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Enforceability of Multi-Tiered Dispute Resolution Clauses Corpus Juris of Islamic International Criminal Justice EU Mediation Law Handbook Comparative Perspectives on the Enforcement and Effectiveness of Antidiscrimination Law Malaysian Civil Procedure 2015 Fighting for Justice Criminal Law Personal Participation in Criminal Proceedings Commentaries on European Contract Laws Proportionality in Crime Control and Criminal Justice Mastering Multiple Choice for Federal Civil Procedure MBE Bar Prep and 1L Exam Prep Malaysian Civil Procedure Inherent and Acquired Difficulties in the Administration of Punitive Justice La tutela civile in sede penale Law, Norms and Freedoms in Cyberspace / Droit, normes et libertés dans le cybermonde Yearbook of International Humanitarian Law Volume 18, 2015 Mastering Multiple Choice for Federal Civil Procedure General Principles of Law Audi Alteram Partem in Criminal Proceedings Théorie et pratique de l'expertise civile et pénale The Effectiveness of the Köbler Liability in National Courts La responsabilité civile et pénale des administrateurs et membres du Comité de direction des sociétés anonymes Criminal Law and Procedure The New Frontiers of Earthquake Early Warning Systems 2015 Penal Code California Unabridged Criminal Justice Edition Cases, Materials and Text on Judicial Review of Administrative Action Mentoring Comparative Lawyers: Methods, Times, and Places Memory and Punishment Counterterrorism Law Neuroscience and Law Federal Asset Forfeiture The Just Culture Principles in Aviation Law Treatise on International Criminal Law The Oxford Handbook of Prosecutors and Prosecution Yearbook of International Organizations 2014-2015 (Volume 3) Prova scientifica e processo penale Code de procédure civile 2024 115ed - Annoté Droit processuel. Droits fondamentaux du procès - 10e éd. Antitrust between EU Law and national law/Antitrust fra diritto nazionalee diritto dell'unione europea Lezioni e sentenze. Civile, penale e amministrativo 2015

This work contains the papers of the thirteenth Conference on "Antitrust between EU Law and national law", held in Treviso on May 24 and 25, 2018 under the patronage of the European Lawyers Union – Union des Avocats Européens (UAE), the Associazione Italiana per la Tutela della Concorrenza - the Italian section of the Ligue Internationale du Droit de la Concurrence (LIDC)-, the Associazione Italiana Giuristi di Impresa (AIGI), the European Company Lawyers Association (ECLA), and the Associazione Antitrust Italiana (AAI). Some of the papers have been extensively reviewed and updated by the authors prior to publication. The contributions contained in this volume are the result of an in-depth analysis and study of the most salient issues arising from the application of antitrust rules, carried out by experienced and high-ranking professionals, in-house lawyers, academics and EU/national and international institutional representatives who attended the Conference. They deal with extremely topical issues, lying at the heart of current antitrust debate. Some of the most contemporary topics include those related to private antitrust enforcement after the implementation of Directive 2014/104/EU, and to the interplay between antitrust and intellectual property rights. Ample consideration is also given to recent developments in the field of new technologies and the related antitrust issues, as well as to the relations between consumer protection and antitrust. * * * Questo volume contiene gli atti del XIII Convegno sul tema "Antitrust fra Diritto Nazionale e Diritto dell'Unione Europea", tenutosi a Treviso il 24 e 25 maggio 2018 con il patrocinio dell'Unione degli Avvocati Europei (UAE), dell'Associazione Italiana per la Tutela della Concorrenza - sezione italiana della Ligue Internationale du Droit de la Concurrence (LIDC) -, dell'Associazione Italiana dei Giuristi di Impresa (AIGI), della European Company Lawyers Association (AEJE-ECLA) e dell'Associazione Antitrust Italiana (AAI). Alcuni contributi sono stati sostanzialmente rivisti ed aggiornati dagli autori prima della pubblicazione. Gli articoli contenuti nel presente volume sono il frutto del prezioso lavoro di studio e approfondimento delle più interessanti tematiche correlate all'applicazione del diritto antitrust, svolto da qualificati esponenti del mondo professionale, imprenditoriale, accademico ed istituzionale, intervenuti al Convegno. I contributi pubblicati affrontano temi di estrema rilevanza, che rappr sentano il cuore delle problematiche antitrust oggi maggiormente dibattute, tra le quali spiccano, per attualità, quelle connesse al private enforcement ed al risarcimento dei danni in seguito dell'attuazione della Direttiva 2014/104/UE, nonché alle interazioni tra diritto antitrust e diritti di proprietà intellettuale. Ampio spazio è inoltre dedicato alle tematiche concernenti le nuove tecnologie e la loro rilevanza dal punto di vista antitrust, nonché ai rapporti tra tutela del consumatore e diritto antitrust. Need a little practice with multiple choice questions in federal civil procedure? Your solution has arrived. You MUST buy this book if: A. You are