

International And European Criminal Law

The Cambridge Companion to European Criminal Law
Legitimizing European Criminal Law
EU Criminal Law and Policy
Harmonization of Criminal Law in Europe
Research Handbook on EU Criminal Law
EU Criminal Law
EU Criminal Justice and the Challenges of Diversity
EU Criminal Law and Justice
Human Rights in European Criminal Law
Actus Reus and Participation in European Criminal Law
EU Criminal Law after Lisbon
The Constitutional Dimension of European Criminal Law
Materials on European Criminal Law
The Future of EU Criminal Justice
Policy and Practice
EU Criminal Law
Research Handbook on EU Criminal Law
Substantive Criminal Law of the European Union
The Court of Justice and European Criminal Law
The Needed Balances in EU Criminal Law
The Legitimacy of EU Criminal Law
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European criminal law has developed into a complex jagged subject matter which at the same time has become increasingly important for everyday criminal law practice on the one hand this work aims to do comprehensive justice to the complexity of the matter without sacrificing readability in order to achieve this the book's structure enables legal scholars and experienced practitioners to access the information relevant to them in a targeted manner

and at the same time enables less oriented readers to gain access to european criminal law thus the volume both answers basic questions and offers discussion in more specialised areas written by experts in the field the book offers discussions which are both of the highest academic standards and accessibly readable

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

eu criminal law as an emergent regime editorial introduction joanna beata banach gutierrez and christopher harding supranational integration in criminal matters within the european union what could the future bring joanna beata banach gutierrez the effects of the civilizing process on penal developments in the european union jaroslaw utrat milecki eu criminal law national boundaries and the european penal rainbow joanna banach gutierrez and christopher harding towards a principled european criminal policy some lessons from the nordic countries raimo lahti the marginalization of european criminal law proportionality subsidiarity and principled public policy priorities in protecting human life and rights hendrik kaptein eu criminal law and effet utile a critical examination of the union s use of criminal law to achieve effective enforcement vanessa franssen tasks for criminology in the field of eu criminal law and crime policy christopher harding reflections on the prospects for regional criminal courts europe and africa compared harmen van der wilt the practice of plea bargaining in the nordic context patrick gunsberg the eu criminal intelligence model problems and issues artur gruszczak victims as individuals with rights in the european union their protection and their legal standing begona vidal fernandez exploring the impact of legal culture in shaping the role of the european public prosecutor the prospects for penal moderation constantina sampani exploring the case for criminalisation of business cartels in europe patrick gunsberg the eu legislation on protection of financial markets against market manipulation and its implementation in polish law anna blachnio parzych transposing eu framework decisions into the united kingdom s criminal law the trials and tribulations of a researcher jennifer edwards

colloquium was held at the faculty of law university of bergen on 20 21 february 2004 p v

eu criminal law is one of the fastest evolving but also challenging policy areas and fields of law this handbook provides a comprehensive and advanced analysis of eu criminal law as a structurally and constitutionally unique policy area and field of research with contributions from leading experts focusing on their respective fields of research the book is preoccupied with defining cross border or euro crimes while allowing member states to sanction criminal behaviour through mutual cooperation it contains a web of institutions agencies and external liaisons which ensure the protection of eu citizens from serious crime while protecting the fundamental rights of suspects and criminals students and scholars of eu criminal law will benefit from the comprehensive research present in this handbook national and eu policy makers as well as judges defence lawyers and human rights lawyers will find the analysis of current legal action combined with proposed solutions useful to their work

this book examines the main aspects of eu criminal law in the light of recent constitutional challenges

the volume examines how diversity in member states legal cultures is being addressed in the development of eu criminal justice

this book fills a significant gap in the english language literature and must be read by all who seek to understand why profound reflection is needed on the theoretical underpinnings of eu criminal justice samuli miettinen journal of common market studies the book contains a number of interesting arguments and comments on the development of eu criminal law the authors efforts to provide a generalist book in this ever growing increasingly important and still under researched field of eu law must be welcomed valsamis mitsilegas the edinburgh law review today eu criminal law and justice constitutes a significant body of law potentially affecting most aspects of criminal justice this book provides a comprehensive accessible yet analytically challenging account of the institutional and legal developments in this field to date it also includes full consideration of the prospective changes to eu criminal law contained in the recent lisbon treaty while broadly speaking the authors welcome the objectives of eu criminal law they call for a profound rethinking of how the good of criminal justice however defined is to be delivered to those living in the eu at present despite sometimes commendable initiatives from the institutions responsible the actual framing and implementation of the area of freedom security and justice afsj suffers from a failure to properly consider the theoretical implications of providing the good of criminal justice at the eu level written shortly before the recent entry into force of the lisbon treaty eu criminal law and justice comprises a full overview of the key legal developments and debates and includes a user friendly guide to the institutional changes contained in the treaty this timely book will be of interest to both undergraduate and postgraduate students as well as to legal practitioners and policy makers at national and eu levels

