



Latitude

University of Louisville Panama

6th Edition



About Latitude

University of Louisville Panama

Today, Panama's economic growth is mostly attributed to the government's macro-level efforts, outstanding administration of the Panama Canal and open market policies in an effort to promote free trade and foreign direct investment ("2012 Investment Climate Statement - Panama")

Nevertheless, a nation's economic growth does not imply positive advance in International Law and Business knowledge. On the contrary, foreigners with greater education levels and competitive mindsets hold most of the higher-paid positions and entrepreneurial activity of the country. This leaves no room for many Panamanians for whom a sustainable livelihood is still a far-fetched reality.

The globalization of markets and technological shifts across the world creates the need for a greater specialized labor force in developing countries and greater knowledge of International Laws and Business practices. The demand for workers capable of facing and adapting to our emerging digitalized world is huge, yet possible. Significant investments in people's capabilities and international skills can be attained by developing action plans and strategies to improve quality in international law and business education to ensure its productivity levels.

This magazine edition's aim is to assess and analyze International Law issues and Business practices. It also addresses some emerging international challenges and potential opportunities, which creates the need of a better skilled international labor force. Dr. Librado Gonzalez Head of Research

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Pirates in East Asia

Empire State University, Joey Bonura

It has been all over the news the past few years: Pirate attacks in Somalia, East Asia, and the Caribbean. The idea of a pirate attack sounds kind of ridiculous at first because an image of Blackbeard with an eye patch and a parrot on his shoulder is what comes to mind. Pirate attacks were something that happened in the 1800s when ships were filled with gold and precious treasures. It is not the typical thing that people worry about in this modern era with advanced terrorist attacks, war, and shootings.

But this is all changing. According to Peter Shadbolt in the article, "Asia's sea pirates target treasure of marine fuel" there are been 22 pirate attacks in 2013 so far and 9 of them occurred in East Asia. This article was written in February 2013 so in a short period of two months there has been a very heavy amount of pirate attacks. Today's "gold" comes in the form of gasoline and other expensive deteriorating goods that our world depends on. These items have to be transported by ship and they have become the perfect substances for modern day pirates to get their hands on.

On November 20, 2012, "11 pirates armed with machetes, long knives and pistols" (Shadbolt) boarded a fuel carrying ship. All crewmembers were forced onto life rafts and sent out to sea to deal with their own fate. The name of the boat was painted over and given a new name and identification number. Just like the old school pirates, the ultimate goal of the modern day ones is to have control and get away with the entire ship. Luckily authorities were able to hunt down the missing ship in this case and arrest the pirates.



But why has there been such an increase in Pirate attacks? The Idarat Maritime, a website that provides systematic resilience at sea, says that "... there is a situation in which the rule of law, and the control of territory, is insecure in many areas of South East Asia, and this, together with the high levels of corruption among officials, the increasing poverty and the existence of organized crime in the area makes it a natural environment in which piracy can flourish." With all of this going on it is putting people in a very easy position to commit acts of piracy. They know it is worth the risk of getting caught because a lot of times they do not get caught due to corruption.

Pirates in East Asia continued

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However, there are some laws in place that are designed to combat piracy. The main set of guidelines comes from the United Nations Convention of the Law of the Sea. This document outlines all legal necessities that go into combatting robbery at sea in articles 100 to 107. In article 101 of the UNCLOS, piracy is defined as:



Any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:

On the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;

Against a ship, aircraft, persons or property in a place outside the jurisdiction of any State

Any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;

Any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b)

Since the pirate attacks happen overseas, it is often difficult to decide on jurisdiction for the case. They are permitted to use

universal jurisdiction in order to determine this. Universal jurisdiction “allows states or International organizations to claim criminal jurisdiction over an accused person regardless of where the alleged crime was committed, and regardless of the accused's nationality, country of residence, or any other relation with the prosecuting entity.” (Wikipedia)

One of the problems with universal jurisdiction in Southeast Asia is that they do not qualify to initiate the universal jurisdiction under UNCLOS. “UNCLOS requires that a crime occur on the high seas in order to be punishable as piracy.” (Erik Barrios) But most of the attacks are happening in the states territorial waters and they are not practicing it because they do not want to deal with the burdens of having a trial. Trials are very expensive so a lot of times the pirates

are being captured and then released. (Eugene Kontorovich, 2009) The corruption in East Asia may be one of the reasons that this is happening. Overall, I think that piracy is going to continue being a problem in East Asia. There is a lot of corruption there and people don't have much to lose if they are captured because they are often released.