studying for your Bar Exam's MBE multiple choice test, and are more than just a little freaked out by how broadly Civil Procedure can be tested; B. You are in law school, enrolled in a Civil Procedure course, and you are exasperated trying to master the countless nuances of Civil Procedure; C. You want a resource that helps coach you in improving multiple choice exam performance, with strategies, realistic questions, answers, and detailed explanations; D. All of the above. This third edition (expanded by 28% with new questions, new answers, and new explanations) encompasses material reflecting the Civil Procedure Rule amendments of December 2015, December 2016, and December 2018, along with applicable new case law. This multiple choice practice book is designed for: (a) bar exam takers, who are preparing to take the MBE multiple choice bar exam (Civil Procedure was added in 2015 as a multiple choice testing topic), and (b) 1L law students, who are preparing to take their course examinations. This practice book offers practical, easy-to-follow advice on multiple choice exam-taking strategies, clear suggestions on effective multiple choice practicing techniques, and a robust set of Civil Procedure multiple choice practice questions with answers and explanations (designed to simulate MBE-style questions). Tables help users decode the tested-topic for each practice question. This title includes lifetime, downloadable access to an eBook. Mediation is rapidly becoming a norm in cross-border dispute resolution among European Union (EU) Member States. Accordingly, an important question for legal advisers to ask themselves is: Which jurisdiction offers the best legal framework to support a potential future mediation of my client's dispute? This book responds to this question by examining the law on mediation in each Member State on a chapter-by-chapter basis. Each country analysis applies the book's overarching principle of a specially designed Regulatory Robustness Rating System, which is thoroughly explained in an introductory chapter. This framework offers a highly effective way to analyse the quality and robustness of each of the EU's twenty-nine national jurisdictions' legal frameworks relevant to mediation (including legislation, case law, practice directions, codes of conduct, standards, and other regulatory instruments) and factor such an analysis into choices about governing law in mediation clauses and other agreements. Among the issues and topics covered are the following: • congruence of domestic and international legal frameworks; • transparency and clarity of content of mediation laws; • standards and qualifications for mediators; • rights and obligations of participants in mediation; • access to mediation services; • access to internationally recognised and skilled mediators; • enforceability of clauses and mediated settlement agreements; • confidentiality and flexibility; • admissibility of evidence from mediation in subsequent proceedings; • impact of commencement of mediation on litigation limitation periods; • relationship and attitude of courts to mediation; and • regulatory incentives for legal advisers to engage in mediation. This detailed analysis clearly allows users and other regulatory stakeholders to look closely and critically at regulatory regimes for mediation in order to make informed choices and develop appropriate strategies in relation to the law that governs their mediation. This is the first book to consider authoritatively what makes good mediation law and what makes a jurisdiction attractive for cross-border mediation purposes in terms of its regulatory framework. As a resource that identifies potential strengths and weaknesses of each EU Member State's regulatory regime, it has no peers and will be welcomed and put to use by the alternative dispute resolution community in Europe and beyond. CRIMINAL LAW AND PROCEDURE, 7th edition delivers extensive coverage of every aspect of the law and details the duties a paralegal is expected to perform when working within criminal law. High-level, comprehensive coverage is combined with cutting-edge developments, foundational concepts, and emerging trends, such as terrorism, treason, and national security crimes; cyber stalking; virtual child pornography; corporate crime, racial profiling, and more. Case excerpts help you develop your case analysis skills, while a variety of built-in learning aids sharpen your problem solving and analytical skills. Important Notice: Media content referenced within the product description or the product text may not be available in the ebook version. This edited volume seeks to reassess the old and to analyse and develop novel approaches to the notion of proportionality in criminal matters and the new security architecture. The discourse is not limited to conventional constitutional constellations and standard problems of sentencing in traditional criminal proceedings. Rather, the book offers an interdisciplinary and cross-jurisdictional exploration of highly topical, proportionality-related issues pertinent to penal theory and legal philosophy, criminalisation policies, security and anti-terrorism strategies, alternative types