangered species	peremptory norms
agreement	generality	pronouncement
charter	judicial decision	treaty
consistency	jus cogens	unilateral

Do you know?

- What are the sources of international law?
- What does custom mean?
- What are the categories according to which treaties can be classified?

The sources of international law include: classical sources of international law, as listed in Article 38 of the Statute of the International Court of Justice, such as: treaties, customary international law, general principles of international law, judicial decisions, writings of eminent jurists. Other sources of international law include: soft law, resolutions of organs of international organizations, unilateral acts, jus cogens.

Treaties today are the most common source of international law norms. Certain areas of international law, such as international environmental law, are almost exclusively regulated by treaties. Treaties may have different names, such as: convention, agreement, protocol, pact, charter. Treaties concluded between States may be: bilateral (i.e. concluded between two States), multilateral (i.e. concluded by more

than two States) or universal (i.e. if they bind almost all States (e.g. the 1945 UN Charter).

Customary norms of international law arise when: there is a practice amongst States to act in a particular way or States act because they believe that they are obliged to do so by the law. Customary laws form the foundation of numerous significant areas of general international law. These have since been included in various multilateral conventions and a number of codifying conventions. The rules of international customary treaty law codified in the Vienna Convention on the Law of Treaties 1969 are a good example of this. However, the formation of such rules may often be a slow process. It is difficult to establish which State practice meets the general requirements for creating such a rule, as prescribed by the International Court of Justice in the 1969 North Sea Continental Shelf cases, such as: generality, consistency, the relevance of participating States.

There are, in theory, some universal legal concepts that apply to all legal systems.

These include the:

- principle of good faith. This principle has fundamental importance in the law of treaties. Examples include the: 1974 Nuclear Test case, when the Court said «one of the basic principles governing the creation and performance of legal obligations, whatever their source, is the principle of good faith»; 1997 Gabcikovo-Nagymaros case;

- principle of equity. Many environmental treaties are based on this principle, such as the 1997 United Nations Convention on Non-Navigational Uses of International Watercourses.

Judicial decisions and writings of eminent lawyers are subsidiary means for determining the rules of international law. Judicial decisions play an important role in stating the rules of international law, in particular the judgments and advisory opinions of the International Court of Justice. However, the importance of other international courts and tribunals should not be underestimated. The pronouncements of international courts and tribunals are a very important source of identification of the relevant rules of international law. They include the: International Tribunal for the Law of the Sea; International Courts of Human Rights; International criminal courts. The writings of eminent jurists are of lesser importance in today's world.

Soft law instruments are non-binding and sometimes preferable to States in order to avoid binding obligations and the consequences

of their non-performance. The legal character of these instruments is disputed and not entirely clear. Soft law provisions often are incorporated in treaties such as the 1992 UN Framework Convention on Climate Change.

Resolutions of organs of international organizations may have a dual legal effect: internally – in relation to internal matters they might be binding on the Member State of those organizations or other organs (depending on the treaty establishing the organization); externally – in relation to Member States or other States they are usually not binding. However, they can acquire such a legal force through the workings of customary international law.

A further source of international law may be **unilateral acts of States**. This is a unique condition, though, as they can only become legally enforceable under specific situations. It's important to distinguish between unilateral activities and international conventions and custom: as the binding force results from the State's own will; with regard to customary international law as their process of formation is entirely different; depending on the circumstances, they can be binding with regard to one State, several States or even all States.

The norms of **jus cogens** (peremptory norms of international law) are not a source of international law in a strict sense, but they indicate the hierarchy of the norms of international law. The use of force, slavery, piracy, and genocide are only a few examples of jus cogens standards.

FOLLOW-UP

Exercise 1. Match the words with their definitions.

- | | |
|------------------|------------------|
| 1. ambassador | 5. non-binding |
| 2. genocide | 6. sovereignty |
| 3. hierarchy | 7. stakeholder |
| 4. justification | 8. to ameliorate |

- a) a good reason or explanation for something;
- b) an organization scheme that places individuals or things in order of significance;
- c) an important official who serves as a representative of their own nation abroad and is recognized in this capacity by the host nation;
- d) not legally necessary to obey or follow;

- e) the killing of a large group of people, particularly an entire nation, race, or religious organization;
- f) the power of a country to control its own government;
- g) to improve a negative or unpleasant circumstance;
- h) a person with duties to and an interest in the success of an organization, society, or other entity, such as a worker, client, or citizen.

Exercise 2. Scan the texts. Are the statements true (T) or false (F)?

1. In general, international law lays out the guidelines that govern inter-national private relationships.
2. The brutal Second World War was ended by the Peace of Westphalia in 1648.
3. Customary norms today are the most common source of international law norms.
4. Writings by famous lawyers nearly entirely govern international environmental law.
5. Soft law instruments are non-binding and sometimes preferable to States in order to avoid binding obligations and the consequences of their non-performance.
6. Unilateral acts of States acquire legally binding force only under certain circumstances.

Exercise 3. Match the two halves. Use the expressions in the sentences of your own.

- | | |
|-----------------|-----------------|
| 1. advisory | a) civilization |
| 2. anarchic | b) conventions |
| 3. ancient | c) decisions |
| 4. good | d) faith |
| 5. human | e) opinions |
| 6. inter-state | f) provisions |
| 7. judicial | g) relations |
| 8. law | h) rights |
| 9. multilateral | i) rules |
| 10. relevant | j) system |

Exercise 4. Complete the table of words from the texts and active vocabulary.

Noun	Adjective	Verb
protection		
	judicial	
		to ameliorate
	prohibitive	
decision		
	preferable	
		to perpetuate
	modified	

Exercise 5. Translate the following words and word combinations using active vocabulary.

Crimes against humanity, відповідати загальним вимогам, International Court of Justice, договори, укладені між державами, international peace and security, заборона рабства, nation state, залежно від обставин, the law of war and peace, міжнародне гуманітарне право, to indicate the hierarchy, набути юридичної сили, Vienna Convention on the Law of Treaties, односторонні акти держав, universally accepted human rights principles.

Exercise 6. Match the synonym to the underlined word.

1. The trade union official promised to defend the workers' interests.

- a) endanger
- b) protect
- c) threaten

2. It seeks to perpetuate a discriminatory non-proliferation regime while turning a blind eye to reality.

- a) die
- b) immortalize
- c) remember

3. Its activities should aim at supporting developing countries in fulfilling the obligations under the treaty.

- a) agreement
- b) discord c) influence

4. His administration also did much to ameliorate the condition of the Indian tribes and to arrest the spoliation of the public forest lands.

- a) discourage
- b) improve
- c) pretend

5. There are ancient laws that forbid it.

- a) prohibit
- b) promote
- c) prolong

6. Some indeed feared that his life was endangered by the violence of popular feeling.

- a) threatened
- b) existed
- c) manipulated

Exercise 7. Fill in the blanks with the correct words from the word bank.

customary debt law negotiate order punishment restore retaliation revenge victim

Aboriginal tribal law is often seen as harsh and brutal, but it ensured ... and discipline. Payback is the most known form of ... law. Payback is a form of mostly physical, and sometimes deadly, ... carried out by elders or victims to members of their group who broke the law. Payback is an important element of Aboriginal ... ; «where grievance exists, payback is expected». After an incident happened, the parties involved meet and ... a way to restore balance so that tribal or family relationships and friendships can continue. This included the wish of the ... party for retaliation and the wish of the offending party for paying the ... incurred. Acknowledging the right to punish is important because it prevents ... attacks and further escalation of the conflict. The main purposes of payback are to ... peace, assist healing and help both parties to move on.

Exercise 8. Complete the following text with the correct prepositions.

Why do states mostly obey international obligations?

All states in the contemporary world, including great powers, are compelled ... justify their behavior according ... legal rules and accepted norms. Essentially, the extent ... which states follow their international obligations has developed ... the past 400 years. ... a historical perspective, international obligations and accepted norms were founded following two key developments in European history. ... 1648, the Treaty of Westphalia ended the Thirty Years' War by acknowledging the sovereign authority of various European princes. This event marked the advent of traditional international law, based ... principles of territoriality and state autonomy. Then ... 1945, again following major wars initiated in Europe, states began to integrate ... a global scale. The UN Charter became the international framework ... which norms of sovereignty and non-intervention were enshrined. Now, as a result ... modern technology, communication, transport, and more, the evolving process of globalization, has provided an opportunity ... international law and accepted norms to reach every corner of the globe.

However, the development of international law has not compelled states to comply all the time. Instead, the trend ... the past 400 years has shown that states have been mostly compelled to justify their behavior according ... legal rules and accepted norms. The emphasis on «*mostly*» should be stressed. Even though the UN Charter does not permit violating sovereignty through the use of aggression, the extent ... which states follow their international obligations varies. *Almost* all nations observe *almost* all principles of international law and *almost* all of their obligations *almost* all the time. As such, the trend ... contemporary international relations is that war remains possible, but it is much less acceptable now than it was a century or even half a century ago. Therefore, conflict only arises when countries fail ... comply.

DISCUSSION QUESTIONS

Exercise 9. Discuss these scenarios. Answer the questions.

1. The United Nations Declaration on Human Cloning was recently endorsed by the General Assembly, and it urged Member

States to take all necessary steps to outlaw all methods of human cloning since they are incompatible with respect for human dignity and the preservation of human life. A renowned institution in South Korea started a human cloning program. In a letter to the South Korean government, the Philippines threatened to take the matter before the International Court of Justice unless it ordered the immediate cessation of that program. Can the Philippines succeed? Why or why not?

2. Professor Cassale, a very respected Italian scholar, published a book on International Law where he holds that «In the case of secession non-military bases may continue to be used by the state that built them, provided that it offers to pay adequate compensation to the state where that base is located». There is a conflict between Russia and Estonia as Estonia, now an independent state, wants to build a wind farm to generate clean electricity where there is a Soviet built nuclear plant. Russia offers compensation, which is considered adequate by Estonia, to keep operating the nuclear plant. Estonia refuses the compensation as it prefers to build the wind farm. There is no treaty and no international custom about this issue. Estonia brings the complaint to the International Court of Justice and Russia invokes the book. Can Russia be successful? Why or why not?

3. The domestic laws of France, Spain, and the United States all adhere to the following concepts. What is the overarching guiding principle? France: As long as they submit a written request, armed conflict theaters must grant access to foreign reporters from accredited news organizations around the world. Spain: Access to the theater of operations in armed conflicts must be granted to foreign correspondents of globally recognized news organizations upon request made at least 72 hours in advance. United States: In armed situations, access to the theater of operations must be granted to foreign reporters of accredited news organizations, providing they agree to follow instructions from the military officer in charge.

4. Along with other countries in Europe and Latin America, the United States, France, and the United Kingdom have long viewed cooperation to clean up nuclear sites as a need. So, for instance, when France chose to clean up a nuclear reactor on its territory in Guyana, it sought out the United States' assistance, which it provided without asking for payment. China declined Argentina's request for assistance because of this long-standing international customary norm, claiming that it now rejects that practice. Argentina plans to file a case with the

International Court of Justice against China. Can Argentina succeed? Why or why not?