The articles of the UNCLOS may need to be redefined in order to allow easier opportunities for universal jurisdiction.

References

- Barrios, Erik. "Casting a Wider Net: Addressing the Maritime Piracy Problem in Southeast Asia." Law Digital Commons. N.p., 5 Dec. 2005. Web. 16 June 2013. <<http://lawdigitalcommons.bc.edu/cgi/viewcontent.cgi?article=1078&context=iclr>>.
- Kontorovich, Eugene. "Commentary: Invoke Universal Jurisdiction to Prosecute Pirates Worldwide." Law.com. N.p., 15 May 2009. Web. 16 June 2013. <<http://www.law.com/jsp/article.jsp?id=1202430706808>>.
- "Piracy in South East Asia, A Growing Threat." Idarat Maritime. N.p., 13 July 2012. Web. 16 June 2013. <<http://www.idaratmaritime.com/wordpress/?p=137>>.
- "PREAMBLE TO THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA." UN News Center. UN, n.d. Web. 16 June 2013. <http://www.un.org/depts/los/convention_agreements/texts/unclos/part7.htm>.
- Shadbolt, Peter. "Asia's Sea Pirates Target Treasure of Marine Fuel." CNN. Cable News Network, 08 Feb. 2013. Web. 16 June 2013. <<http://edition.cnn.com/2013/02/08/world/asia/asia-piracy>>.
- "Universal Jurisdiction." Wikipedia. Wikimedia Foundation, 13 June 2013. Web. 16 June 2013. <http://en.wikipedia.org/wiki/Universal_jurisdiction>.

The Suppression of Drugs

Towson University, Blanca Abrego

The prohibition of drugs occurs domestically and internationally. While many drugs are illegal there is numerous countries that recognize the supply chain for medical and recreational use. In fact is only certain drugs are illegal worldwide. The most consumed drugs contain psychoactive substances such as prescription pills. While these drugs are legal some still purchase them through the black market. Further research lead us to find clear contradictory within the laws that say drugs are illegal, production is illegal but a small possession acceptable because it's not considered drug trafficking.

Claims for the use of drugs have been related to religious, and health benefits. Yet the movement of drugs in conducive of violent environment since its illegal and its trading can result dangerous. Many people are killed by the police in drug persecutions; also while trafficking the drugs from one country to another, traders are arrested and tortured for information. Violence is endless when it comes to illegal means. The fact that drugs create chemical addiction is very relevant for this industry because once you are an addict; is it because of genetic predisposition or just because you develop it you can't get cured. I think this is relevant because this is what keeps people consuming without being able to control themselves and this is what supports this industry.

Drug trading is not internationally seen as a crime and it is not subject to universal jurisdiction. In many cases drug trafficking is to be connected to universal jurisdiction because many of the drug trading funds are used for terrorism and other international crimes. There is something called the War on Drugs created by the US which is a law of drug prohibition that supports itself by claiming that the use of drugs brings violence and health concerns among others. The US is a really strong character in the drug prohibition because many countries had decided to support them at an interna-

tional level and use their drug policy

which makes the suppression of it a little more uniform across the globe. In New York they have a mandatory minimum sentence in which you can have 15 years of prison if you have in possession more than 113g. In California if you are caught in possession three times you will be subject to life prison, the United Kingdom has a similar law but instead of life incarceration you get 7 years.



There are some drugs that once were illegal but now are legal such as tobacco and alcohol. Even though they are legal now, the government tries to avoid their use by putting graphic images of possible consequences of smoking. Also both drugs have high taxes making the product expensive.

