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Renaud Colson, Stewart Field



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criminal law with a special focus on Europol and Eurojust as well as on initiatives aimed at combating international crime organized crime and terrorism It provides students as well as professional practitioners with an accurate up to date and low budget edition of essential texts on these matters These texts have been organized according to the multilateral co operation level from which they were drawn up either Pr m the European Union comprising also Schengen related texts the Council of Europe or the United Nations Within each of these four parts the texts have been included in chronological order With a view to strengthening internal coherence however certain texts have been inserted immediately following the text they modify supplement or otherwise relate to The book comprising four newly added texts for this fifth edition as well as the consolidated versions of the Schengen Implementation Convention and the Europol Convention has been updated to August 1 2008

EU Criminal Law and Policy Joanna Beata Banach-Gutierrez, Christopher Harding, 2016-07-28 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

Essential Texts on International and European Criminal Law (12th revised edition) Gert Vermeulen, 2023-12-22 This book comprises the principal multilateral legal instruments on international and European criminal law with a special institutional focus on Europol Eurojust and the European Public Prosecutor s Office a substantive focus on international organised and serious crime including terrorism and a focus on procedural rights approximation 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 Pr m 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 8 December 2023

The Constitutional Dimension of European Criminal Law Ester Herlin-Karnell, 2012-05-31 Criminal law is one of the most rapidly changing areas of contemporary EU law and integration The Treaty of Lisbon has elevated it to a central place in the constitution of the EU

within the dynamic area of freedom security and justice The phenomenon of EU criminal law as such is however far from new but has developed on an ad hoc basis not least as a result of the case law of the European Court of Justice Central to the Court's reasoning in this area has been the principle of effectiveness A main theme running through the book is therefore the role of the axiom of effectiveness which is critically examined with particular attention to its use by the European Court of Justice in recent leading cases This book explores the constitutional principles underlying it both those determining the substantive values it embodies and those determining its scope and extent Other chapters consider the phenomenon of preventative criminalisation at EU level and the protection of subsidiarity and proportionality in EU criminal law The balance between effective EU action proper control of competence and adequate protection of individual rights is of growing importance as EU criminal law expands but as this book suggests has not yet been fully articulated or entrenched by the institutions of the EU

The Evolution of Supranational Criminal Justice, 2004 **Research Handbook on EU Criminal Law** Valsamis Mitsilegas, Maria Bergström, Theodore Konstadinides, 2016-03-25 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 **EU Criminal**

Law after Lisbon Valsamis Mitsilegas, 2016-06-30 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 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

The Emergence of EU Criminal Law Sarah J Summers, Christian Schwarzenegger, Gian Ege, Finlay Young, 2014-12-01 Criminal law can no longer be neatly categorised as the product and responsibility of domestic law That this is true is emphasised by the ever increasing amount of legislation stemming from the European Union EU which impacts both directly and indirectly on the criminal law The involvement of the EU institutions in the substantive criminal laws of its Member States is of considerable legal and political significance This book deals with the emerging EU framework for creating harmonising and ensuring the application of EU criminal law This book aims to highlight some of the consequences of EU involvement in the criminal law by examining the provisions which have been adopted in the field of information and communications technology It provides an overview of the criminal law competence of the EU and evaluates the impact of these developments on the criminal laws of the Member States It then goes on to consider the EU legislation which requires Member States to regulate matters such as data protection e security intellectual property and various types of illegal content through the criminal law is analysed In the course of this evaluation particular consideration is given to issues such as the basis on which the EU institutions establish the need for criminal sanctions the liability of service providers and the extent to which the Member States have adhered to or departed from the legislation in the course of implementation

EU Criminal Law Valsamis Mitsilegas, 2022-05-05 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 *European Criminal Law* Kai Ambos,2018-06-07 Since their creation the European Union and the Council of Europe have worked to harmonise the justice systems of their member states This project has been met with a series of challenges European Criminal Law offers a compelling insight into the development and functions of European criminal law It tracks the historical development of European criminal law offering a detailed critical analysis of the criminal justice systems responsible for its implementation While the rapid expansion and transnationalisation of criminal law is a necessary response to the growing numbers of free movement of persons and goods it has serious implications for the rights of European citizens and needs to be balanced with rights protections With its close analysis of secondary legislation and reliance on a wide variety of original sources this book provides a thorough understanding of European Criminal Law and the institutions involved The Cambridge Companion to European Criminal Law Kai Ambos,Peter Rackow,2023-02-16 Offers a straightforward comprehensive and up to date picture of the state of affairs in European Criminal Law **The Court of Justice and European Criminal Law** Valsamis Mitsilegas,Alberto di Martino,Leandro Mancano,2019-09-05 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 Mutual Recognition of Judicial Decisions in European Criminal Law Libor Klimek,2016-12-09 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 Needed Balances in EU Criminal Law Chloé Brière,Anne Weyembergh,2017-12-28 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

EU Criminal Justice and the Challenges of Diversity Renaud Colson, Stewart Field, 2016-09-29 The volume examines how diversity in Member States legal cultures is being addressed in the development of EU criminal justice

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