of justice delivery, and supranational enforcement as well as human rights and international criminal and humanitarian law. In today's global risk society, with its numerous visible and invisible enemies of the state and the individual, balancing freedom and security has become nothing less than an attempt at untying a Gordian knot. Against this background, the proportionality of measures of crime prevention and repression is unquestionably an issue of utmost importance, which basic research and legal policy in rule-of-law based systems are urgently called to address. The timely and fascinating contributions in this book, covering jurisdictions from both the common law and the civil law as well as hybrid and international jurisdictions, will appeal to academics, researchers, policy advisers and practitioners working in the areas of national and international criminal law, comparative criminal justice/criminology and legal philosophy as well as constitutional and security law. The Third Edition of Counterterrorism Law not only updates the leading casebook in this field with recent developments, but also adds new chapters on bulk collection, the structure of habeas, and the procedural path to terrorism trials. This edition also includes new features that make these challenging materials easier to read and teach: introductory questions for principal cases, and a summary of basic principles at the end of each chapter. A comprehensive Teacherandrsquo;s Manual gives adopters helpful additional backup. New to the Third Edition: Important recent cases, including: andnbsp; andnbsp; andbull;andnbsp;andnbsp; andnbsp;American Civil Liberties Union v. Clapper (2015) andnbsp; andnbsp; andbull;andnbsp;andnbsp; andnbsp;In re Application of the Federal Bureau of Investigation (2015) andnbsp; andnbsp; andbull;andnbsp;andnbsp; andnbsp;Ibrahim v. Dept. of Homeland Security (2014) andnbsp; andnbsp; andbull;andnbsp;andnbsp; andnbsp;Turkmen v. Hasty (2015) andnbsp; andnbsp; andbull;andnbsp;andnbsp; andnbsp;Hedges v. Obama (2013) andnbsp; andnbsp; andbull;andnbsp;andnbsp; andnbsp;Aamer v. Obama (2014) andnbsp; andnbsp; andbull;andnbsp;andnbsp; andnbsp;Al Bahlul v. United States (2015) Other significant new materials: andnbsp; andnbsp; andbull;andnbsp;andnbsp; andnbsp;materials on the U.S. intervention in Syria and operations against ISIL andnbsp; andnbsp; andbull;andnbsp;andnbsp; andnbsp;materials on standards for targeted killing andnbsp; andnbsp; andbull;andnbsp;andnbsp; andnbsp;a new chapter on bulk collection and data-mining andnbsp; andnbsp; andbull;andnbsp;andnbsp; andnbsp;re-organized chapters on intelligence methods, the organization of the intelligence community, and intelligence operations andnbsp; andnbsp; andbull;andnbsp;andnbsp; andnbsp;re-organized chapters on andldquo;enhanced interrogation, andrdquo; including the SSCI report Features andnbsp; andnbsp; Table of Cases, Third Edition andnbsp; andnbsp; Index, Third Edition Preface / Sample Chapters andnbsp; andnbsp; Preface, Third Edition Over the last 15 years, Köbler liability has resulted in the allocation of damages on only five occasions. Why is that? And what are the practical implications of the Köbler judgment in the Member States? This book offers a unique analysis of the principle – not from the usual EU-focused point of view but from the view of the practical Member State – and thus follows the track set by earlier books in the 'EU Law in the Member States' series. It thoroughly examines the national jurisprudential and legislative acceptation of the state liability principle and explores the existence of alternative remedies available in the Member States in case of such breaches. The conclusions, based on a systematic assessment of 300 national judgments from the 28 Member States, lead to a reconsideration of the role of the Köbler doctrine in the system of judicial remedies against violation of EU law by national supreme courts. After the pronouncement of the ECJ judgment in Köbler, legal scholars and practitioners have forecast the eradication of the principle of res judicata and the endangering of judicial independence. The judgment caused a lot of ink to flow; according to the ECJ's records, at least 100 studies are directly devoted to the analysis of this decision. This book is, however, the first to offer a comprehensive analysis on the genuine life of the Köbler liability in the Member States. Examining general principles of law provides one of the most instructive examples of the intersection between EU law and comparative law. This collection draws on the expertise of high-profile and distinguished scholars to provide a critical examination of this interaction. It shows how general principles of EU law need to be responsive to national laws. In addition, it is clear that the laws of the Member States have no choice but to be responsive to the general principles which are developed through EU law. Viewed through the perspective of proportionality, legal certainty, and fundamental rights, the dynamic relationship between the ingenuity of the Court of Justice, the legislative process and the process of Treaty revision is comprehensively illustrated. This pioneering