When it comes to the human civil rights there is a dispute because many of the drug arrests are result of officers searching your personal property something that is illegal unless you have a warrant. This happens a lot because citizens are unaware that they can deny the searching. Since officers are seen as an authority you tend to follow their orders.

Some countries to avoid this searching issue use undercover law in which undercover officers will study the acts of someone and then when sure they will ask for a warrant making it legal to human rights. The bad part of this is that these officers are permitted to commit crimes if necessary, so as I mentioned before here is where drug persecution violence happens.

Because of the War on Drug institutions such as the Interpol had being created which facilitates the police cooperation internationally since trading is increasing every day.

The Suppression of Drug Trade continued

University of Louisville, Blanca Abrego

This War on Drugs has created in the US a problem of incarceration; the 59.6% of prisoners in the US are related to drug problems.

Suppression seems to be something really hard since it has to be worldwide so that the trading can decrease. Many governments cooperate among themselves such as Mexico, Afghanistan and United Kingdom in which they agree to avoid the process of converting their crops of cocaine, heroin and opium into narcotics. They avoid this process by aerial spraying which damages the crops and some governments have noticed a decrease in the crops preventing tons of narcotics to be produced. For example, Colombia eliminated 1,300 square kilometers of cocaine crops avoiding 500 tons of cocaine to be produce which can supply the US and Europe for a year. They also avoided \$100,000,000 in illicit income (Wikipedia).

As you see this is a really attractive industry and many governments are involved in it. Recently Washington approved the recreational use of Marijuana; I will not be surprised that the government is getting money from this because it's evident that Marijuana lowers a person's IQ, creates a motivational syndrome among others, creating a stupid society.

International Law it's also in charge of the investigation of suspects. They investigate suspicious bank accounts, suspicious conducts, and gangs among others.

Apart from this, international law prevents the drug sales and use by watching carefully and in an undercover way the supply chain of it and enforcing the law, also they provide abuse treatments such as AA. A very common strategy is education, government and international institutions have public campaigns in which they educated citizens on the danger of drug use.

This has been criticized by many since it has turn out to be inefficient. It has created literal wars, violence, the killing of

innocent people and not to say it is very costly, a significant part of the government's money goes to drug investigation and persecution.

I will say that there is no uniform international law that can control drug trafficking. Some countries adopt the US drug policy, other criticize it. Countries also vary on their punishments and the quantities you must have to be seen as a crime. But something that it's evident is that the use of drug creates addiction transforming it into a social problem. By social problem I mean that there are less efficient employees, violence happens, families are separated and so on.

Globalization also plays a big role here because now border are more accessible creating better routes for the trading. Since it's a very profitable industry it's easy for traffickers to buy people and make trading even easier or make countries legalize drugs.

References

- "International Criminal Law : International Centre on Human Rights and Drug Policy." International Centre on Human Rights and Drug Policy. N.p., n.d. Web. 16 June 2013. <<http://www.humanrightsanddrugs.org/international-law/international-criminal-law/>>.
- "International Drug Control Law : International Centre on Human Rights and Drug Policy." International Centre on Human Rights and Drug Policy. N.p., n.d. Web. 16 June 2013. <<http://www.humanrightsanddrugs.org/international-law/international-drug-control-law/>>.
- Drugs / Drugs / Crime areas / Internet / Home - INTERPOL." Internet / Home - INTERPOL. N.p., n.d. Web. 16 June 2013. <<http://www.interpol.int/Crime-areas/Drugs/Drugs>>.
- "Globalization - Definition and More from the Free Merriam-Webster Dictionary." Dictionary and Thesaurus - Merriam-Webster Online. N.p., n.d. Web. 16 June 2013. <<http://www.merriam-webster.com/dictionary/globalization>>.
- "black market." - definition of black market. by the Free Online Dictionary, Thesaurus and Encyclopedia." Dictionary, Encyclopedia and Thesaurus - The Free Dictionary. N.p., n.d. Web. 16 June 2013. <<http://www.thefreedictionary.com/black+m>>
- country. "Prohibition of drugs - Wikipedia, the free encyclopedia." Wikipedia, the free encyclopedia. N.p., n.d. Web. 16 June 2013. <http://en.wikipedia.org/wiki/Prohibition_of>
- "minorities - definition of minorities by the Free Online Dictionary, Thesaurus and Encyclopedia." Dictionary, Encyclopedia and Thesaurus - The Free Dictionary. N.p., n.d. Web. 16 June 2013. <<http://www.thefreedictionary.com/minorities>>
- country. "United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances - Wikipedia, the free encyclopedia." Wikipedia, the free encyclopedia. N.p., n.d. Web. 16 June 2013. <http://en.wikipedia.org/wiki/United_Nations_>
- "Interpol." Wikipedia. N.p., n.d. Web. 16 June 2013. <<https://en.wikipedia.org/wiki/Interpol>>.
- "psychoactive - definition of psychoactive by the Free Online Dictionary, Thesaurus and Encyclopedia." Dictionary, Encyclopedia and Thesaurus - The Free Dictionary. N.p., n.d. Web. 16 June 2013. <<http://www.thefreedictionary.com/psychoactive>>
- <http://11-news.softpedia-static.com/images/news2/Boss-of-Lithuanian-Anti-Piracy-Outfit-Suspected-of-Drugs-Trade-2.jpg?1347890962>