5. A group of environmental activists takes control of a passenger (cruise) ship, filled with tourists, in the Pacific Ocean, demanding payment of a large ransom to support worldwide efforts to combat «global warming». The activists are from Australia; the ship flies the Liberian flag; the captain and crew are predominantly Spanish; most of the tourists are from Japan, Saudi Arabia, and Russia; the ship sailed from Manila and was scheduled to arrive in Guayaquil. In Your opinion, where should the crime be prosecuted? Which State (national authority) has criminal jurisdiction?

Exercise 10. Work in groups. With your groupmates, act out the roles below based on the «Dialogue between judges».

Jean-Paul Costa
(President of the European Court of Human Rights
Patrick Robinson)

Ladies and gentlemen, dear friends,

We are delighted to see so many of you and extend our warmest welcome to you all. Our Court aspires to be open to the worldwide and European judicial communities. We attend several meetings with other international courts, gatherings that are consistently fruitful and beneficial.

The rise in the number of international courts has, among other things, led to a situation where, at the start of the twenty-first century, international human rights law is applied by a variety of judicial bodies, including courts within the United Nations system or regional institutions, the International Court of Justice, and the Court of Justice of the European Communities, which are frequently required to examine cases with a human rights dimension.

Patrick Robinson
(President of the International Criminal Tribunal for
the former Yugoslavia)

Excellencies, dear colleagues,

The law of the sea, international economic law, environmental law, human rights law, international humanitarian law, and international criminal law are some of the most prominent aspects of international

law that exist today. It is inevitable that distinct areas of international law will develop. Additionally, we don't need to be alarmed by it. It simply reflects the complex nature of contemporary society. It is proof of how organic international law is and of its capacity to address the unique requirements and difficulties that the global community faces.

The contribution of the European Court to the development of customary norms on standards of criminal procedure has been invaluable for the Tribunal. In general, in determining the fair trial rights of an accused person, the Tribunal always has recourse to the work not only of the Court, but of other international human rights bodies as well as courts in national jurisdictions.

Francoise Tulkens
(Judge of the European Court of Human Rights)

President, distinguished judges, ladies and gentlemen, dear colleagues and friends,

A number of courts have been established since the middle of the 20th century as a result of the growth of international law into various domains. These courts are tasked with ensuring that this expansion is successful. Some worry that this has increased the likelihood of international law becoming fragmented. On the one hand, fragmentation does put institutional practices, regulations, and ideals in danger of conflict and incompatibility. On the other hand, it illustrates the diversification of the goals and methods of international legal action as a result of its growth into new domains.

Fragmentation and diversification account for the development and expansion of international law in response to the demands of a pluralistic world.

Vassilios Skouris
(President of the Court of Justice
of the European Communities)

President Costa, members of the Court, dear colleagues and friends,

Allow me first of all, President Costa, to express my very warm thanks on behalf of the many members of the Court of Justice of the European Communities here today for your kind invitation to this seminar, organized to mark the 50th anniversary of the European Court of Human Rights. Our two Courts have grown up together and been

nourished by the same spirit of unification and peace that was behind the idea of Europe right from the outset. It is barely noticeable today that the Court of Justice, «Europe's elder daughter», was the first to advocate that spirit, so great is the unceasingly renewed interest it takes in your Court and its case-law. Therefore, all we can do is hope that the two Courts will continue to pursue and encourage this discourse in order to jointly construct this legal structure that was so important to the founding fathers of Europe.

SUPPLEMENTARY MATERIAL

Read the text. In pairs, discuss the ways in which a state expresses its consent to be bound by a treaty?

HOW DOES A STATE EXPRESS ITS «CONSENT TO BE BOUND»?

According to the final provisions of the applicable treaty, a State has many options for expressing its agreement to be bound. The most common ways are: definitive signature, ratification, acceptance, approval, and accession.

One of the most typical steps in the process of joining a treaty is signing it. However, a State generally does not become a party to a treaty by simply signing it, but in exceptional circumstances—known as definitive signature—it might. By signing the treaty, a State does not assume any positive legal responsibilities. The State does, however, make clear that it intends to take action in the future to signal its desire to be bound by the pact. A treaty's intent and purpose must be upheld throughout the interim time between signing and ratification, acceptance, or approval. This responsibility is established by signature.

Multilateral treaties contain clauses that specify where and how long they must be physically accessible for signature. The treaties also specify the procedures by which States might join them as parties, i.e., to signify their agreement to be bound, such as ratification, acceptance, approval, or accession.

The three terms ratification, acceptance and approval all mean the same thing, particularly when used following «signature subject to...». Member States may use one or another of those words in their documentation, but in international law they mean the same thing – that the State is ready to become a party to the treaty.

Multilateral treaties often provide that they will be «open for signature» only until a specified date, after which signature will no longer be possible. Once a treaty is closed for signature, a State generally may become a party to it by means of accession. Some multilateral treaties are open for signature indefinitely. Most multilateral treaties on human rights issues fall into this category, such as the Convention on the Elimination of All Forms of Discrimination against Women, 1979; the International Covenant on Civil and Political Rights, 1966; and the International Convention on the Elimination of All Forms of Racial Discrimination, 1966.

UNIT 7
**INTERNATIONAL LAW (2).
INTERNATIONAL CRIMINAL LAW.
INTERNATIONAL SECURITY LAW.
INTERNATIONAL HUMAN RIGHTS LAW**

INTERNATIONAL CRIMINAL LAW

Can you define?

admissibility criteria	genocide	Security Council
ambiguous	judicial body	state-like entities
war crimes	last resort	to shield
cultural property	military elites	to undermine
forced displacement	to prosecute	warrant

Do you know?

- What are some examples of international crimes?
- What are the functions of international criminal court?
- Can International Court of Justice try war crimes?

READING

International criminal law deals with different types of violations, such as political violence, forced displacement and transfer of persons or protection of goods (e.g. cultural property).

Paradoxes run throughout the history of international crime. Genocide, crimes against humanity, war crimes are the three categories of crime that are currently receiving a lot of attention. These crimes are often referred to as «core crimes», although that term is ambiguous. Core crimes are inherently related to political violence. There is a lot of ambiguity regarding their meaning. International law normally expressly forbids certain types of crimes, and they are linked to personal criminal liability. They are distinguished by their systematic nature, i.e., the fact that they were carried out by organizations like organized criminal networks, state agents, or state-like institutions, or the harm they

caused to a sizable number of victims. Political leaders, military elites or clan leaders are often qualified as «war criminals», «genocidaires» or «aggressors» in political jargon.

However, there is a whole set of other crimes (piracy, slavery and slavery-like practices, terrorism), that enjoyed a high degree of recognition even before the emergence of these crimes. They are sometimes referred to as «first generation crimes». They include certain «private» forms of violence, i.e. crimes by non-state actors. Initially they were considered as international offences, because they target the common interests of states. In recent years, some of them have gained fresh attention in modified form.

The International Criminal Court (ICC) is the only permanent international judicial body to try individuals for genocide, crimes against humanity and war crimes. The Court is completely independent having been established by international treaty, the Rome Statute. And it can only prosecute crimes that occurred from 2002 onwards – the date of its establishment.

The ICC prosecutor conducts preliminary examinations in order to determine whether a full ICC investigation is warranted.

The preliminary examination of a situation may be initiated on the basis of:

- information sent by individuals, groups, states, intergovernmental organizations or nongovernmental organizations;
- a referral from a State Party or the Security Council;
- a declaration lodged by a state not party to the Statute accepting the jurisdiction of the Court.

The Rome Statute requires the ICC to maintain the highest standards of due process and fair trial. Over four phases, the prosecutor assesses whether a situation satisfies the jurisdiction and admissibility criteria for opening an investigation as set out by the Statute.

The ICC does not replace national criminal justice systems – complements them. The ICC can investigate and, where warranted, prosecute and try individuals only if the state concerned does not, cannot or is unwilling genuinely to do so itself. Such a situation might arise where proceedings are unduly delayed or are intended to shield individuals from their criminal responsibility. This is known as the principle of complementarity, under which priority is given to national systems. States retain primary responsibility for trying the perpetrators of the most serious of crimes. In short, the ICC does not undermine national sovereignty, as it is a court of last resort.

INTERNATIONAL SECURITY LAW

Can you define?

arms control	legal framework	self-defense
ceasefire	non-proliferation	to combat
disarmament	participation	to maintain
dispute	peace-keeping	to preserve
imminent	security-building	trusteeship

Do you know?

- What is international security law?
- Who is responsible for international security?
- How is the work of the Security Council organized?

READING

A system of laws governing the preservation and restoration of world peace and security is known as international security law or law of international security.

The following are the main areas of international law that deal with maintaining global security:

- a) the law of the use of force, the right of States to self-defense (in the face of actual or imminent attack);
- b) the law concerning disarmament, arms control, non-proliferation and confidence- and security-building measures;
- c) legal aspects of combating international terrorism, drug-trafficking and other criminal behavior of transnational character;
- d) the humanitarian law applicable to inter-State and internal armed conflicts;
- e) the legal framework governing functions and activities of international institutions in the area of international security, as comprising legal institutes of collective self-defense and collective security, peace-keeping and peace-enforcement.

The United Nations Security Council has primary responsibility for the maintenance of international peace and security. The Security Council held its first session on 17 January 1946 at Church House, Westminster, London. Since its first meeting, the Security Council has taken permanent residence at the United Nations Headquarters in New York City. It also travelled to many cities, holding sessions in Addis Ababa, Ethiopia, in 1972, in Panama City, Panama, and in Geneva,

Switzerland, in 1990. A representative of each of its members must be present at all times at UN Headquarters so that the Security Council can meet at any time as the need arises.

The United States, China, France, Russian Federation, the United Kingdom, and the Russian Federation are the five permanent members of the Council. The other ten non-permanent members are chosen by the General Assembly for two-year terms. There is one vote per Member. When the Security Council determines that a state's interests are impacted, it may allow that state to participate in discussions without having a voice in the decision-making process. Members and non-members of the United Nations may be asked to participate in Council talks without casting a vote if they are parties to a dispute that is being discussed by the Council; the Council determines the requirements for participation by a non-member State. According to the United Nations Charter, all Members are required to abide with Council decisions.

When a complaint concerning a threat to peace is brought before it, the Council's first action is usually to recommend that the parties try to reach agreement by peaceful means. The Council may:

- set forth principles for such an agreement;
- undertake investigation and mediation, in some cases;
- dispatch a mission;
- appoint special envoys; or
- request the Secretary-General to use his good offices to achieve a pacific settlement of the dispute.

When a dispute leads to hostilities, the Council's primary concern is to bring them to an end as soon as possible. In that case, the Council may:

- issue ceasefire directives that can help prevent an escalation of the conflict;
- dispatch military observers or a peacekeeping force to help reduce tensions, separate opposing forces and establish a calm in which peaceful settlements may be sought.

Beyond this, the Council may opt for enforcement measures, including:

- economic sanctions, arms embargoes, financial penalties and restrictions, and travel bans;
- severance of diplomatic relations;
- blockade;
- or even collective military action.

INTERNATIONAL HUMAN RIGHTS LAW

Can you define?

asylum	degrading treatment	encouragement
constituent document	dignity	fact-finding missions
freedom of thought	joint action	to address
guidelines	observance	to promulgate
inquiry	predecessor	to supervise

Do you know?

- What are human rights?
- What is the first human rights declaration adopted by the United Nations?
- Why is the Universal Declaration of Human Rights important to you?

READING

International human rights law is treaty based. These treaties are promulgated by international organizations such as the United Nations (UN) and its specialized agencies, the Council of Europe, and other organizations.