scholarly oeuvre evaluates the major comparative philosophy of Islamic international criminal justice. It represents an in-depth analysis of the necessities of creating an Islamic international criminal court, its possible jurisdiction, proceedings, judgments, and sanctions. It implies a court functioning under the legal personality of the International Criminal Court, with comparative international criminal lawyers with basic knowledge of Shariah contributing to the prevention of crimes and impunity at an international level. The morality and philosophy of Islamic justice are highly relevant with reference to the atrocities committed explicitly or implicitly under the pretext of Islamic rules by superiors, groups and governments. The volume focuses on substantive criminal law and three methods of the criminal procedure, namely the inquisitorial, adversarial, and adquisitorial. The first two constitute the corpus juris of civil and common law systems. The third term presents a hybrid of the first two methods. The intention is to enhance the scope of each method of the criminal procedure comprehensively. The volume examines their variations and effects on a shared system of international criminal justice. The inherence of comparable norms in the foundation of Islamic and international criminal law affirms their efficiency in the implementation of the essence of the complementarity principle. This book will appeal to readers who are interested in comparative criminal law, international criminal justice, and Shariah criminal law. It is recommended for course literature. This book examines the criminalisation of denials of genocide and of other mass atrocities in Europe and discusses the implications of protecting institutional historical memory through criminal law. The analysis highlights the tensions with free speech, investigating the relationship between criminal law and historical memory. The book paves the way for a broader discussion about fake news, 'post-truth' scenarios, and free expression in a digital world. The author underscores the need to protect well-founded factual records from the dangers of misinformation. Historical denialism and the related jurisprudence represent a key step in exploring this complex field. The book combines an interdisciplinary approach with criminal law methodology. It is primarily aimed at academics, practitioners and others who wish to deepen their understanding of historical denialism, remembrance laws, 'speech crimes' and freedom of expression. Emanuela Fronza is Senior Research Fellow in Criminal Law and Lecturer in International and European Criminal Law at the School of Law, University of Bologna. She is a Principal Investigator within the EU research consortium Memory Laws in European and Comparative Perspectives funded by HERA (Humanities in the European Research Area). "This volume brings together the work of leading international scholars across criminology, sociology, political science, and law - along with contributions from reform-minded practitioners - to examine a variety of issues in prosecutorial performance and the institutional structures that frame their behavior. The power of the modern prosecutor arises from several features of the criminal justice landscape: widespread use of law and order political rhetoric; legislatures' embrace of extreme sentencing ranges to respond to voter concerns; and the uncertain or limited accountability of prosecutors to other units of government, the electorate, the bar, or other political and professional constituencies. The convergence of these trends has transformed prosecution into an indispensable field of study. The Handbook connects the dots among existing theoretical and empirical research related to prosecutors. Major sections of the volume cover (1) prosecutor performance during distinct phases of a criminal case, (2) the features of the prosecutor's environment, both inside the office and external to the office, that influence the choices of individual prosecutors and office leaders, and (3) prosecutorial priorities when dealing with specialized types of crimes, victims, and defendants. Taken together, the chapters in this volume identify the founding texts, discuss leading theoretical and methodological approaches, explain the scope of unresolved issues, and preview where this field is headed. The volume provides a bottom-up view of an important new scholarly field. It offers an indispensable starting point for newcomers and a compelling synthesis for specialists and practitioners"-- The general theme of this volume is contemporary armed conflicts and their implications for international humanitarian law. It is elaborated upon in several chapters, dealing with a variety of topics related to, among other things, the situations in Libya, Transnistria, Mexico, Syria/Iraq (Islamic State) and Israel/Gaza. Besides these chapters that can be connected to the general theme, this volume also contains a chapter dedicated to an international criminal law topic (duress), as well as a Year in Review, describing the most important events and legal developments that took place in 2015. The Yearbook of International Humanitarian Law is the