this book deals with human rights in european criminal law after the lisbon treaty doubtless the lisbon treaty has constituted a milestone in the development of european criminal justice not only has the reform following the treaty given binding force to the eu charter of fundamental rights but furthermore it has paved the way for unprecedented forms of supranational legislation in this scenario the enforcement of individual rights in criminal matters has become a core goal of eu legislation alongside these developments new interactions between national and supranational jurisprudences have emerged which have significantly contributed to a human rights oriented approach to european criminal law the book analyses the main developments of this complex phenomenon from an interdisciplinary perspective criminal and procedural law constitutional law and comparative law must thus be combined to achieve a full understanding of these developments and of their impact on national law

with the coming into force of the treaty of lisbon the competences of the european union in the realm of criminal law have greatly expanded the eu in a multitude of legislative instruments requires its member states to criminalize a big variety of harmful conducts however the criminal law legislation of the eu has so far almost exclusively focused on specific criminal offenses and has failed to develop and define general principles of criminal law the eu frequently refers to conduct attempt and participation in its legislation but fails to determine what these concepts should denote as a result the scope of european criminal law may differ among european countries as member states will apply their national doctrines to european legislation this book steps into this lacuna by establishing what actus reus and rules on participation should look like in european criminal law in addition it investigates inchoate offenses and corporate criminal liability how should the doctrines of conduct omission and causation be defined how to attribute liability in case several people cooperate to bring about a criminal result what should preparing and attempting a crime denote in european criminal law and how can corporations best be held responsible for the harm they have caused to answer these questions this book distills common general principles on actus reus participation inchoate and corporate liability from the national criminal justice systems of the member states as well as from eu law these results are subsequently merged into coherent principles of european criminal law the author dr johannes keiler was awarded the prestigious criminal law modderman prize for this book in 2014 series school of human rights research vol 60

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

criminal law is one of the most rapidly changing areas of contemporary eu law and integration this book explores the constitutional principles underlying it substantively and in terms of its scope and extent

the fourth edition of materials on european criminal law is a collection of legal instruments including all legal materials relevant for the practice of the member states of the european union in one concise volume

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 is the second edition of eu criminal law which has become since its publication in 2009 a key point of reference in the field the second edition is updated and substantially expanded to take into account the significant growth of eu criminal law as a distinct legal field and the impact of the entry into force of the lisbon treaty on european integration in

criminal matters the book offers a holistic and in depth analysis of the key elements of european integration in criminal matters including eu powers and competence to criminalise the evolution of judicial co operation under the principles of mutual recognition and mutual trust eu action in the field of criminal procedure including legislation on the rights of the defendant and the victim the evolving role of european bodies and agencies such as europol eurojust and the european public prosecutor s office in european criminal law and the development of eu wide surveillance and data gathering and exchange mechanisms several chapters are devoted to the external dimension of eu action in criminal matters including transatlantic counter terrorism cooperation and the impact of brexit on eu criminal law throughout the volume the constitutional and fundamental rights implications of european integration in criminal matters are highlighted covering all the key principles of eu law with clear explanation and rigorous analysis this will give scholars students policy makers and legal practitioners interested in the subject a strong understanding of this fascinating but sometimes complex field

this thoroughly revised second edition provides an advanced analysis of eu criminal law as a structurally and constitutionally distinct policy area and field of research eu criminal law is one of the fastest evolving and most challenging fields of law and this research handbook contains new and substantially updated chapters to assess recent legislative developments and cjeu case law

the book is the result of the conference substantive criminal law of the european union organised by the criminal law department of maastricht university on 20 and 21 january 2011 with the generous support of the faculty of law of maastricht university the koninklijke nederlandse academie van wetenschappen the department of criminal law and criminology of maastricht university and the hague institute for the internationalisation of law hiil

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 important volume provides an up to date overview of the main questions currently discussed in the field of eu criminal law it makes a stimulating addition to literature in the field while offering its own distinctive features it takes a four part approach firstly it addresses issues of a constitutional nature such as the eu competence in the field of criminal law the importance of the principle of subsidiarity and the role played by the different eu institutions secondly it looks at issues linked to the quest of the right balance between diversity and unity and focuses in particular on the special relationship between approximation and mutual recognition thirdly it focuses on the balance between security

and freedom or in other words between the shield and sword functions of eu criminal law special attention is given here to transatlantic cooperation data protection terrorism the european arrest warrant and the european investigation order finally it examines the importance of balanced relations between criminal justice actors

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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Introduction

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