After the Second World War, the UN brought human rights firmly into the sphere of international law in its own financial penalties, the UN Charter, in 1945. The purposes of the UN included, in Article 1(3), the promotion and encouragement of human rights and fundamental freedoms. Under Articles 55 and 56, Member States are committed to «joint and separate action» to create «conditions of stability and well-being» across the world, including the promotion of «universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion». Thus, it became evident starting in 1945 that human rights could no longer be considered a domestic matter shrouded in the cloak of State sovereignty.

The UN has played a significant role in standard-setting since 1945, helping to draft treaties and other legal instruments that outline globally accepted human rights. Most famously of course, it adopted the Universal Declaration on Human Rights in 1948, following up (though years later) with a series of treaties protecting various human rights. The Preamble and 30 articles that make up the Universal Declaration of Human Rights outline the fundamental freedoms and human rights that all men and women are guaranteed without exception.

The Universal Declaration recognizes that the inherent dignity of all members of the human family is the foundation of freedom, justice and peace in the world. It recognizes fundamental rights which are the inherent rights of every human being including, among others, the right to life, liberty and security of person; the right to an adequate standard of living; the right to seek and enjoy asylum from persecution in other countries; the right to freedom of opinion and expression; the right to education, freedom of thought, conscience and religion; and the right to freedom from torture and degrading treatment. All men, women, and children should be able to exercise these inalienable rights, as well as all social classes and groupings.

Over 100 treaties, declarations, guidelines, recommendations, and principles make up the entire body of international human rights instruments, which together define global norms for human rights.

The UN has also created various internal institutions to monitor and supervise the implementation of human rights. There are political bodies, established under the rubric of the UN Charter, such as the Human Rights Council (Council) and its predecessor, the Commission on Human Rights. The UN Council is the principle intergovernmental body within the UN system responsible for strengthening the promotion and protection of human rights around the globe, and for addressing and taking action on human rights violations around the globe. The Council convenes on a yearly basis and offers a global forum for discussing human rights breaches wherever and whenever they take place. In addition to offering advice on how to properly implement human rights on the ground, it responds to human rights emergencies. The Council has the authority to speak on all relevant country-specific and thematic human rights problems. In order to help identify violators and prosecute them, the Council may also set up international commissions of inquiry and fact-finding missions to look into and address human rights infractions. The fundamental UN human rights treaties created treaty organizations that keep an eye on the application and interpretation of their specific treaties.

FOLLOW-UP

Exercise 1. Match the words with their definitions

- | | |
|--------------|------------------|
| 1. asylum | 5. last resort |
| 2. ceasefire | 6. predecessor |
| 3. embargo | 7. to promulgate |
| 4. genocide | 8. trusteeship |

- a) a person or thing that comes before another in time or in a series;
- b) a circumstance in which another person or organization is in charge of managing someone else's money or property;
- c) an agreement, typically between two armies, to halt hostilities in order to facilitate discussions about peace;
- d) a directive to temporarily halt something, especially trading or disclosing information;
- e) the murder of a large group of people, especially a complete nation, race, or religious group;
- f) protection or safety, especially that provided by a government to people who have been compelled to from their own countries for their safety or because of war;
- g) the only choice that remains after all others have been tried;
- h) to make a public announcement, especially of a new law.

Exercise 2. Scan the texts. Are the statements true (T) or false (F)?

1. International security law deals with different types of violations, such as political violence, forced displacement and transfer of persons or protection of goods (e.g. cultural property).
2. Customary law serves as the basic foundation for international human rights legislation.
3. The Universal Declaration on Human Rights was adopted in the first half of the 20th century.
4. The United Nations Security Council is responsible for providing a forum for trade negotiations and handling trade disputes.
5. The Universal Declaration of Human Rights consists of a Preamble and 30 articles.
6. The United Nations Security Council is composed of 15 Members: five permanent members and ten non-permanent members.

Exercise 3. Match the two halves. Use the expressions in the sentences of your own.

- | | |
|----------------------|-----------------|
| 1. constituent | a) body |
| 2. degrading | b) criminals |
| 3. diplomatic | c) document |
| 4. financial | d) examinations |
| 5. intergovernmental | e) penalties |
| 6. pacific | f) practices |
| 7. permanent | g) relations |
| 8. preliminary | h) residence |
| 9. slavery-like | i) settlement |
| 10. war | j) treatment |

Exercise 4. Complete the table of words from the texts and active vocabulary.

Noun	Adjective	Verb
treatment		
	financial	
		to govern
freedom		
	residential	
		to respond
declaration		
	modified	

Exercise 5. Translate the following words and word combinations using active vocabulary.

Organized networks of criminality, відновлення міжнародного миру та безпеки, pacific settlement of the dispute, запобігти ескалації конфлікту, permanent international judicial body, колективна самооборона та колективна безпека, severance of diplomatic relations, найвищі стандарти судочинства та справедливого судового розгляду, to dispatch a mission, підривати національний суверенітет, to gain fresh attention, призначити спеціальних посланників, to respond to human rights violations, суд останньої інстанції, to seek and enjoy asylum from persecution.

Exercise 6. Match the synonym to the underlined word.

1. Any kind of torture or inhuman or degrading treatment and behavior is prohibited.
 - a) humiliating
 - b) respectful
 - c) dignifying
2. During the siege of the village, the villagers were forced to give up their property.
 - a) thaw
 - b) blockade c) storm
3. Under the trusteeship system of the United Nations, visiting missions were sent to the city regularly to report on the situation there.
 - a) auspices
 - b) influence
 - c) criminality
4. Where divisions persist, our joint efforts should be for consensus-building.
 - a) separate
 - b) collective
 - c) divided
5. I have noticed behaviors in class which are creating an atmosphere that is encouraging students to become increasingly more unfocused and off task.
 - a) made
 - b) got
 - c) observed
6. To ensure your article has the best chance of acceptance, we recommend you follow your chosen journal's author guidelines.
 - a) exhibitions
 - b) instructions
 - c) definitions

Exercise 7. Fill in the blanks with the correct words from the word bank.

humanity officials perpetrating responsible superior verdicts violations

The International Criminal Tribunal for Rwanda

The United Nations Security Council established the International Criminal Tribunal for Rwanda to «persons responsible for genocide and other serious ... of international humanitarian law committed in the territory of Rwanda and neighbouring States, between 1 January 1994 and 31 December 1994».

Since it opened in 1995, the Tribunal has indicted 93 individuals whom it considered ... for serious violations of international humanitarian law committed in Rwanda in 1994. Those indicted include high-ranking military and government ... , politicians, businessmen, as well as religious, militia, and media leaders. The International Criminal Tribunal for Rwanda has played a pioneering role in the establishment of a credible international criminal justice system, producing a substantial body of jurisprudence on genocide, crimes against ... , war crimes, as well as forms of individual and ... responsibility.

The International Criminal Tribunal for Rwanda is the first ever international tribunal to deliver ... in relation to genocide, and the first to interpret the definition of genocide set forth in the 1948 Geneva Convention. It also is the first international tribunal to define rape in international criminal law and to recognize rape as a means of ... genocide.

Exercise 8. Complete the following text with the correct prepositions.

The International Criminal Tribunal for the former Yugoslavia

The International Criminal Tribunal ... the former Yugoslavia is a United Nations court of law dealing ... war crimes that took place during the conflicts in the Balkans ... the 1990's. Since its establishment ... 1993, it has irreversibly changed the landscape of international humanitarian law and provided victims an opportunity ... voice the horrors they witnessed and experienced.

In its precedent-setting decisions ... genocide, war crimes and crimes against humanity, the Tribunal has shown that an individual's senior position can no longer protect them ... prosecution.

It has now shown that those suspected ... bearing the greatest responsibility ... atrocities committed can be called to account, as well as that guilt should be individualized, protecting entire communities ... being labelled as «collectively responsible».

The Tribunal created the groundwork for what has since become the global standard for conflict resolution and post-war development, specifically that leaders suspected ... mass crimes will face justice.

While the most significant number ... cases heard at the Tribunal have dealt ... alleged crimes committed by Serbs and Bosnian Serbs, the Tribunal has investigated and brought charges ... persons from every ethnic background. While its judgements demonstrate that all parties in the conflicts committed crimes, the Tribunal regards its fairness and impartiality to be ... paramount importance. It takes no side in the conflict and does not attempt ... create any artificial balance between different groups. The Judges ensure a fair and open trial, assessing the evidence to determine the guilt or innocence ... the accused.

Undoubtedly, the Tribunal's work has had a major impact ... the states of the former Yugoslavia. Simply by removing some of the most senior and notorious criminals and holding them accountable the Tribunal has been able ... lift the taint of violence, contribute ... ending impunity and help pave the way for reconciliation.

DISCUSSION QUESTIONS

Exercise 9. Discuss these scenarios. Answer the questions.

1. The boundary between State A and State B is a river. A citizen of A, standing in A, shoots and kills a citizen of B, who is standing in B. It turns out that A was assisted in the attack by a citizen of C, who arranged for B to be at the location where A could shoot her. Where should the crime be prosecuted? Which State (national authority) has criminal jurisdiction?

2. There are 1.65 million internally displaced persons in Darfur, Sudan, and more than 200,000 refugees from Darfur in neighbouring Chad. There has been large-scale destruction of villages throughout the three States of Darfur. Sudan is not a member of the ICC, but the UN Security Council referred the situation to the ICC. Can the UN Security Council succeed? Why or why not?

3. In the course of an armed battle between the Central African Republic's government and rebel forces, civilians were slaughtered, raped, and had their houses and stores robbed. Numerous rape victims have come forward to share their experiences, detailing particularly brutal atrocities. Victims spoke of being attacked by several attackers, being raped in front of family members, and suffering additional forms

of abuse if they resisted their attackers. Following this, many of the victims faced rejection from their families and communities. Can the victims bring a case against the government of the Central African Republic before the ICC? Why or why not?

4. You are part of the Blueland military forces based in Redland, in the early days of Blueland's invasion of Redland. It is well known that Sam Dictator of Redland is a tyrannical leader and that the majority of the population there is dissatisfied with his reign. Blueland has launched an attack on Redland in order to rid the country of Sam

Dictator's rule. You find out that Sam Dictator is in a restaurant. So are 200 other people but they are civilians. You have the chance to fire a missile at the restaurant that will kill the leader of the regime you are fighting. It will also kill the civilians. Would it be a war crime to fire the missile?

5. Consider yourself a member of the intelligence services or a law enforcement official. You recently apprehended a suspected terrorist who, in your opinion, put a bomb in a local school. Since the bomb might detonate at any time and before it would be possible to completely evacuate the school, which is currently crowded with hundreds of students and family members (young and old) attending the end-of-year concert, time is of the essence. Would it be acceptable for you to «do whatever is required», including using torture, in an effort to get the suspected terrorist to reveal the location of the bomb before it explodes in order to avert mass casualties?

Exercise 10. Complete the table: try to classify the listed actions into one of the following categories.

It is a war crime	It is not a war crime	It depends

1. Shooting civilians who are not participating in the armed conflict.

2. Misusing the red cross or red crescent emblem to trick the opposing side and injure or kill their combatants.

3. A commander of a prisoner-of-war camp failing to post a copy of the Geneva Conventions for prisoners to view.

4. Destroying architectural heritage.

SUPPLEMENTARY MATERIAL

Study the cases. In pairs, discuss how do torture and inhuman treatment violate human rights? Do you agree with the Court's decisions?