world's only annual publication devoted to the study of the laws governing armed conflict. It provides a truly international forum for high-quality, peer-reviewed academic articles focusing on this crucial branch of international law. Distinguished by contemporary relevance, the Yearbook of International Humanitarian Law bridges the gap between theory and practice and serves as a useful reference tool for scholars, practitioners, military personnel, civil servants, diplomats, human rights workers and students. There have been extraordinary developments in the field of neuroscience in recent years, sparking a number of discussions within the legal field. This book studies the various interactions between neuroscience and the world of law, and explores how neuroscientific findings could affect some fundamental legal categories and how the law should be implemented in such cases. The book is divided into three main parts. Starting with a general overview of the convergence of neuroscience and law, the first part outlines the importance of their continuous interaction, the challenges that neuroscience poses for the concepts of free will and responsibility, and the peculiar characteristics of a "new" cognitive liberty. In turn, the second part addresses the phenomenon of cognitive and moral enhancement, as well as the uses of neurotechnology and their impacts on health, self-determination and the concept of being human. The third and last part investigates the use of neuroscientific findings in both criminal and civil cases, and seeks to determine whether they can provide valuable evidence and facilitate the assessment of personal responsibility, helping to resolve cases. The book is the result of an interdisciplinary dialogue involving jurists, philosophers, neuroscientists, forensic medicine specialists, and scholars in the humanities; further, it is intended for a broad readership interested in understanding the impacts of scientific and technological developments on people's lives and on our social systems. This book focuses on anti-discrimination law in order to identify commonalities and best practices across nations. Almost every nation in the world embraces the principle of equality and non-discrimination, in theory if not in practice. As the authors' expert contributions establish, the sources of the principle vary considerably, from international treaties to religious law, traditions and more. There are many approaches to methods of enforcement and other variables, but the principle is nearly universal. What does a comparison of the laws and approaches across different lands reveal? Readers may explore the enforcement and effectiveness of anti-discrimination law from 25 nations, across six continents. Esteemed authors examine national, regional and international systems looking for common and best practices, identifying innovative approaches to long-standing problems. The many ways that anti-discrimination law is enforced are brought to light, from criminal or civil prosecution through to community resolution processes, amongst others. Through comparing the approaches of different lands, the authors consider which methods of enforcement are effective. These enriching national and international perspectives highlight the need for more creative, concrete and coordinated means of enforcement to ensure the effectiveness of anti-discrimination law, regardless of the legal tradition concerned, but in light of these traditions. Readers will find each nation remarkable, and learn

something new and interesting from each report. This is a time when the rule of law is seriously challenged, when governments threaten deliberately to break the law, and the independence of justice is jeopardised by unrelenting pressure from both the executive and the media. This book aims at contributing to restoring trust in judges as custodians of the law and justice, through a comparison between Civil and Common Law countries. It offers a rare opportunity to gather the expertise of eminent judges and legal authorities from five different countries, providing a unique insight into their work and the way they deliver justice based on their respective professional experience and practise of the law. Far from being a highly technical debate between experts, however, the book is accessible to students and the general public, and raises important contemporary legal issues that involve them both as citizens, with justice as a shared aspiration, and a common attachment to the rule of law. Les Éditions Anthemis vous proposent un outil complet pour comprendre la responsabilité civile et pénale des administrateurs et des membres du comité de direction des sociétés anonymes. Dans cet ouvrage, l'auteur dresse l'état des lieux actuel de la responsabilité des administrateurs et des membres du comité de direction des sociétés anonymes, tant en matière civile qu'en matière pénale. À travers une synthèse riche et complète, sont ainsi présentées : - les caractéristiques de l'administration de la société anonyme (responsabilités, mandat, conseil d'administration, administrateurs) ; - les responsabilités à l'égard de la société anonyme qui découlent de cette mission