Ideas on Steroids

Towson University, Salim Elhayek

Steroids, the typical type of drug that most people use to gain muscle mass and better performances at exercising. However, scientists, discovered that gaining the use of different types of steroids, could cause a huge number of negative side effects, such as more chance on gaining stress, less testosterone production and heart issues. Also, in other ways, the use of steroids are mostly banned in sports competition, to avoid cheating because gaining the goals you want is by hard work and dedication and they simply think that using steroids such as annobolical type steroids, are so advantageous that they can gain more muscle build in no time.

Normally, the use of steroids is over-rated and mostly used in certain competitions that involve sports, especially bodybuilding. However, the use of steroids had been banned through various countries in order to avoid cheating and deaths inside the country. Although some steroids are legalized in some countries, such as in United Kingdom, they can be used for people who do need the use of steroids in order to compete in sports, gaining them without prescription and bypassing the law.

This is because some steroids are different that they are classified as benzodiazepines, meaning that there is no specific control for that category. Although it may be normal that the use of steroids can be legal in some countries, such as in Brazil, Portugal, Argentina and Australia, as long as they have a prescription of that drug because if you don't, then it is found to be offensive carrying and using them without a prescription, especially when it comes to minors.

Mostly having a prescription in some steroids so that they can be used is related to arbitration. It is having like some sort of permit in which not only doctors or any other place accept it, but also the law accepts it and how those countries agree to have that condition in order to have those who need it.



Anabolic Steroids, have been the most powerful, yet negative type of steroid used for better physique resistance, sport advantages, etc. However, due to the fact that it may give such advantages, it is easily to belief that anabolic steroids have an enormous amount of bad effects that causes the user to have very poor life statues. Some of the most serious symptoms from the use of Anabolic Steroids can be: Huge amount of stress, less production on testosterone, uncontrollable rage and of course, high chances of getting various heart diseases. The use of Anabolic Steroids has been banned in another level.

For instance, they aren't banned in a policy made by the government to use them inside certain countries, but also there are policies from competitions, especially those that involve bodybuilding banned. In order to avoid this, whenever someone wants to try and compete in any sport and activity, that person must test and pass all the medical examinations given from the competition, as a requirement. Although, it may be still possible that people still manage to gain access inside competitions and still use anabolic steroids without any given notice.

Another one is where people still manage to pass the medical exams and those exams happen to not detect if the user is positive in the use of steroids. This could be lack of medical exams and equipment. Like said above, some different types of steroids may be still used as long as you have a

Ideas on Steroids continued

Towson University, Salim Elhayek

prescription for instance, you won't be in trouble, but the use of anabolic steroids is highly prohibited in almost anywhere from the world. Sadly, most of the well-known bodybuilders have also used steroids. Some have admitted like former bodybuilder, Arnold Schwarzenegger who admitted in an interview that HE TOOK steroids, only when he was in competitions (take a look at the video where he admits taking steroids).