Case 1: Inhuman treatment

Loayza Tamayo vs Peru

The case involved the arrest and detention of Professor Maria Elena Loayza Tamayo by the State of Peru due to her alleged participation in the activities of the terrorist group Sendero Luminoso.

Prior to her arrest, the State neither conducted an investigation nor got a warrant. Tamayo was put on trial for terrorism and treason after her arrest. She was tortured, subjected to harsh and humiliating treatment, and put under undue pressure while she was held incommunicado for ten days. This included «threats of drowning on the beach at night and rape to [which] she was subjected by members of DINCOTE», in a bid to force her to incriminate herself and confess to being a part of the alleged terrorist organization.

The Inter-American Court found that Peru had violated Tamayo's right to humane treatment in breach of article 5 of the American Convention on Human Rights. It was acknowledged that there are different levels of treatment that violate a person's right to their physical and psychological well-being, from torture to other forms of cruel, inhuman, or degrading treatment, with varying degrees of psychological and physical effects brought on by both endogenous and exogenous factors. These must be proven in each specific situation.

Case 2: Distinguishing torture from other forms of ill-treatment

Ireland vs UK

The United Kingdom government used a number of «extrajudicial» arrest, imprisonment, and internment powers in Northern Ireland between August 1971 and December 1975.

This case involved a complaint from the Irish Government regarding the scope and application of those measures, specifically the use of psychological interrogation techniques (such as wall standing, sexual humiliation, exposure to noise, and deprivation of sleep, food, and

drink) during the preventive detention of those detained in connection with terrorist acts. According to the European Court of Human Rights (ECHR), these practices violated the prohibition on inhuman and degrading treatment under article 3 of the ECHR by causing severe physical and mental suffering. This approach reflects that of the United Nations Human Rights Committee also, which has expressed concern regarding «the use of enhanced interrogation techniques, such as prolonged stress positions and isolation, sensory deprivation, hooding, exposure to cold or heat, sleep and dietary adjustments, 20-hour interrogations, removal of clothing and deprivation of all comfort and religious items, forced grooming, and exploitation of detainees' individual phobias».

In reaching its finding, the Court distinguished between torture, inhuman treatment and degrading treatment, holding that such a distinction was necessary because of the «special stigma» attached to torture. It was affirmed that an act must cause serious and cruel suffering to amount to torture. Specifically, ECHR held that «the five techniques» caused «if not actual bodily injury, at least intense physical and mental suffering ... and also led to psychiatric disturbances during the interrogation», which amounted to inhuman treatment, but did not «occasion suffering of the particular intensity and cruelty implied by the word torture».

The Court did not follow the interpretative approach of the Commission in *The Greek Case*, where such treatment did constitute torture, in essence superseding the distinction based on the purpose of the act by a subjective analysis of the severity of pain and suffering caused by these practices. Such a distinction allows for the classification of degrading treatment as inhuman treatment or even torture when it reaches a specific intensity. In a number of later decisions, the Court and Commission reiterated and continued to use the «threshold of severity» approach.

Case 3: Admissibility of evidence obtained through torture

El-Haski vs Belgium

El-Haski, a Moroccan national living in Belgium, was accused of committing a number of offenses related to his claimed membership in the Moroccan Islamic Combatant Group (GICM).

Witness testimony from those who were detained and questioned in third countries, such as France, Spain, and Morocco, after they were

suspected of being involved in the 2003 Casablanca bombings that killed close to fifty people, was presented in court during the defendant's trial.

On the basis of this evidence, El-Haski was found guilty and given a seven-year prison term. He maintained that the admission of the testimony of these witnesses breached his right to a fair trial under article 6 of the ECHR because it was obtained by torture or other cruel, barbaric, or degrading treatment or punishment. The Court agreed that the admission of evidence obtained in violation of article 3 of ECHR constituted a violation of the defendant's article 6 rights. In reaching this decision, the Court relied upon its earlier decision in *Othman (Abu Qatada) vs United Kingdom*, in which it had found that deportation to Jordan - where there was a real risk that evidence obtained through torture would be admitted against Othman at his retrial - which be contrary to article 6 right to a fair trial. In *Othman*, in stressing the importance of excluding evidence tainted by torture, the ECHR observed that «torture evidence is excluded to protect the integrity of the trial process and, ultimately, the rule of law itself».

Importantly too, in terms of the burden of proof to be satisfied, ECHR determined that an accused only needs to prove that there was a «real risk» that evidence relied upon in court had been obtained through torture or inhuman or degrading treatment. A higher standard of proof, such as that of «beyond reasonable doubt» [the basis of the Belgian criminal justice system (as well as that of the UK intervening in this case)] would violate article 6 of ECHR. On the facts, after examining a number of reports on the widespread use of torture in Moroccan detention centres at the material time, published by various United Nations human rights entities as well as non-governmental organizations, the Court believed that such a «real risk» existed and that El-Haski had met this standard.

Case 4: Death row phenomenon' and solitary confinement

Soering vs United Kingdom

In this instance, a West German person could be extradited from the United Kingdom to the United States to stand prosecution for murder in Virginia, USA. Soering said that he would experience «death row phenomenon» if he were found guilty of murder and given the death penalty. Due to the immense stress and psychological suffering that would be associated with waiting for his execution, which would most

likely take several years, this condition would result in a violation of his ECHR rights.

ECHR found that the applicant's extradition to the United States would expose him to a real risk of treatment contrary to article 3 of ECHR. In reaching that conclusion, the Court had regard to the very long period of time people usually spent on death row in extreme conditions in the United States «with an ever mounting anguish of waiting to be executed», as well as to the personal circumstances of the applicant, especially his age and mental state at the time of the offence.

The Court also pointed out that there were other ways to accomplish the extradition's legal goals that wouldn't need suffering of this extraordinary scope or duration. As a result, if carried out, the United Kingdom's decision to extradite the applicant to the United States would violate article 3 of the Convention, which forbids inhuman or degrading treatment.

UNIT 8
**INTERNATIONAL POLICE COOPERATION.
INTERPOL**

INTERNATIONAL POLICE COOPERATION

Can you define?

coercive means	intelligence	to abandon
duration	legal assistance	to eliminate
fugitive	letter of request	to enhance
headquarter	obstacle	to solicit
information-sharing	pursuit	wanted person

READING

When we talk about the problems of conducting effective international investigations, we can easily come to the conclusion that one of them is the absence of a shared investigative environment where law enforcement agencies could work together effectively and quickly. Concerned about this, European nations have stepped up their efforts to improve international police cooperation in an effort to remove or reduce the barriers that investigators in cross-border police cooperation face in priority areas like human trafficking.

The European Union's member states cooperate to prevent and combat transnational organized crime, including terrorism, drug trafficking, and other major offenses.

Police departments from across the European Union can communicate information thanks to **Europol**. Europol, which has its headquarters in the Hague, Netherlands, aids the 27 members of the European Union in their efforts to combat terrorism, cybercrime, and other serious and organized forms of crime. It also collaborates with numerous partner nations and international organizations outside the EU. In order to prevent and fight organized crime, Europol gathers and analyzes criminal intelligence. Europol upholds stringent guidelines for safeguarding human rights while storing the data in a registration system. Europol doesn't conduct independent investigations and has

no operational or investigative authority. Its principal responsibility is to encourage international information exchange.

A **joint investigation team**, which consists of a legal agreement between the competent authorities of two or more States for the purpose of conducting criminal investigations, is one of the most cutting-edge tools used in international cooperation in criminal cases. A joint investigative team, made up of judges, law enforcement officials, and prosecutors, is formed for a predetermined amount of time, usually between 12 and 24 months, as is required to successfully complete investigations. Joint investigation teams are currently being established more frequently than in the past due to the fact that crime does not stop at international borders. The use of a joint investigation team has the following benefits: the creation of contacts with foreign partners, a quick and efficient flow of information and intelligence, greater team member trust, the potential for funding from EU agencies, the exchange of experts, and the facilitation of evidence gathering.

If in the course of an investigation a question arises which can only be answered in another country, a request for mutual legal assistance in criminal matters will be submitted to that country. The request may be for information, for a witness or other person to be interviewed, or for observation or arrest of suspects. Requests for legal assistance must be met within a certain time limit. Mutual legal assistance is generally used for obtaining material that cannot be obtained on a police cooperation basis, particularly enquiries that require coercive means. A formal international letter of request is used to make requests.

Suspects who are urgently sought by the police are put on a list of wanted persons. The list does serve as a tool useful to law enforcement officials to solicit tips from the public in instances where multiple leads have come up empty and normal resources aren't enough to locate wanted fugitives. Interpol manages the international list of wanted persons.

In the past, the police were required to abandon the **pursuit of a suspect at the border**. The police control room is used for this. The pursuit will be assisted by police personnel from the host country.

INTERPOL

Can you define?

agenda	distribution	to circulate
alert	governing body	to correspond
arrangement	inter-governmental	to support
challenge	senior officials	upon request
deployment	to be in charge of	warning

The International Criminal Police Organization, or INTERPOL, is an independent inter-governmental organization with a general assembly made up of 194 member countries. Headquartered in Lyon, France, it is the only police organization that spans the entire globe. Its goal is to make it possible for police from all around the world to cooperate in preventing and combating global crime. To face the expanding challenges posed by criminals and crimes that increase cross-border, both physically and online, it provides police with a high-tech infrastructure of operational and technical support. The only way that police can expect to make the world a better place is through international cooperation.

Additionally, INTERPOL is involved in:

- maintaining a range of global databases including information on wanted individuals (fingerprints, photos, DNA profiles, etc.) and stolen and lost travel documents;
- keeping a variety of global databases with information on wanted people (fingerprints, pictures, DNA profiles, etc.);
- assisting member countries, upon request, in their investigations following terrorist acts by deploying on-site incident response team;
- assisting member countries in the preparation, coordination, and implementation of security arrangements;
- and assisting the UN Security Council with the implementation of the sanctions regimes, most significantly the al-Qaida and Taliban sanctions regime.

The General Assembly is INTERPOL's supreme governing body, comprising representatives from each of our member countries. Every year, it holds one session that lasts about four days. One or more delegates, who are often police chiefs and senior ministry officials, may represent each member nation. Its purpose is to ensure that INTERPOL's activities correspond to the needs of its member countries. In addition

to examining and approving the program of operations and financial policy for the upcoming year, it does this by deciding on the guiding principles and actions the Organization will take to achieve its goals. Additionally, the General Assembly chooses the Executive Committee's members, who act as the group's governing body in between sessions of the Assembly. The main global security and criminal trends are also on the agenda each year.

Resolutions are the primary form of decision-making of the General Assembly. There is one vote for each member nation represented. Depending on the issue, a simple majority or a two-thirds majority is required for a decision to be made. These Resolutions, which date from 1960 to the present, are public records.

The governing body in charge of monitoring the General Assembly's decisions being carried out as well as the management and operations of the General Secretariat is known as the Executive Committee. It establishes organizational policy and direction during its three annual meetings. Members of the Committee have senior positions in law enforcement and contribute years of experience and expertise to the Organization's advice and direction. The President of the Organization, two vice presidents, and nine delegates are among the 13 members of the Executive Committee who are chosen by the General Assembly. They come from several nations, and the geographic distribution is even. Vice presidents and delegates are chosen for three years, whereas the president is chosen for four. They are not immediately up for re-election to the same positions or as Executive Committee delegates.

