

The Child's Interests in Conflict

THE INTERSECTIONS BETWEEN SOCIETY,
FAMILY, FAITH AND CULTURE

Maarit Jänterä-Jareborg (ed)



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ML Morrison



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Normativity and Diversity in Family Law Nadjma Yassari, Marie-Claire Foblets, 2021-11-21 With regard to family law this volume examines claims based on cultural tradition ethnic background custom religious affiliation and sexual orientation as well as various other claims that are not officially recognized in state law in 15 jurisdictions around the world The country reports seek to determine whether these claims represent a challenge to family law as conceived by the state and if so how these challenges are being managed The focus lies on the interaction between i claims and traditions raising minority related and diversity related issues and ii the state as the addressee of these demands for accommodation The reports identify specific instances and situations that have proven and in many cases still are particularly difficult to resolve They force decision makers to engage in a delicate balancing act between different often clashing interests The Child's Interests in Conflict Maarit Jänterä-Jareborg, 2016 The Child's Interests in Conflict addresses one of the most pressing issues of any multicultural society namely the conflicting demands on children from minority groups or children born to parents of different cultural or faith backgrounds What a family may consider to be in the child's best interest and welfare in court decisions may not be shared by society at large Each can be guided by faith culture and tradition Society can view the child as being exposed to a significant harm or to risk of harm if certain traditions are followed while in contrast parents can believe that their child is harmed or is in harm's way if that tradition is not respected Focusing on such circumstances in Europe the contributions in this book all written by internationally leading experts and with an interdisciplinary element address situations of conflict regarding a child's upbringing and education in general the shaping of a child's cultural or faith based identity underage marriages the circumcision of boys the role of faith and culture in society's placements of children outside the care of their family the role of faith in cross border child abduction and disputes over parental responsibilities Attention is paid to the case law of the European Court of Human Rights and to less well known national case law as well as to recent national legislation all of which show not only the complexity of the issues discussed but also the differing ways multicultural challenges are dealt with The book strives to answer inter alia how legal systems should navigate between the competing claims and conflicting interests without forgetting the main person to be protected namely the child and how the scope of tolerance recognition and autonomy should be defined Series European Family Law Vol 41 Subject European Law Human Rights Law Family Law Children's Law Socio Legal Studies EU Securities and Financial Markets Regulation Niamh Moloney, 2023-03-25 Over the decade or so since the global financial crisis rocked EU financial markets and led to wide ranging reforms EU securities and financial markets regulation has continued to evolve The legislative framework has been refined and administrative rulemaking has expanded Alongside the Capital Markets Union agenda has developed the UK has left the EU and ESMA has emerged as a decisive influence on EU financial markets governance All these developments as well as the Covid 19 pandemic have shaped the regulatory landscape and how supervision is organized EU

Securities and Financial Markets Regulation provides a comprehensive critical and contextual account of the intricate rulebook that governs EU financial markets and its supporting institutional arrangements. It is framed by an assessment of how the regime has evolved over the decade or so since the global financial crisis and considers among other matters the post crisis reforms to key legislative measures, the massive expansion of administrative rulemaking and of soft law, the Capital Markets Union agenda, the development of supervisory convergence as the means for organizing pan EU supervision and ESMA's role in EU financial markets governance. Its coverage extends from capital raising and the Prospectus Regulation to financial market intermediation and the MiFID II, MiFIR and IFD/IFR regimes to the new regulatory regimes adopted since the global financial crisis including for benchmarks and their administrators to retail market regulation and the PRIIPs Regulation and on to the EU's third country regime and the implications of the UK's departure from the EU. This is the fourth edition of the highly successful and authoritative monograph first published as EC Securities Regulation. Heavily revised from the third edition to reflect developments since the global financial crisis, it adopts the in depth contextual and analytical approach of earlier editions and so considers the market, political, institutional and international context of the regulatory and supervisory regime.

Gender Perspectives in Private Law Gabriele Carapezza, Figlia, Ljubinka Kovačević, Eleonor Kristoffersson, 2023-02-15. This book discusses prominent and controversial gender related issues across the fields of family law, tort law, labour law, civil procedure law, ADR and private international law. An important critical assumption made by the authors is that the gender equality perspective has been largely neglected in several branches of private law since scholars researching the intersection between gender and legal studies are mostly focused on public law and human rights law. In light of that, the book contributes not only to the deconstruction of gender blind private law but also to the development of a gender competent analysis of the key branches of private law starting with private international law. Gender perspective in family law is analyzed on the basis of gendered and heteronormative operations of family law with reference to the formation of legally recognized relationships, the establishment of legal parenthood, the division of marital property after a divorce and the arrangements for post separation parenting. Also, regulation of family matters in Indian society and the gender equality perspective from the principle of the child's best interest are considered. As far as tort law is concerned, the book addresses compensation for damages suffered by women performing unpaid household work. Further, it contains papers dedicated to the following labour law issues: the genesis of labor law and its capacity to contribute either to worsening gender inequality in the world of work or to promoting gender equality; gender segregation in the labour market and its connection to family friendly policies in the European Union; sexual harassment at work and the impact of work digitalization on gender related labour law issues. Lastly, the authors analyze gender equality in civil procedural law as well as in mediation as a tool for encouraging the peaceful settlement of disputes. The book is intended to improve awareness of the wide range of private law issues that are important for understanding the ways in which gender inequality shapes everyday experiences while also

