

International And European Criminal Law

The Court of Justice and European Criminal Law
Essential Texts on International and European Criminal Law 8th edition, updated until 1 January 2015
Essential Texts on International and European Criminal Law
Legitimizing European Criminal Law
Essential Texts on International and European Criminal Law (10th revised edition)
Essential texts on international and European criminal law (9th edition)
European Criminal Law
EU Criminal Law and Policy
European Criminal Law
Towards a European Criminal Record
The Court of Justice and European Criminal Law
The Future of EU Criminal Justice Policy and Practice
EU Criminal Justice, Financial & Economic Crime
Limits to EU Powers
Crime and Criminal Justice in Europe and North America, 1990-1994
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Mutual Recognition of Judicial Decisions in European Criminal Law
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The Legitimacy of EU Criminal Law
Proceedings of the Annual Congress of the National Prison Association of the United States
Valsamis Mitsilegas Gert Vermeulen Gert Vermeulen Merita Kettunen Gert Vermeulen Gert Vermeulen Kai Ambos Joanna Beata Banach-Gutierrez André Klip Constantin Stefanou Valsamis Mitsilegas Jannemieke Ouwerkerk Marc Cools Jacob Öberg Kristiina Kangaspunta Valsamis Mitsilegas Libor Klimek Merita Kettunen Irene Wieczorek National Prison Association of the United States. Congress

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the aim of this book is to provide an insight into the landmark rulings of the court of justice of the european union cjeu in european criminal law ecl as in other areas of eu law the decisions of the cjeu have been a driving force for development and integration by analysing the impact of these leading cases on eu and national law the book provides a diachronic and multifaceted picture of the court s approach to criminal law

this volume comprises the principal policy documents and multilateral legal instruments on international and european criminal law with a special focus on europol and eurojust as well as on initiatives aimed at combating international or organized crime or terrorism the texts have been ordered according to the multilateral co operation level within which they were drawn up either prüm the european union comprising also schengen related texts the council of europe or the united nations it is meant to provide students as well as practitioners judicial and law enforcement authorities lawyers researchers throughout europe with an accurate up to date edition of essential texts on these matters

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the book examines how and according to which principles the enactment of european criminal legislation is legitimate the approach adopted here focuses on the constitutionalization of criminal law i e the growing importance of constitutional elements of the eu legal order and the echr regime within criminal law further it shows how and why criminal law has a unique nature and why it should not be equated with other fields of eu law the book explains the basic research

questions and methodologies before turning to the nature of criminal law at the level of national law and addressing the different levels of justification for criminal law further it examines the most prominent features of european criminal law and the difference between general eu law and eu criminal law as well as the theoretical ideals for european constitutional structures and criminal law examples of how the law in practice might not always be in keeping with these normative ideals serve to round out the coverage

this book comprises the principal multilateral legal instruments on international and european criminal law with a special institutional focus on europol and eurojust and a substantive focus on international organised and serious crime including terrorism given the relevance thereof for international information exchange in criminal matters relevant data protection instruments have also been included in the selection the texts have been ordered according to the corresponding multilateral co operation level either prüm the european union comprising schengen related texts the council of europe or the united nations this edition provides students as well as practitioners judicial and law enforcement authorities lawyers researchers throughout europe with an accurate and up to date edition of essential texts on international and european criminal law all texts have been updated until 20 december 2018

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european criminal law faces many challenges in harmonising states criminal justice systems this book presents a systematic analysis of this legal area and examines the difficulties involved

the eu now possesses a clear legal basis for taking action on criminal law matters and steering the policy and practice of member states in relation to crime and criminal law however for what is now an important area of law there remains a striking absence or uncertainty regarding its theoretical basis its legitimacy and

its conceptual vocabulary this book offers a review of the significance of eu criminal law and crime policy as a rapidly emerging phenomenon in european law and governance bringing together an international set of contributors the book questions the nature role and objectives of such criminal law its relationship with other areas of eu policy and law and the established rules of criminal law and criminal justice at the member state level taking up such subjects as the application of criminal law across national boundaries and in the broader european context effective enforcement and the working out of a new european policy the book helps to structure an increasingly significant subject in law which is still finding its direction the book will be of great use and interest to researchers and students of eu law criminal justice and criminology