The General Assembly offers a significant chance for nations to network and share experiences as the largest international meeting of top law enforcement professionals. INTERPOL maintains active working relationships with international partners such as the United Nations, Europol, ASEANAPOL, and the Arab Interior Ministers'

Council, to promote cooperation in policing terrorism and other international crimes.

FOLLOW-UP

Exercise 1. Match the words with their definitions.

- | | |
|-----------------|---------------|
| 1. agenda | 5. to abandon |
| 2. fugitive | 6. to coerce |
| 3. intelligence | 7. to support |
| 4. obstacle | 8. warning |

- a) a list of topics to be covered at a meeting;
- b) notice of a potential danger or issue, in order to prevent or avoid it;
- c) secret information about other governments, especially enemy governments, or a group of people who collect and deal with this information;
- d) something that prevents you from moving forward or making action more difficult;
- e) a person who is running away or hiding from the police or a dangerous situation;
- f) to agree with and give encouragement to someone or something because you want him, her, or it to succeed;
- g) to leave behind or run away from someone or something, or to give up something;
- h) to persuade someone forcefully to do something that they are unwilling to do.

Exercise 2. Scan the texts. Are the statements true (T) or false (F)?

1. Suspects who are urgently sought by the police are put on an honor board.
2. A joint investigation team is made up of prosecutors, law enforcement authorities and judges.
3. INTERPOL is a non-governmental organization.
4. INTERPOL's activities are focused only on the European countries.
5. The General Assembly takes decisions in the form of edicts.
6. The Executive Committee has 15 members comprising the President of the Organization, the Vice-president and thirteen delegates.

Exercise 3. Match the two halves. Use the expressions in the sentences of your own.

- | | |
|-----------------------|-------------------|
| 1. evidence | a) travel |
| 2. high-tech | b) databases |
| 3. inter-governmental | c) opportunities |
| 4. operational | d) collection |
| 5. to combat | e) conclusions |
| 6. to maintain | f) infrastructure |
| 7. to meet | g) organization |
| 8. to provide | h) support |
| 9. to reach | i) terrorist |

Exercise 4. Complete the table of words from the texts and active vocabulary.

Noun	Adjective	Verb
		to coerce
	operational	
collection		
		to support
	preventive	
distribution		
		to correspond
	modified	

Exercise 5. Translate the following words and word combinations using active vocabulary.

Implementation of security arrangements, викрадені та загублені проїзні документи, lack of a common investigative space, вищі посадові особи правоохоронних органів, to achieve efficient international investigation, встановити контакти з іноземними партнерами, to collect criminal intelligence, з метою розширення міжнародного співробітництва поліції, to establish contacts with foreign partners, сприяти обміну інформацією, to assist in the pursuit, запобігання терористичній діяльності, to reach successful conclusions to investigations, встановити місцеперебування осіб, оголошених у розшук, to coordinate the circulation of alerts and warnings.

Exercise 6. Match the synonym to the underlined word.

- There is no evidence that these devices actually work.
 - proof
 - belief
 - crime
- The building was made using modern construction techniques.
 - outdated
 - damaged
 - high-tech

3. The committee set the agenda for the next several years of research.

- a) day-off
- b) schedule
- c) school

4. If you abandon your home, you are still responsible for the property taxes, etc.

- a) leave
- b) leaf
- c) live

5. Measures to combat terrorism that violate international human rights standards are counter-productive.

- a) flight
- b) flew
- c) fight

6. Official development assistance is given to promote development and to combat poverty.

- a) aid
- b) AIDS
- c) add

Exercise 7. Fill in the blanks with the correct words from the word bank.

abuse	arrest	combatting	disruptions	laundering
multinational	organized	perpetrator	police	trafficking

EUROPOL'S OPERATIONS

The European Joint Unit on Precursors (EJUP) was a ... operational unit based at Europol, part funded by the European Commission. Its focus was on ... the flow of precursor chemicals used in the illicit production of drugs (all drugs). EJUP collected, developed and provided tactical intelligence to directly assist in the ID of suspects active in this field and this led to numerous arrest and ... of criminal operations.

Operation KOALA. The case began in 2006 when a child sexual ... video was discovered in Australia. This specific video was created in Belgium. A Belgian ... and two victims were identified. Consequently, the sole producer of the material – a 42-year-old Italian national, was arrested by the Italian national ... in Bologna. After his ... , the Italian

authorities forwarded all digitalised material, including customer details to Europol.

Operation SHOVEL focused on the activities of the extremely violent Irish-based Kinahan ... crime group involved in drugs and weapons ... across Europe. Europol assisted Ireland, the UK, Spain and Belgium to detect the criminal proceeds related to the group's criminal activities and to help the affected Member States in disrupting their money-... network.

Exercise 8. Complete the following text with the correct prepositions.

Project CRIMJUST

Twelve nations in Latin America, the Caribbean, and West Africa are assisted by Project CRIMJUST in their efforts to combat organized crime along the routes used to transport cocaine. It has a strong focus ... criminal investigations and criminal justice cooperation and focuses ...:

- capacity building
- inter-regional cooperation
- institutional integrity.

This project is funded ... the European Union's Cocaine Routes Programme. It is implemented by INTERPOL ... partnership ... the United Nations Office on Drugs and Crime (UNODC) and Transparency International.

The following countries are involved ... Project CRIMJUST:

- Latin America and the Caribbean: Argentina, Bolivia, Brazil, Colombia, Dominican Republic, Ecuador, Panama and Peru;
- West Africa: Cape Verde, Ghana, Guinea Bissau and Nigeria.

Drug trafficking and related organized crime threaten security and public health in affected communities as well as undermine governance and the rule ... law. The transnational nature of drug trafficking as well as the increasing multi-crime portfolio of organized crime groups create a challenge to participating states and underline the necessity ... an equally horizontal approach ... cooperation at a national, regional and inter-regional level.

Since its launch ... 2016, CRIMJUST has strived ... enhance law enforcement and judicial capacities and institutional integrity as well as ... strengthen international cooperation to support the implementation ... (inter)regional counter-narcotic strategies that go beyond interdiction activities.

DISCUSSION QUESTIONS

Exercise 9. Discuss types and consequences of police misconduct based on a series of case scenarios.

1. A policeman approaches a man who is alone and wandering down the street at night. The man is wearing bizarre clothing, which the policeman finds a little suspect. He is asked by the officer where he is heading. The man claims that he is acting properly and that the police should not be concerned about his direction. The officer becomes irate and demands the man provide his ID. Man declines. You must obey a police officer, show me your ID, the officer yells at him. The man continues to refuse, so the officer handcuffs him, has him bend over a nearby car, and files a case against him for refusing to assist the police.

2. A woman runs up to the cops and reports that a man snatched her wallet. It's him, she adds, gesturing in his direction. She gestures in the direction of two men. One appears to be a native speaker and belongs to the national majority, while the other is unmistakably a foreigner and belongs to the national minority. Since members of this community are more prone to perpetrate this kind of crime, the police officers run and apprehend the foreigner or individual from the national minority.

3. A person is detained by a police officer after being accused of selling a minor quantity of illegal substances. In exchange for information that will assist in the arrest of a man who has been involved in serious drug trafficking for a long time but cannot be apprehended due to a lack of evidence, the police officer promises to change the charges against the suspect from «drug trafficking» to «possession for personal use».

4. Police policemen leave their shift just as a brawl breaks out amongst many patrons of a restaurant. It has been a long and challenging day. A broken bottle appears to be in one of their hands. Due of exhaustion, the officers leave the site without taking any action.

5. A police officer learns that a particular person is wanted for committing a crime as they switch shifts. The officer's close friend is the subject of the request, and he informs him that a warrant has been issued. He waits until the person cannot be located before executing the warrant.

Exercise 10. Read the vacancy announcement and write a CV to apply for the job.

For the project «Soteria», INTERPOL is now seeking a qualified applicant for the position of criminal intelligence officer.

Introduction of post

Project «Soteria» tries to identify and stop sexual criminals from accessing children and other vulnerable people by working in the assistance industry. In member nations in Africa and Asia, the project's main focus is on creating systems for preventing and combating such sexual abuse, exploitation, and harassment («SEAH»).

PRIMARY DUTIES

The Criminal Intelligence Officer will closely cooperate with the other project team members to complete tasks in the many project-related areas. The ideal candidate should be capable of doing the majority, if not all, of the following tasks:

Duty 1. Participate in the development and implementation of law enforcement capacity-building initiatives regarding the use of criminal histories to identify sexual offenders, the investigation of crimes involving sexual exploitation of minors and vulnerable adults, and similar offenses; engaging with humanitarian groups on case investigations; using INTERPOL services and tools; or any other area relevant to the project's scope. Forensic interviewing in the context of sexual exploitation.

Duty 2. Participate in the evaluation of law enforcement's current capabilities and the skills and competencies held in order to provide need-based mentoring to investigators at relevant law enforcement units, both locally and remotely, supporting them in their work and ensuring that acquired skills are put to use.

Duty 3. Promote and expand the exchange of information on incidents and threats between law enforcement and the humanitarian sector using INTERPOL instruments in order to improve prevention, detection, and analysis.

Requirements

1.1 Training/Education required:

– A degree or equivalent certification from a University or other specialized establishment for higher education (at least three years of study).

- An advanced degree would be an asset.

1.2 Experience required:

- At least five years of professional experience, at least three of which must have been spent investigating and protecting against sexual exploitation of children or other vulnerable people.

1.3 Languages:

- It is necessary to be fluent in English (both written and spoken).

1.4 Special aptitudes required:

- High levels of self-motivation and self-control;
- Excellent interpersonal and multicultural skills;
- Strong teamwork abilities. Capable of working both independently and in a team in a multicultural setting.

SUPPLEMENTARY MATERIAL

Read the text. In pairs, discuss the steps which can be taken to reduce organized crimes in society.

Project Trace

Providing instruction to Southeast Asian nations on how to use web data in counterterrorism investigations.

Timeframe: August 2017 to February 2021

Budget: EUR 2 million

Donor: Global Affairs Canada

Project summary

Project Trace works to reinforce counter-terrorism capacity and expertise in the 10 countries of the Association of Southeast Asian Nations (ASEAN): Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam.

Initially a three-year initiative (2017–2020), it has been extended until February 2021.

The Project focuses on personnel from national counterterrorism units, cyber units, and any other national agencies tasked with looking into and preventing the use of the Internet for terrorist purposes.

Participants in Project Trace now have the knowledge, resources, and methods necessary to obtain and use data from internet sources, including social media, for counterterrorism investigations.

Project activities

Training activities are conducted over three cycles, each targeting a different group of participants.

Each cycle comprises the following activities:

- One-week Basic Training on Countering the Use of Internet for Terrorism Purposes;
- One-week Advanced Training on Countering the Use of Internet for Terrorism Purposes;
- Software donation and specialized software training;
- Train-the-trainer session;
- Table-top exercise to provide participants with hands-on experience. Five objectives underpin each of the activities:
 - Understanding how open source intelligence (OSINT) and social media intelligence (SOCMINT) streams can be used as part of criminal investigations;
 - Understanding how to use INTERPOL's policing capabilities, including the different types of INTERPOL databases and notices;
 - Understanding the correct techniques for capturing and securing digital evidence;
 - Using charting techniques as a tool to assist in analysis;
 - Understanding how to request information from third parties (INTERPOL, other law enforcement agencies, Internet service providers, telecom companies, etc.).