administrative, la violation des règles pénales générales et les infractions civiles ; - la responsabilité de l'administrateur à l'égard des tiers (la faute, le dommage, le lien de causalité) ; - les responsabilités civiles et pénales des détenteurs de délégations particulières à l'égard des tiers ; - la mise en application de la responsabilité des administrateurs. Cet ouvrage intéressera toutes les personnes désireuses d'obtenir un panorama global de la responsabilité des dirigeants de sociétés anonymes. Un ouvrage écrit par des professionnels, pour des professionnels. À PROPOS DES ÉDITIONS ANTHEMIS Anthemis est une maison d'édition spécialisée dans l'édition professionnelle, soucieuse de mettre à la disposition du plus grand nombre de praticiens des ouvrages de qualité. Elle s'adresse à tous les professionnels qui ont besoin d'une information fiable en droit, en économie ou en médecine. This book analyses the contractual mechanisms requiring parties to exhaust a selected amicable dispute resolution procedure before proceedings in court or arbitration are initiated. It briefly explains the phenomenon of integrated dispute resolution, outlines ADR methods commonly used in multi-tiered clauses and presents the overview of standard clauses published by various ADR providers and professional bodies. The core of the analysis is devoted to the enforceability of multi-tiered clauses under the legal systems of England and Wales, Germany, France and Switzerland. It is essential reading for practitioners and academics working in this area. This book includes all of the statutes from the California Penal Code, the complete Evidence Code, principle enforcement sections from the California Vehicle Code, and an Appendix of other criminal justice related provisions from the Following California Codes: Business & Professions, Civil, Education, Family, Fish & Game, Food & Agricultural, Government, Harbors & Navigation, Health & Safety, Insurance, Public Resources, Public Utilities, and Welfare & Institutions. Also included are the Bill of Rights from the U.S Constitution. This casebook studies the law governing judicial review of administrative action. It examines the foundations and the organisation of judicial review, the types of administrative action, and corresponding kinds of review and access to court. Significant attention is also devoted to the conduct of the court proceedings, the grounds for review, and the standard of review and the remedies available in judicial review cases. The relevant rules and case law of Germany, England and Wales, France and the Netherlands are analysed and compared. The similarities and differences between the legal systems are highlighted. The impact of the jurisprudence of the European Court of Human Rights is considered, as well as the influence of EU legislative initiatives and the case law of the Court of Justice of the European Union, in the legal systems examined. Furthermore, the system of judicial review of administrative action before the European courts is studied and compared to that of the national legal systems. During the last decade, the growing influence of EU law on national procedural law has been increasingly recognised. However, the way in which national systems of judicial review address the requirements imposed by EU law differs substantially. The casebook compares the primary sources (legislation, case law etc) of the legal systems covered, and explores their differences and similarities: this examination reveals to what extent a ius commune of judicial review of administrative action is developing. This book presents a comprehensive analysis of personal participation in criminal proceedings and in absentia trials. Going beyond the accused-centred perspective of default proceedings, it not only examines the consequences of absence in various types of criminal proceedings, but also the fair trial safeguards allowing personal contributions during trials, as well as in pre-trial inquiries, higher instances and transborder procedures. By pursuing an interdisciplinary approach and employing comparative-law methodologies, the book presents a cross-section of twelve European criminal justice systems with regard to the requirements set forth by constitutional, international and EU law. Les plus de l'édition 2024 : - Refonte intégrale des annotations de jurisprudence relatives à la Cour de cassation et au pourvoi en cassation - Nombreux textes complémentaires ; - Inclus : le Code en ligne, enrichi, annoté et mis à jour en continu. Ce code est autorisé par la Commission nationale de l'examen du CRFPA. Il volume espone gli strumenti approntati dal codice di procedura penale e dalla legislazione penale speciale a tutela delle ragioni "civili" di quei soggetti che possono subire un pregiudizio dalla commissione del reato e dal suo accertamento offrendo: un'illustrazione critica e ragionata degli istituti analizzati numerosi richiami agli orientamenti giurisprudenziali e dottrinali. Analizza distintamente e compiutamente le ragioni e gli strumenti a disposizione di: soggetti danneggiati, terzi coinvolti nel processo penale, creditori. Vengono illustrati anche i differenti esiti definitori dell'azione