Although, anabolic steroids can be both legal and illegal. Legally, anabolic steroids can be bought with no prescription, having low doses which cause no harm for those who use them. For the illegal part, they are those who are overly used and can be found addictive. They do require prescriptions and contain negative side effects. This is why the law prohibits on not

only strong types of steroids, but also the excessive use on them. This is why most bodybuilders over use them in order to gain results faster. In the end, steroids remain both secure and unsecure by the law and still require different methods in order to fully maintain control of it. It is not an easy task but it may still be applicable.

References:

<http://whatsteroids.com/steroids/the-law-about-anabolic-steroids>, "The Law about Steroids", What Steroids, 2013.

<http://www.anabolicsmall.com/roida1d.htm>, "Why are anabolic steroids used?", Anabolics Mall, 1991

http://www.steroid.com/steroid_laws.php, "Steroid Law", Steroids.com, 2013.

<http://www.antidote-lgbt.com/steroids.jpg>

Thoughts on Human Rights

Towson University, Maria Montserrat Padron A.

Rights that are given to people are known as Human Rights. Just being a human guarantees that these rights will be protected without condition. Human Rights include freedom of speech, freedom of religion, freedom from persecution, etc. The right to associate is not an independent constitutional right but it is resultant from and dependent on the first amendment assures freedom of speech and expression. It is protected only to the extent that it is stated in conjunction with a First Amendment right. Still, some legal academics maintain that freedom of association is more fundamental than the rights written in the Constitution because without it those other rights have little meaning.

There are a variety of institutions that have been created to protect this rights, the biggest is the United Nations. The United Nations is composed of various departments that are dedicated to investigate and prosecute human rights abuses. One department is the International Criminal Court, which focuses on prosecuting crimes against humanity, genocide and war

crimes. Nevertheless, the ICC has one obvious weakness and that problem is that the ICC only has jurisdiction in countries that have signed and ratified the Rome statute, which is the document establishing the ICC. So in other words, if a state declares that it will not sign or ratify the documents pertaining to the court, then the court cannot act upon crimes committed in that country. Also, the ICC can't act in a country if the country's own legal system is investigating or prosecuting the crimes. This helps prevent double jeopardy, which is when a person is prosecuted twice for the same crime.

While this form of jurisdiction has caused problems in the past, it can also be valuable. A situation where the intervention of the International Criminal Court could be beneficial is in politically charged cases, in which any decision can create arguments or protests. If a politically unbiased organization enters and creates a trial, then the political organizations are free from the consequences of the decision. Human Rights have been established as something that is conferred to all



Thoughts on Human Rights continued

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I can say that I think that the death penalty should be forbidden, because governments are made up of people and I don't think that people should be allowed to decide who lives and dies. Nevertheless, at the same time, I recognize that keeping prisoners in prison costs a lot of money and governments are always seeking ways to save on costs. In most western countries, the death penalty is something that is a crucial last resort, because we are taught that each individual is unique, important and special. Also, in eastern countries that place a higher emphasis on the benefit to society, making decisions is easier, because the country feels that removing something that harms society is an easy decision to make.

No matter the point of view the society takes, the decision to remove the death penalty ultimately falls into

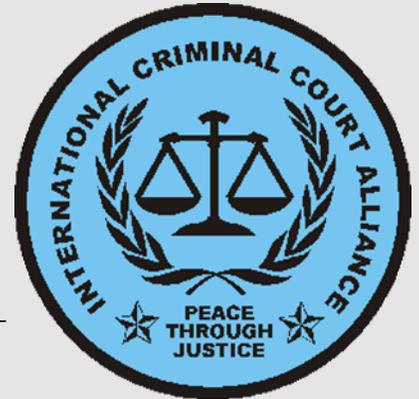


whether the country has ratified the conditions of the Rome Statute which governs the International Criminal Court. In this case, China has neither signed nor ratified the statute, so they have no legal obligation to abolish the death penalty, and the ICC has no jurisdiction whatsoever in China. I guess that the point that I'm trying to make is that it is easy to demand that a country remove something that we may see as wrong, but others see as right. The death penalty is something that can be debated for eternity, but the reality is that if China has not agreed to the relevant statutes, then they cannot be forced to repeal the death penalty.