Online training

Project Trace has continued to provide instruction to the area through two Small Private Online courses despite the global coronavirus outbreak.

The first – **the E-Evidence Bootcamp** – ran for eight weeks from June to August 2020. The course demystifies the concepts behind electronic evidence and enables participants to better determine the authenticity, reliability and integrity of digital evidence.

A total of 49 law enforcement officials completed this third iteration of the course, which was originally developed in 2019 in collaboration with University College Dublin – Digital Forensic Investigation Research Laboratory (DigitalFIRE).

The second online course – **Fundamentals of Open Source Investigations** – has been newly developed by the Project Trace team. It increases the skill and ability of law enforcement investigators to conduct open source investigations in a safe and efficient manner. The

course ran over six weeks, from October to December 2020, with a total of 107 participants.

Both courses form part of INTERPOL's Virtual Academy, a digital learning platform that comprises recorded lectures, self-paced study material, live-webinars, and exercises.

Project oversight

The project is implemented under the supervision of a Steering Committee, which is made up of one person from each beneficiary nation. Its responsibility is to provide guidance and support for the various project activities in order to maximize participation and guarantee long-term success.

Countries involved: Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, Vietnam.

Project Sharaka

Combating terrorism in North Africa and the Middle East.

The first line of defense in stopping terrorist immigration is robust border security.

Project Sharaka, which is supported by the European Union, equips front-line police officers in Algeria, Egypt, Jordan, Lebanon, Libya, Morocco, Palestine, and Tunisia with INTERPOL policing equipment and knowledge.

Through technology, capacity building, and police operations, the goal is to assist these nations in identifying and stopping terrorist people and organisations.

Preventing terrorists from crossing borders

Project Sharaka connects frontline agencies to I-24/7 (INTERPOL's secure, global police communications network), particularly at airports, seaports and national borders. This enables them to share intelligence in real time and to access our range of global criminal databases.

With stolen travel documents used by terrorists, particularly foreign terrorist fighters returning from conflict zones, it is particularly important that border security officers have direct access to INTERPOL's database of stolen and lost travel documents.

This project ensures that the target nations have the knowledge, tools, and capabilities they require to combat terrorism. During regional investigations and operations, frontline officers are taught on how to use the variety of international criminal databases maintained by INTERPOL.

Case study: seaport operation in Libya

A Libyan government operation at the harbor of Khoms in October 2020 demonstrates the useful assistance that Project Sharaka can provide to its participant nations.

The operation, which was directed by the INTERPOL National Central Bureau (NCB) in Tripoli and collaborated with the Criminal Investigation Service, the Customs department, and other security agencies, boosted ongoing information exchange and increased access to INTERPOL's databases.

The Project Sharaka team supplied NCB Tripoli with equipment for mobile connectivity to INTERPOL's databases as well as biometric devices to capture fingerprints. They also offered remote operational and technical assistance.

To check people and their passports, gather fingerprints and face pictures from potential crew members, and inspect ships, cars, and cargo, more than 30 Libyan police officers were dispatched. Officers conducted more than 400 checks against INTERPOL databases over the course of two days and seized two containers containing prohibited drugs.

Generating regional intelligence

Investigations on the ground are supported by strategic intelligence that the member nations have jointly created. In this approach, nations can recognize the tactics used by terrorist criminal networks, spot impending dangers, and distribute early warnings throughout the region.

The European Union is funding the «Sharaka» project of INTERPOL South. The opinions presented here should under no circumstances be interpreted as the official position of the European Union.

ENGLISH-UKRAINIAN GLOSSARY

Unit 1

Law and Legal system

abuse – 1) погане або жорстоке ставлення; 2) неправильне вживання або використання; 3) зловживання

adherence – 1) прихильність, вірність; 2) строге дотримання (правил)

adopt – приймати (закон)

arbitration – 1) розбір суперечки третейським судом, арбітражем; 2) угода сторін про передачу їхньої суперечки на вирішення третейського суду; 3) третейський суд, арбітраж

authority – 1) влада; 2) повноваження; право, права; компетенція; документ, який підтверджує повноваження; доручення, довіреність; ордер; грамота; 3) звич. влада, начальство; адміністрація; інстанція; начальник; 4) вага, авторитет, вплив
binding contracts – обов'язкові контракти

branch of law – галузь права

codified – зашифрований, закодований; кодифікований

contradict – суперечити; заперечувати; спростовувати; заперечувати

court – суд (court of justice); судові засідання; будинок суду; зал суду; судді; суддя (у США)

decree – 1) указ, декрет, наказ; закон; 2) постанова, рішення, ухвала (суду)

deterrence – утримання; відлякування, залякування; засіб залякування; стримування

distribution – 1) розподіл, роздача; доставка або транспортування товарів; те, що розподіляється; певна частина, частка; 2) поширення, розповсюдження, розміщення, розташування; 3) розподіл доходів

empower – 1) уповноважувати; довіряти; 2) давати можливість або право (зробити що-небудь); дозволяти

endeavor – спроба, намагання, старання

environmental law – природоохоронне (екологічне) право

executive – виконавчий

execution – 1) виконання (наказу, плану, обов'язків); 2) стра-
та; 3) виконання (судового рішення, вироку); виконання
формальностей; оформлення, укладання (договору, доручення)

exercise – здійснювати, застосовувати, використовувати;
користуватися; проявляти

facilitate – полегшувати, допомагати, сприяти

facilitation – полегшення, допомога

hierarchy – ієрархія

implement – виконувати, здійснювати; запроваджувати

В ЖИТТЯ

implementation – здійснення, виконання, реалізація (плану)

impose – 1) (*on, upon*) обкладати (податком, митом); накладати;
покладати; 2) (*on, upon*) нав'язувати

investigation – розслідування; слідство; розгляд (справ);
дослідження, обстеження

judge – суддя

jurisdiction – 1) судочинство, відправлення правосуддя;
2) юрисдикція; підсудність; підвідомчість

justice – 1) справедливість; 2) правосуддя, юстиція; 3) розплата;
4) законність (чого-небудь)

land law – земельне право; закон про землю

law – закон, право

legal consequence – юридичний наслідок

legal entity – суб'єкт права; юридична особа

legal force – юридична сила

legislator – законодавець; член законодавчого органу

legislature – 1) законодавчий орган; 2) законодавча влада

litigation – судовий процес, судова справа, позов

management activity – управлінська діяльність

mandatory – 1) мандатний; 2) обов'язковий, примусовий,
імперативний

marital – подружній, шлюбний

mediator – посередник; примиритель

majority – більшість

minority – меншість; менша частина

mobilization – мобілізація

non-property – немайновий

normative act – нормативний акт

obey – 1) слухатися, коритися, підкорятися; 2) керуватися; слідувати, дотримуватися

offense – злочин, правопорушення, проступок; образа;

pandect – звід законів (країни)

peace – мир; мирний час; 2) спокій, порядок; тиша

penalty – 1) покарання, стягнення; 2) штраф

perpetrator – злочинець; винний

precedent – (судовий) прецедент

preserve – 1) зберігати, оберігати; 2) підтримувати (звичаї, дисципліну); 3) охороняти

pre-trial – 1) попереднє слухання справи, попередній розгляд справи; 2) досудовий

private law – приватне право; приватний закон (що стосується окремої юридичної особи)

promote – 1) просувати; підвищувати в чині або званні; 2) сприяти, підтримувати, заохочувати; стимулювати; активізувати

public law – державне право, публічне право; публічний закон

redress – 1) виправлення; відновлення; 2) відшкодування, задоволення, сатисфакція

regulate – 1) регулювати; упорядковувати; 2) пристосовувати (до вимог, умов)

regulation – 1) регулювання; 2) правило; 3) статут; інструкція; обов'язкові постанови

resolution – 1) рішення; твердий намір; резолюція; рішення; постанова; draft resolution – проект резолюції; 3) вирішення (проблеми)

resolve – 1) вирішувати, приймати рішення; постановляти; 2) вирішувати (проблему)

sanction – 1) санкція, ратифікація, затвердження; 2) підтримка, згода, схвалення, дозвіл; мотив

self-government – 1) самоврядування; 2) самовладання

state-enforced laws – державні закони

state power – державна влада

statute – 1) статут; законодавчий акт; 2) устав, статут

subsequent – наступний, більш пізній

tacit – 1) який мається на увазі, не виражений словами; мовчазний

tacit approval – мовчазне схвалення;

tacit consent /agreement/ – мовчазна згода; 2) неписаний (про закон)

transaction – 1) (the transaction) ведення (ділових операцій); the transaction of affairs – ведення справ; 2) операція; справа; транзакція
profitable transaction – вигідна операція; 3) врегулювання суперечки шляхом угоди сторін або компромісу

Unit 2

Civil Law. Civil Cases

accessible – 1) доступний; досяжний; 2) який зазнає (впливу); податливий

accessibility – 1) доступність; 2) сприйнятливість

adjust to – 1) упорядковувати, давати лад; улагоджувати, домовлятися; вирішувати (суперечки); урегулювати; 2) пристосовувати; підганяти, прилаштовувати

application – 1) заява; заявка; прохання, звернення; клопотання; заява, письмове клопотання суду або судді; 2) застосування, додаток; використання; застосування, вживання; 3) прикладання, накладання

apply – використовувати, застосовувати, вживати

bind – в'язати, зв'язувати, скріплювати, затискати; прив'язувати; пов'язувати, зав'язувати

breach – п порушення (закону, зобов'язання); в порушувати

canon law – канонічне, церковне право

case – 1) випадок; обставина; стан (справ); 2) судова справа; судова практика; докази, аргументація у (судовій) справі; казус; судовий прецедент (the case of law); судове рішення

civil case – цивільна справа

claim – 1) вимога; претензія, домагання; право; право вимоги; 2) позов

codified – зашифрований, закодований; кодифікований

complaint – 1) невдоволення; причина невдоволення; 2) скарга, нарікання; 3) скарга; позов; порушення кримінальної справи

comprehensive – 1) всеосяжний, вичерпний; повний; широкий; докладний; 2) тямущий; 3) всебічний, детальний

consequence – 1) наслідок; результат; 2) висновок

contract claims – контрактні вимоги

contract law – договірне право

contract out of – (офіційно) зобов'язатися не брати участі, вийти (звідки-небудь) consistency – 1) послідовність, логічність; 2) постійність, сталість; 3) погодженість, узгодженість

cooperation – співпраця, співробітництво

court case – судова справа; судовий прецедент

declaratory judgement – заявне рішення

defamation – ганьблення, паплюження; наклеп

defendant – відповідач; підсудний, обвинувачуваний

destruction – зруйнування, знищення

deter – (*from*) утримувати, зупиняти; відлякувати

disclosure – 1) розкриття; виявлення, викриття; 2) те, що відкрите, розкрите, виявлене

dispute – 1) диспут, дискусія, дебати; 2) суперечка; сперечання, сварка; конфлікт;