european criminal law is explained as a multi level field of law in which the european union has a normative influence on substantive criminal law criminal procedure and on the co operation between member states this book aims to describe the contours of the emerging criminal justice system of the european union and to present a coherent picture of the legislation enacted and the case law on european union level and its influence on national criminal law and criminal procedure among the topics and questions covered in this book are the following what does mutual recognition mean in the context of the european arrest warrant how can european union law be invoked by an accused when is the charter of fundamental freedoms applicable in national criminal proceedings these and other pertinent questions are dealt with on the basis of an in depth analysis of the case law of the court of justice and legislation in addition the book challenges the reader to assess the mutual and sometimes conflicting influence of european union law and national criminal law respectively and explains how european union law will usually prevail although national criminal law still remains relevant the book covers a wealth of court decisions and legal instruments making european criminal law written for practitioners academics and students an invaluable source for every european and criminal lawyer this second updated and extended edition covers all recent developments since the entry into force of the treaty of lisbon in 2009 book jacket

the success of the four core freedoms of the eu has created fertile ground for transnational organised crime innovative transnational legal weapons are therefore required by national authorities the availability of data on criminal convictions is at the forefront of the debate but which mechanism for availability can be used effectively while at the same time respecting an increasingly higher level of data protection at national level in the fluid post reform treaty environment the eu is moving towards the creation of a european criminal record which will ultimately secure availability of criminal data beyond the weaknesses of mutual legal assistance mechanisms examining the concept of a european criminal record in its legal political and data protection dimensions this multidisciplinary study is an

indispensable exploration of a major initiative in european criminal law which is set to monopolise the debate on eu judicial co operation and enforcement

the aim of this book is to provide an insight into the landmark rulings of the court of justice of the european union cjeu in european criminal law ecl as in other areas of eu law the decisions of the cjeu have been a driving force for development and integration by analysing the impact of these leading cases on eu and national law the book provides a diachronic and multifaceted picture of the court s approach to criminal law

eu criminal justice is a fast developing and challenging area of eu law and policy that requires scholars from different disciplines to join forces this book is a first attempt to establish such synergies coming from different angles the authors deal with questions in the area of eu substantive criminal law such as when criminalisation of conduct is an appropriate choice how the process of de criminalisation could be advanced what the role of evidence could be in this regard and what consequences criminalisation decisions at eu level have for national legal orders the book concludes with a demonstration of how similar issues arise in the field of procedural criminal law

this fifth volume of the governance of security gofs research paper series addresses a wide variety of topical issues focusing on european criminal justice and financial and economic crime the first cluster of articles is concerned with european criminal justice matters particularly relating to eu mutual recognition such as conceptualization unwanted effects in the context of prisoner transfer and sentence execution impact for cross border gathering and use of forensic expert evidence and interrogational fairness standards a second cluster of articles addresses the subjects of financial and economic crime ranging from informal economy among street children to formal informal economy vulnerability of the hotel and catering industry to crime and white collar crime phenomena like transnational environmental crime and corruption a final cluster groups together a variety of selected topical issues including juvenile offending and mental disorders desistance theories and sexually transmitted infections

praise for the book essential reading for anyone interested in the existence and exercise of eu powers in the field of criminal law Öberg s critical examination of the constitutional constraints to eu action also raises many questions that are of great interest in other areas of eu competence the book deserves a wide readership among scholars interested in the constitutional workings of the european union samuli miettinen university of helsinki tallinn university the main

strength of this book lies in its comprehensiveness of dealing with the topical issue of eu regulatory criminal law from the fascinating perspective of limits to eu powers its particular contribution to existing scholarship in the field of eu criminal law concerns its focus on judicial checks on the exercise of competences as to which the book offers a convincing proposal for a stricter standard for judicial review in matters of regulatory criminal law and beyond professor jannemieke ouwerkerk leiden law school an excellent read on competence allocation in eu law and what it means in criminal law context this book guides the reader through very complex questions of the contours of subsidiarity national competences and the exact limits of eu powers it also supplies up to date case studies of financial crimes and the need for the eu to act effectively and thereby increase confidence in the market and the challenges it may cause for national systems a very timely contribution ester herlin karnell vu university amsterdam pursuant to the precepts of eu law eu policy makers are bound to ensure that any eu legislation must fall within the remit of the eu s competences this monograph looks at this highly contested issue with particular reference to european union criminal law it looks at the powers enjoyed by the eu to impose criminal sanctions to suggest mechanisms by which legislative powers could be kept in check the book argues that the main responsibility for providing checks against the exercise of eu power lies with the eu judiciary it argues that the most effective form of review is procedural and through the case study of sanctions provides the basis for such a review innovative engaging and rigorous this is an important publication both in the field of european criminal and constitutional law