There are times when multinational companies are capable of abusing human rights. The Center for Constitutional Rights is dedicated to the protection of those rights, which are guaranteed by the United States Constitution and the Universal Declaration of Human Rights. The CCR is a non-profit legal and educational organization committed to the creative use of law as a positive force for social change. It also uses litigation to empower poor communities and guarantee the rights of

those with less protection and few access to legal resources.

CCR brought cases to the U.S. courts for human rights abuses that are committed overseas, some of the worse predators are multinational corporations. For the murders and torture of activists to environmental destruction in countries from Nigeria and Vietnam to the Palestine Territory and South Africa, corporations must be held accountable when they violate human rights to increase their profits.



In other words, Multinational Corporations make bad decisions collaborating with the wrong people at the wrong time. For example there was a case in which Titan Corporation and CACI International conspired with USA officials to torture and abuse people in U.S. custody in Iraq, this people include innocent people. They have no right to do this kind of thing to a human being and this is also a reason to why they should be stopped and sued.

References:

- "Human Rights, United Nations, UN, Genocide, Children, Women, Violence, Indigenous, Holocaust, Rwanda, Africa, Disability." UN News Center. UN, n.d. Web. 17 June 2013
- Light, Whitney. "Why Most Chinese Still Support the Death Penalty." Tea Leaf Media LLC. N.p., 10 May 2013. Web. 17 June 2013.
- "Most Wanted" | Global Exchange." "Most Wanted" | Global Exchange. N.p., n.d. Web. 17 June 2013.

Making New Businesses

David Williams

So you're another of those persons who has a bag full of money and who wishes to invest it on some business that will generate more cash. Well, you're not the only one in town with the same idea in mind. This article has entrepreneurial tips for those of you who wish to make sure that your investments will not crash in the attempt.

Tip N°1) Think about the business you want to do. With this concept in mind, you can follow the rest of the tips more easily.



Tip N°2) Check on other businesses that cropped up (appeared) like the one you have in mind and check out why they succeeded or failed.

Tip N°3) Put an eye on your neighborhood. You want to see if there are competitors, a good and stable environment, a nice group of service or product suppliers, honest clients, low crime rates, a nice and cozy municipal or county government that might provide you with low tax rates, a good and honest police force, honest banks (or at least something that resembles them), decent neighbors, etc. In conclusion, everything that will make your life as a business man better of.

Tip N°4) Study your business's moves based on a market study once you've revised all the variables present in and out of your business and then see how profitable it is. If the business deal is not good enough, don't invest, but on the other hand, if it is so, go ahead and pump your money into it with prudence and an optimistic vision of the future.



Making New Business continued

David Williams



Tip N°5) When you're going to hire personnel for the job, make sure you get the right people for the right job positions. These people will be attending your business and they could possibly ruin it if you don't take care of them before hand.

Tip N°6) As your business grows, be sure to always remember some things straight:

Always respect your clients for they'll come back or rumor about you. Good rumors or word of mouth references are the kinds of stuff you want people to listen to all the time.

The client is not always right. There's always a rotten apple that spoils the rest of the barrel. This means that one bad client is more than enough to ruin business. In those cases, don't make a scandal. Take those bad guys and girls to one side and talk them out of their ill will with respect, a nice security guard, and a couple of handy lawyers.

Always listen to a client or a person passing by who criticizes your business even if they do it in a nasty way. This is information that will help you out.

Business is like having a girlfriend or a boyfriend. There are the good times and the bad times. When the going gets tough always remember that the tough gets going.

References:

http://www.affirmus.com/images/546_lllk2.png

<http://www.lehman.edu/orsp/>

<http://optimistworld.com/Articles.aspx?id=9b85acdd-2c6f-4f6f-b478-c0145fd57405>

<http://www.socalmultiunitrealestateblog.com/?p=2147>