3) спірне питання

enactment – 1) прийняття закону, упровадження закону в дію; затвердження, підписання закону (президентом); 2) закон, указ, статут; законодавчий акт; постанова (законодавчої влади); правове рішення; 3) положення, умова, стаття (закону)

encourage – 1) підбадьорювати; надихати; 2) заохочувати, підтримувати; 3) підбурювати

enforceable – здійснимий (про закон, план); який піддається впровадженню в життя; який має позовну силу

enshrine – закріпити

equitable – справедливий; безсторонній, неупереджений; 2) який належить до права справедливості

equitable claims – справедливі вимоги

equity – 1) справедливість; неупередженість; 2) право справедливості; часто (чие-небудь) право, визнане судом справедливості

evict – 1) позбавляти володіння на законній підставі, за рішенням суду; повернути собі (майно) у суді; 2) виганяти; виключати; усувати (з посади)

exploitative – 1) експлуаторський; 2) експлуатаційний, пов'язаний з експлуатацією

fraud – обман, шахрайство

imply into – 1) мати на увазі, припускати; 2) означати; мати на увазі, опосередковано виражати; натякати, давати зрозуміти

injunction – наказ, розпорядження; судова заборона; заборонна норма interpretation – 1) тлумачення, пояснення, інтерпретація; 2) значення

judge – суддя
judiciary – 1) судова влада; 2) суд, суди; судді; 3) судовий
jurisprudence – 1) юриспруденція, правознавство; 2) судова практика
jurist – 1) правознавець; 2) юрист; адвокат jury – присяжні (засідателі); суд присяжних lawsuit – судовий процес
landlord – 1) лендлорд; поміщик, який здає землю в оренду; 2) домовласник, який здає квартири; 3) хазяїн готелю
legislative – законодавчий
malpractice – протизаконна, кримінальна дія; зловживання довірою; професійна некомпетентність; злочинна недбалість лікаря (при лікуванні хворого)
modify – модифікувати, видозмінювати
monetary damage – грошовий збиток
negotiate – вести переговори; домовлятися (з ким-небудь); обговорювати умови; 2) домовитися (про що-небудь)
opine – висловлювати думку, думати
party – сторона
pertain – (to) 1) відноситися, належати; мати відношення (до чого-небудь); підлягати (чому-небудь); 2) бути властивим; 3) підходити, личити
plaintiff – позивач
pleading – 1) виступ сторони або адвоката в суді; 2) попереднє судочинство у справі; 3) заступництво, клопотання
predictability – передбачуваність
pre-filing – попередня подача
pre-trial – 1) попереднє слухання справи, попередній розгляд справи; 2) досудовий
post-trial – після закінчення судового розгляду
promote – 1) просувати; підвищувати в чині або званні; 2) сприяти, підтримувати, заохочувати; стимулювати; активізувати
property – власність, майно; право власності
property law – право власності, майнове право; норми, що регулюють майнові права
provision – 1) постачання, забезпечення; 2) заготовляння, заготівля, запасання; запас; резерв
reflect – 1) відбивати (тепло, звук, світло); 2) відображати; 3) роздумувати (*on*); 4) міркувати, розмірковувати (*on, upon*)
relationship – 1) спорідненість; 2) зв'язок; взаємини, стосунки

remedy – 1) ліки, лікувальний засіб; 2) засіб, заходи (проти чогось); 3) засіб судового захисту (захисту права)

rental property – оренда майна

resolve – 1) вирішувати, приймати рішення; постановляти; 2) вирішувати (проблему)

restrain – 1) стримувати, приборкувати; утримувати; 2) обмежувати; 3) позбавляти волі, ув'язнювати

salient – характерний

scope – 1) межі, рамки, границі (можливостей); 2) масштаб, сфера, поле (діяльності)

secularize – передавати для світських, мирських цілей

self-evident – самоочевидний; ясний, без доказів

solicitation – 1) наполегливе прохання; клопотання; 2) підбурювання (до здійснення злочину); 3) ведення справ у суді

statute – 1) статут; законодавчий акт; 2) устав, статут

supplement – доповнювати, додавати

tenant – 1) власник (переваж. нерухомості); 2) наймач, орендар, наймач; тимчасовий власник

tort claim – вимога з завданої шкоди; позов з делікту; право вимоги, що виникає з делікту; деліктна вимога

tort law – деліктне право

trial – (судове) слідство; судовий розгляд; суд; слухання справи

underlie – 1) лежати в основі (чого-небудь); 2) користуватися переважним правом (на задоволення претензії)

unethical – неетичний

wrongful act – протиправне діяння, незаконне діяння, делікт

Unit 3

Criminal Law

appeal – оскаржити, апелювати, подавати апеляційну скаргу

applicable – застосовний, придатний; відповідний, підходящий

apprehension – затримка, арешт

beneficial – 1) вигідний; 2) який користується власністю для отримання (особистої) вигоди

cane – бити тростиною, ціпком

charge – (*sb with sth*) обвинувачувати

- circumstances** – обставини, умови, стан справ
- claim** – 1) вимога; претензія, домагання; право; право вимоги;
- 2) позов
- collect taxes** – збирати податки
- confinement** – тюремне ув'язнення
- conform** – 1) (*to*) погодити; узгодити; відповідати, задовольняти;
- 2) пристосовувати; пристосовуватися; 3) підкорятися (правилам)
- convict** – *n* засуджений; ув'язнений; *v* визнати винним, винести вирок; засудити
- convicted** – засуджений
- corporal punishment** – тілесне покарання
- court clerk** – секретар суду
- crime** – злочин
- criminal** – *n* злочинець; особа, винна у вчиненні злочину; *adj* злочинний, кримінальний
- criminal punishment** – кримінальне покарання
- cross-border crimes** – транскордонні злочини
- death penalty** – смертна кара, смертний вирок
- discretion** – 1) обережність, обачність; розважливість; розсудливість; 2) свобода дій; право вільно вирішувати, вибирати; повноваження
- drug addict** – наркоман; особа, яка звично вживає наркотики
- enact** – 1) пропонувати, постановляти, декретувати; 2) приймати, вводити в дію (закон); надавати законну силу (розпорядженню); встановлювати в законодавчому порядку
- extradition** – екстрадиція, видача іноземній державі особи, що порушила закони цієї держави
- fallout of delinquency** – наслідки правопорушень
- felony** – (тяжкий) кримінальний злочин
- file the case** – подати справу
- fine** – штраф
- fraud** – обман, шахрайство
- grievance** – скарга; невдоволення; привід, підстава для скарги або невдоволення
- heinous** – огидний, мерзенний, жахливий
- house arrest** – домашній арешт
- ill-will** – зла воля; недоброзичливість; ворожість; неприязнь
- (до – *to, towards*) **impose** – 1) (*on, upon*) обкладати (податком, митом); накладати; покладати; 2) (*on, upon*) нав'язувати

incarcerate – ув'язнювати; позбавляти волі incarceration – ув'язнення; позбавлення волі inflict – (on sb) накладати (покарання) infraction – порушення, недотримання (закону)

investigation – розслідування; слідство; розгляд (справ); дослідження, обстеження

jail – 1) в'язниця; 2) тюремне ув'язнення

jurisdiction – 1) судочинство, відправлення правосуддя; 2) юрисдикція; підсудність; підвідомчість

jurisdictional – підвідомчий; підсудний

law – закон, право

lawyer – юрист; адвокат

legislature – 1) законодавчий орган; 2) законодавча влада

liaise – встановлювати або підтримувати зв'язок

liberty – воля, свобода; право, свобода (вибору)

life sentence – вирок до довічного ув'язнення, покарання довічним ув'язненням

maintain order – підтримувати порядок

meticulous – дріб'язковий; скрупульозний; ретельний

minor – менший; незначний, другорядний

misdemeanour – дрібний злочин, судово караний проступок; погана поведінка money-laundering – легалізація прибутків, отриманих незаконним шляхом; відмивання брудних коштів (грошей)

motion – клопотання

murder – вбивство

negligence – 1) недбалість, недбайливість, неухважність; 2) необережність, необачність; недогляд; 3) байдужість, зневажливе ставлення

notoriety – погана слава

offense – злочин, правопорушення, проступок; співучасть (у злочині); посягання; образа

parole regimen – умовно-достроковий режим

peer – рівня, рівний

penalty – 1) покарання, стягнення; 2) штраф

physical harm – фізична шкода

physical punishment – фізичне покарання

plea – 1) заява, зроблена в суді однією зі сторін або від її імені; офіційна заява, відповідь підсудного або відповідача суду;

заперечення; скарга, прохання; позов по суду; 2) судова справа, процес; передача справи до суду

predictability – передбачуваність

prejudice – упереджена думка; упередженість

prison – в'язниця

probation – 1) випробування; 2) випробний термін; 3) умовне звільнення на поруки підсудного (неповнолітнього)

probation regimen – режим випробування

property – власність, майно

protect – захищати, охороняти, запобігати

punishable – караний, який заслуговує на покарання

punishment – покарання; стягнення

regulate – 1) регулювати; упорядковувати; 2) пристосовувати (до вимог, умов)

rehabilitation – реабілітація; поновлення в правах

resolve disputes – вирішувати суперечки

right – право

safeguard – гарантувати; охороняти

severity – строгість, суворість

solitary – єдиний, одиничний; винятковий; окремих;

speeding – їзда на великій швидкості; їзда з недозволеною швидкістю

statute – 1) статут; законодавчий акт; 2) устав, статут

statutory law – статутне право; право, виражене в законодавчих актах; право, засноване на законодавчих актах

violate – порушувати, переступати; зневажати

suspect – *n* підозрювана або підозріла людина; *adj* підозрілий; підозрюваний

top-notch – чудовий, першокласний

treatment – звернення, поводження; лікування

trial – (судове) слідство; судовий розгляд; суд; слухання справи

unconventional hours – нетрадиційні години

violent – насильницький

whipping – шмагання; побої

white-collar crime – злочин, вчинений службовцем (який обіймає відповідальну посаду), посадовий злочин

witness – свідок, очевидець

Unit 4

Drugs. Drug-related crimes

addict – 1) наркоман (*drug addict*); 2) людина, схильна до чого-небудь (часто поганого)

addiction – 1) схильність, невивігубна звичка; 2) наркоманія (*drug addiction*)

addictive – який викликає звичку, звикання (часто про наркотики)

alleged – 1) який стверджується, заявляється; 2) сумнівний; підозрілий, який не викликає довіри

bong – кальян для куріння марихуани

cannabis – коноплі; сушені квітки, екстракт з насіння конопель

cause addiction – викликати залежність *charge* – (*sb with sth*) обвинувачувати *cocaine* – кокаїн

conceal – ховати; укривати; приховувати *consequence* – 1) наслідок; результат; 2) висновок *conviction* – визнання підсудного винним; судимість

dangerous – небезпечний, пов'язаний з небезпекою; загрозовий

deal – (*with*) мати справу (з чим-небудь)

deliver – передавати, вручати; розносити, доставляти

delivery – 1) доставка; рознесення; 2) поставка; передача

distribute – розподіляти, роздавати; розносити

drug – наркотик

equipment – устаткування, обладнання; оснащення; спорядження

effect – 1) результат, наслідок; 2) дія, вплив *felony* – (тяжкий) кримінальний злочин *harmful* – шкідливий, згубний; небезпечний