résumé soderžanie

this monograph is the first comprehensive analysis of the impact of the entry into force of the treaty of lisbon on eu criminal law by focusing on key areas of criminal law and procedure the book assesses the extent to which the entry into force of the lisbon treaty has transformed european criminal justice and evaluates the impact of post lisbon legislation on national criminal justice systems the monograph examines the constitutionalisation of eu criminal law after lisbon by focusing on the impact of institutional and constitutional developments in the field including the influence of the eu charter of fundamental rights on eu criminal law the analysis covers aspects of criminal justice ranging from criminalisation to judicial co operation to prosecution to the enforcement of sanctions the book contains a detailed analysis and evaluation of the powers of the union to harmonise substantive criminal law and the influence of european union law on national substantive criminal law of the evolution of the europeanisation of prosecution from horizontal co operation between national criminal justice to forms of vertical integration in the field of prosecution as embodied in the evolution of eurojust and the establishment of a european public prosecutor s office of the

operation of the principle of mutual recognition by focusing in particular on the european arrest warrant system and its impact on the relationship between mutual trust and fundamental rights of eu legislation in the field on criminal procedure including legislation on the rights of the defendant and the victim of the relationship between eu criminal law and citizenship of the union and of the evolution of an eu model of preventive justice as exemplified by the proliferation of measures on terrorist sanctions throughout the book the questions of the uk participation in europe s area of criminal justice and the feasibility of a europe à la carte in eu criminal law are examined the book concludes by highlighting the possibilities that the lisbon treaty opens for the development of a new paradigm of european criminal justice which places the individual and not the state and the protection of fundamental rights and not security at its core

this book examines the mutual recognition of judicial decisions in european criminal law as a cornerstone of judicial co operation in criminal matters in the european union providing comprehensive content and combining theoretical and practical aspects it covers all of the major issues surrounding mutual recognition the book analyses its definition genesis principles case law implementation and evaluation special attention is given to mutual recognition measures namely european arrest warrant i e surrender procedure mutual recognition of custodial sentences and measures involving deprivation of liberty mutual recognition of probation measures and alternative sanctions mutual recognition of financial penalties mutual recognition of confiscation orders the european supervision order in pre trial procedures i e mutual recognition of supervision measures as an alternative to provisional detention the european investigation order i e free movement of evidence and the european protection order i e mutual recognition of protection orders instead of focusing solely on a criminal law approach the book also considers the subject from the perspectives of european union law and international criminal law

the book examines how and according to which principles the enactment of european criminal legislation is legitimate the approach adopted here focuses on the constitutionalization of criminal law i e the growing importance of constitutional elements of the eu legal order and the echr regime within criminal law further it shows how and why criminal law has a unique nature and why it should not be equated with other fields of eu law the book explains the basic research questions and methodologies before turning to the nature of criminal law at the level of national law and addressing the different levels of justification for criminal law further it examines the most prominent features of european criminal law and the difference between general eu law and eu criminal law as well as the theoretical ideals for european constitutional structures and criminal law examples of how the law in practice might not always be in keeping with these normative ideals serve to round out the coverage

this book traces the history of the eu competence eu policy discourse and eu legislation in the field of criminalisation from maastricht until the present day it asks why eu criminal law looking at what rationales the treaty policy document and legislation put forth when deciding whether a certain behaviour should be a criminal offence to interpret the eu approach to criminalisation it relies on both modern and post modern theoretical frameworks on the legitimacy of criminal law read jointly with the theories on the functions of eu harmonisation of national law the book demonstrates that while eu constitutional law leans towards an effectiveness based enforcement driven understanding of criminal law the eu has in fact in more than one instance adopted symbolic eu criminal law ie criminal law aimed at highlighting what values are important to the eu but which is not fit to actually deter individuals from harming such values the book then questions whether this approach is consistent or in contradiction with the values based constitutional identity the eu has set for itself

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