presenting critical considerations of the key private law instruments for achieving gender equality **Intersections of Nutrition: Retracing Yesterday, Redefining Tomorrow** Jossie M. Rogacion, 2023-04-06 The field of pediatric nutrition has grown extensively in terms of discoveries research and trends The 97th Nestl Nutrition Institute Workshop which took place on 15 16 June 2022 brought together international experts who examined these developments over the last 100 years and discussed the future directions they envision The first day focused on the evolution of nutrition research and explored the future of nutritional science research On the second day leading scientists and researchers discussed such topics as efforts to map a normal microbiome development trajectory the impact of human milk oligosaccharide HMO supplementation on the infant microbiome the role of nutritional genomics in a person s response to food and how low nutrient density foods can lead to malnutrition Additionally experts examined the evolution of human milk composition how dietary patterns of infants influence the risk of noncommunicable diseases later in life how infants develop their taste preferences and how diet in early life affects future metabolic health and risk of obesity The key issues covered in the workshop offer valuable insights for healthcare providers policy makers and researchers on current and future perspectives in pediatric nutrition as well as important research priorities for this field Children Born of War: Challenges and Opportunities at the Intersection of War Tension and Post-War Justice and Reconstruction Sabine Lee, Susan Bartels, Heide Glaesmer, 2023-03-20 *The Oxford Handbook of Law and Anthropology* Marie-Claire Foblets, Mark Goodale, Maria Sapignoli, Olaf Zenker, 2022-04-01 The Oxford Handbook of Law and Anthropology is a ground breaking collection of essays that provides an original and internationally framed conception of the historical theoretical and ethnographic interconnections of law and anthropology Each of the chapters in the Handbook provides a survey of the current state of scholarly debate and an argument about the future direction of research in this dynamic and interdisciplinary field The structure of the Handbook is animated by an overarching collective narrative about how law and anthropology have and should relate to each other as intersecting domains of inquiry that address such fundamental questions as dispute resolution normative ordering social organization and legal political and social identity The need for such a comprehensive project has become even more pressing as lawyers and anthropologists work together in an ever increasing number of areas including immigration and asylum processes international justice forums cultural heritage certification and monitoring and the writing of new national constitutions among many others The Handbook takes critical stock of these various points of intersection in order to identify and conceptualize the most promising areas of innovation and sociolegal relevance as well as to acknowledge the points of tension open questions and areas for future development Immigration Detention in the European Union Izabella Majcher, Michael Flynn, Mariette Grange, 2020-03-04 This book offers a unique comparative assessment of the evolution of immigration detention systems in European Union member states since the onset of the refugee crisis By applying an analytical framework premised on international human rights law in assessing domestic detention regimes the book reveals the extent to which EU legislation

has led to the adoption of laws and practices that may disregard fundamental rights and standards While emphasizing policies and laws adopted in response to the refugee crisis the volume also shows how these policies have evolved and in many cases grown more restrictive even as the crisis has begun to recede from the borders of many European countries To sharpen awareness of contrasting developments across the region the book s country chapters are organised into geographic sections that reveal how variations in migration pressures have in some cases resulted in contrasting detention practices even as the EU directives have sought to harmonise immigration laws A critical focus of the book are the evolving domestic norms related to grounds for detention length of detention non custodial alternatives to detention the treatment of children and conditions of detention With its systematic and comparative assessment of immigration detention regimes across the EU the book will be helpful for both academics and practitioners who seek a comprehensive guide to the evolution of one of today s more important human rights dilemmas states efforts to control global migration Cumulated Index Medicus ,1995

Croatia and the European Union Dr Pero Maldini, Dr Davor Pauković, 2015-11-28 For accession to the EU Croatia had to meet significantly higher criteria than previous states with suspicion and concerns among existing members about further enlargement increasing Meanwhile initially strong public support in Croatia declined as inconsistencies in EU policy entry criteria and problems caused by the economic crisis all combined with fears about the loss of national identity and the ability to realize national interests The successful Croatian accession to the EU in 2013 shows that despite concerns on both sides the EU continues to have meaning and significance and that membership remains highly desirable Through nine mutually interrelated chapters the contributors speak not only about the political and social situation in Croatia but also prospects for the European Union itself

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Table of Contents And Childs Interests Conflict Intersections European

1. Understanding the eBook And Childs Interests Conflict Intersections European
 - The Rise of Digital Reading And Childs Interests Conflict Intersections European
 - Advantages of eBooks Over Traditional Books
2. Identifying And Childs Interests Conflict Intersections European
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an And Childs Interests Conflict Intersections European
 - User-Friendly Interface
4. Exploring eBook Recommendations from And Childs Interests Conflict Intersections European
 - Personalized Recommendations
 - And Childs Interests Conflict Intersections European User Reviews and Ratings
 - And Childs Interests Conflict Intersections European and Bestseller Lists

5. Accessing And Childs Interests Conflict Intersections European Free and Paid eBooks
 - And Childs Interests Conflict Intersections European Public Domain eBooks
 - And Childs Interests Conflict Intersections European eBook Subscription Services
 - And Childs Interests Conflict Intersections European Budget-Friendly Options
6. Navigating And Childs Interests Conflict Intersections European eBook Formats
 - ePub, PDF, MOBI, and More
 - And Childs Interests Conflict Intersections European Compatibility with Devices
 - And Childs Interests Conflict Intersections European Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of And Childs Interests Conflict Intersections European
 - Highlighting and Note-Taking And Childs Interests Conflict Intersections European
 - Interactive Elements And Childs Interests Conflict Intersections European
8. Staying Engaged with And Childs Interests Conflict Intersections European
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers And Childs Interests Conflict Intersections European
9. Balancing eBooks and Physical Books And Childs Interests Conflict Intersections European
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection And Childs Interests Conflict Intersections European
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine And Childs Interests Conflict Intersections European
 - Setting Reading Goals And Childs Interests Conflict Intersections European
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of And Childs Interests Conflict Intersections European
 - Fact-Checking eBook Content of And Childs Interests Conflict Intersections European
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning

- Utilizing eBooks for Skill Development
- Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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