harsh – суворий, різкий

heroin – героїн

illicit – незаконний, протиправний, недозволений, заборонений; таємний

inhale – вдихати

inject – вводити *intent* – намір

life sentence – вирок до довічного ув'язнення, покарання довічним ув'язненням

LSD – (*lysergic acid diethylamide*) ЛСД (наркотик, що викликає галюцинації) *manufacture* – виготовляти; виробляти; переробляти (сировину)

marijuana – марихуана
morphine – морфій
opioid – 1) препарат опію; опіат; наркотик; 2) снодійне, снодійний засіб
painkiller – беззаспокійливий засіб
paraphernalia – 1) атрибути; 2) супровідне у торгівлі героїном (упаковка героїну, порошки, що до нього додаються)
penalty – 1) покарання, стягнення; 2) штраф
pipe – люлька, курильна трубка
possess – володіти, мати possession – володіння
potent – 1) сильний, могутній, потужний; 2) сильнодіючий; міцний; 3) дієвий, ефективний
prison – в'язниця
prison sentence – вирок до тюремного ув'язнення produce – виробляти, випускати; виготовляти production – виробництво, виготовлення; вироблення prosecutor – 1) обвинувач, прокурор; 2) позивач purchase – покупка, закупівля, купівля; придбання
rolling papers – рулонні папери
sedative – заспокійливий; седативний; заспокійливий (про ліки); беззаспокійливий; снодійний
sniff – 1) нюхати, понюхати; обнюхувати; 2) вдихати (носом, через ніс)
stimulant – збудливий засіб, стимулятор; аналептичний, збудливий або підбадьорливий лікарський засіб
substance – речовина
swallow – ковтати, проковтнути
syringe – шприц
traffic – торгувати
trafficking – збут, торгівля (звичайно незаконна або недозво- леними товарами); незаконне перевезення (переправляння) (недозволеного товару на кшталт наркотиків тощо)
transportation – перевезення, транспортування

Unit 5

Organized crime

accountant – бухгалтер
asset seizures – вилучення активів benefit – вигода, користь; нажива civil servants – державні службовці commence – розпочинати

commit a crime – вчинити злочин
commute – пом'якшувати покарання
continuity – 1) тривалість; 2) безперервність; 3) послідовність
counterfeit – 1) підробка; 2) фальсифікований, фальшивий
deter – (*from*) утримувати, зупиняти; відлякувати
drug kingpins – наркобарони
enemy – ворог; противник; недруг; супостат
evolve – еволюціонувати, розвиватись
expand – 1) поширюватися; 2) збільшуватись
extortion – вимагання
firearms – вогнепальна зброя
governance – 1) управління; 2) керівництво
gambling joints – ігрові клуби
gun – пістолет
human trafficking – торгівля людьми
illicit drugs – заборонені препарати
incarceration – 1) позбавлення волі; 2) ув'язнення
inside knowledge – конфіденційна інформація; інсайдерська
інформація; інформація для внутрішнього користування
insurgent commander – очільник повстанців
intelligence – 1) розвідка; 2) інтелект
interaction – взаємодія
investigator – слідчий
law enforcement – правоохоронні органи
maritime piracy – морське піратство
money laundering – відмивання грошей
on non-regular basis – нерегулярно
organized criminal group – організоване злочинне угруповання
paramilitary – 1) воєнізований; 2) напіввійськовий
pattern – 1) схема; 2) модель
prison – в'язниця
proceeds – прибуток; виторг
prohibition – заборона
property – власність, майно
prosecutor – 1) обвинувач, прокурор; 2) позивач
provision of services – надання послуг
punishable – караний, який заслуговує на покарання
random – випадковий
settle disputes – вирішувати суперечки
severity – 1) ретельність; 2) жорстокість

smuggling – контрабанда
stock exchange – фондова біржа stock market – фондовий ринок
street gangs – вуличні банди
surveillance – спостереження; нагляд
untouchable – недоторканий
violence – 1) насильство; 2) розправа
warlord – полководець
wealth – багатство, достаток
weapon – 1) зброя; 2) знаряддя

Unit 6

International law (1).

History and purpose of international law.

Principles of international law.

Sources of international law

acknowledgment – 1) визнання; 2) підтвердження; 3) подяка
advisory opinion – консультативний висновок
agreement – угода, договір; домовленість
ambassador – посол
ambassadorial mission – посольська місія
ameliorate – покращувати
charter – 1) хартія; 2) статут; 3) патент
commerce – торгівля
common good – загальне благо
consequence – 1) наслідок; результат; 2) висновок
consistency – послідовність; логічність; усвідомленість
customary law – звичаєве право
deal – (*with*) мати справу (з чим-небудь)
diplomatic immunity – дипломатичний імунітет
dispute – 1) диспут, дискусія, дебати; 2) суперечка; сперечання, сварка; конфлікт; 3) спірне питання
double taxation – подвійне оподаткування
employee – робітник, працівник
endangered species – види під загрозою вимирання
envoy – посланник
equity – 1) справедливість; неупередженість; 2) право справедливості; часто (чие-небудь) право, визнане судом справедливості

exert power – використовувати владу/силу
extradition – видача затриманої особи
extraterritorial – екстериторіальний, вилучений з-під дії місцевого законодавства
General Assembly – Генеральна Асамблея
generality – загальність; придатність для всього
genocide – геноцид
humanity – людство; людяність
influence – вплив
international law – міжнародне право
international monetary affairs – міжнародні валютні відносини
inter-state relations – міждержавні відносини
judicial decision – судове рішення
jurist – 1) правознавець; 2) юрист; адвокат
jus cogens – імперативна норма
just war – справедлива війна
justice – 1) справедливість; 2) законність; 3) правосуддя
justification – виправдання
law scholar – правознавець
Middle Ages – Середньовіччя
millennia – тисячоліття
misuse – 1) зловживання; 2) неправильне використання
negotiate – вести переговори; домовлятися (з ким-небудь); обговорювати умови; 2) домовитися (про що-небудь)
non-binding – необов'язковий
obey – 1) підкорятись; 2) виконувати; 3) відповідати умовам рівняння
peace – мир
peremptory norms – імперативна норма
perpetual – вічний; безкінечний
persecution – переслідування
poverty – бідність, злидні
principle of good faith – принцип добросовісності
pronouncement – 1) виголошення; 2) офіційна заява; 3) ухвалення
protect – захищати, охороняти
protect the vulnerable – захищати вразливих
Romans – римляни
stakeholder – 1) зацікавлена сторона; 2) посередник
treaty – договір

underestimate – недооцінювати

unilateral – односторонній **vicious** – зловісний, порочний

watercourses – водотоки, канали

Unit 7

International law (2).

International criminal law.

International security law.

International human rights law

address – 1) вирішувати (проблему); 2) звертатись

admissibility criteria – критерії прийнятності

ambiguous – неоднозначний; нечіткий

arms control – контроль над озброєннями

asylum – 1) притулок; 2) психіатрична лікарня; 3) захисток

ceasefire – припинення вогню; перемир'я

combat – боротися, вести бій

confess – зізнаватись; визнавати

constituent document – установчий документ

country-specific situations – ситуації, що стосуються

конкретних країн

cultural property – культурні цінності

degrading treatment – принизливе ставлення

detention – затримання

dignity – гідність; достоїнство

disarmament – роззброєння

dispute – 1) диспут, дискусія, дебати; 2) суперечка; сперечання, сварка; конфлікт; 3) спірне питання

encouragement – 1) заохочення; 2) підбурювання

fact-finding mission – місія з встановлення фактів

forced displacement – депортація; примусове переселення

freedom of thought – свобода думки

freedom of conscience – свобода совісті

genocide – геноцид

guidelines – 1) орієнтири; 2) настанови; 3) методичні рекомендації

humane – гуманний; людський

humiliating – принизливий, образливий
ill-treatment – жорстоке поводження
imminent – неминучий
inquiry – 1) допит; 2) розслідування
joint action – спільні дії
judicial body – судовий орган
last resort – крайній захід
legal framework – законодавча база
maintain – 1) підтримувати; 2) субсидіювати
military elite – військова еліта
non-proliferation – нерозповсюдження (зброї)
observance – 1) дотримання, виконання законів; 2) звичай
participation – участь
peace-keeping – підтримка миру
predecessor – 1) попередник; 2) предок
preserve – оберігати; зберігати
promulgate – 1) оприлюднити; 2) поширити
prosecute – 1) притягнути до відповідальності; 2) виступати обвинувачем; 3) переслідувати
guilt – вина, провина
rape – зґвалтування
right to freedom of opinion and expression – право на свободу думок і їх вираження
Security Council – Рада Безпеки
security-building measures – заходи з розбудови безпеки
self-defense – самооборона
shield – захищати
siege – облога
state-like entities – державоподібні утворення
supervise – 1) наглядати; 2) керувати
trusteeship – опіка; піклування
undermine – підривати
victim – жертва
war crimes – військові злочини
warrant – ордер; судове розпорядження

Unit 8

International police cooperation. Interpol

- abandon** – 1) покидати; 2) відмовлятися від
- acquired skills** – набуті навички
- advantage** – 1) перевага; 2) вигода; користь
- agenda** – порядок денний
- alert** – 1) привести до стану готовності; 2) попереджати про небезпеку; 3) оголошувати тривогу
- arrangement** – домовленість
- assessment** – оцінювання
- authorities** – влада; органи влади
- challenge** – виклик
- circulate** – 1) бути в обігу; 2) переходити з рук у руки; 3) рухатись колом
- coercive means** – примусові заходи
- cooperation** – співпраця
- correspond** – відповідати
- cybercrime** – кіберзлочинність
- database** – база даних
- deployment** – розгортання
- detection** – виявлення, викриття
- digital** – цифровий
- distribution** – поширення; розповсюдження
- DNA** – ДНК
- duration** – тривалість
- eliminate** – 1) знищувати; 2) скорочувати
- enhance** – 1) посилити; 2) збільшити
- evidence collection** – збір доказів
- experience** – досвід
- facilitate** – 1) полегшувати; 2) сприяти
- fingerprints** – відбитки пальців
- forensic investigation** – судово-медична експертиза
- fugitive** – біженець, утікач
- governing body** – орган управління
- headquarter** – штаб-квартира
- higher education** – вища освіта
- high-tech** – високі технології

human rights – права людини
illegal substances – заборонені речовини
information-sharing – обмін інформацією
intelligence – 1) розвідка; 2) інтелект
inter-governmental organization – міжурядова організація
international borders – міжнародні кордони
iteration – 1) ітерація; 2) повтор
joint investigation team – спільна слідча група
judge – суддя
legal assistance – правова допомога
letter of request – лист-запит
major crime – особливо тяжкий злочин
mutual legal assistance – взаємна правова допомога
neighboring countries – країни-сусіди
obstacle – перешкода
perpetrator – злочинець, порушник
prevent – запобігати, попереджати, перешкоджати
purpose – мета, ціль
pursuit – 1) переслідування; 2) гонитва
security arrangements – заходи безпеки
senior officials – вищі посадові особи
solicitor – адвокат
support – підтримка
suspect – *n* підозрювана або підозріла людина; *adj* підозрілий;
підозрюваний
target – 1) ціль; 2) мішень
third parties – треті сторони
to be in charge of – бути відповідальним (за щось)
trust – довіра
upon request – за запитом
wanted person – особа, яка перебуває у розшуку
warning – 1) попередження; 2) попереднє оповіщення

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