civile nel processo penale, tematica che raramente viene fatta oggetto di studio sistematico. Consente all'operatore e allo studioso di orizzontarsi compiutamente in un settore, quello della tutela civile nel processo penale, poco esplorato nella prassi giudiziaria. Il volume costituisce pertanto un contributo scientifico che, anche in ragione della provenienza diversificata degli Autori (magistrati di legittimità e di merito, avvocati, studiosi del diritto) restituisce una panoramica poliedrica e completa all'operatore del diritto che intenda far valere le sue pretese civili nel processo penale. This volume features papers written in honor of Mauro Bussani, and celebrates the work and contributions of this renowned scholar of comparative law. The content reflects the various theoretical and practical areas in which he has already left a lasting mark. The essays explore the theory and practice of comparative law in different areas and contexts, and highlight innovative approaches to a large variety of hot-topic private and public law subjects. The authors include young scholars, lawyers, legal consultants, human rights activists, and practitioners, all of whom Professor Bussani has trained, supervised, and supported throughout their careers. The contributions emphasize the many ways in which Professor Bussani's teaching and scientific output have enriched, revolutionized, and challenged both theory and practice. They cover e.g. the law of secured transactions, Western law and legal pluralism, fashion law, contract law in China and in the Arab World, contract and tort in the West, scientific evidence, risk regulation, global finance, human rights indicators, anti-discrimination laws, democracy and climate change law. The Yearbook of International Organizations provides the most extensive coverage of non-profit international organizations currently available. Detailed profiles of international non-governmental and intergovernmental organizations (IGO), collected and documented by the Union of International Associations, can be found here. In addition to the history, aims and acitvities of international organizations, with their events, publications and contact details, the volumes of the Yearbook include networks between associations, biographies of key people involved and extensive statistical data. Volume 3 allows readers to locate organizations by subjects or by fields of activity and specialization, and includes an index to Volumes 1 through 3. Since the adoption of the Rome Statute of the International Criminal Court in 1998, international criminal law has rapidly grown in importance. This third volume offers a comprehensive analysis of the procedures and implementation of international law by international criminal tribunals and the International Criminal Court. Through analysis of the framework of international criminal procedure, the author considers each stage in the process of proceedings before the ICC, including the role of legal participants, the scope of jurisdiction, and the enforcement of sentences. La présente édition (la 10e) sort en pleine actualité des questions que certains se posent quant au rôle de l'Europe dans la protection de leurs droit fondamentaux et l'avenir de la jurisprudence européenne et apporte des réponses à leurs légitimes interrogations. Au-delà de l'Europe, une place particulière a été faite à la jurisprudence du Conseil constitutionnel, notamment celle issue des questions prioritaires de constitutionnalité. Pleine actualité encore avec le projet d'une réforme de la Justice, dans son organisation et dans ses procédures, déposé au sénat le 20 avril 2018 et dont le Sénat doit connaître cet automne. Le modèle, celui du procès équitable, autour duquel s'est construit le droit processuel moderne, va peut-être connaître de profonds bouleversements avec la numérisation de la Justice que le projet du 20 avril envisage, la montée en puissance des modes alternatifs de règlement des litiges, la justice dite prédictive, etc. Raison de plus pour revenir aux fondamentaux, à une réflexion plurielle de spécialistes de ces questions, afin de garantir l'universalité et l'utilité du procès équitable, l'ardente obligation pour un État, de garantir les droits de tous, au-delà des péripéties et des turbulences d'une époque. La procédure civile et pénale de l'expertise. Alliant la théorie à la pratique, cet ouvrage est entièrement consacré à l'expertise judiciaire, civile et pénale. Dans un premier temps, les auteurs présentent le statut et la déontologie de l'expert en y intégrant les nouvelles règles relatives au registre national des experts judiciaires et font le point sur l'état actuel de la procédure civile et pénale de l'expertise. Coordonnée par Georges de Leval et Mary-Ann Lange, la seconde partie est quant à elle consacrée à la pratique de cinq types d'expertise, à savoir l'expertise en matière médicale, comptable et psychologique et en matière de construction et de roulage. Les auteurs, praticiens de l'expertise, en leur qualité d'experts judiciaires ou d'avocats, ont sélectionné des thèmes essentiels qu'ils mettent en relation avec leur discipline, en soulignant, le cas échéant, certaines difficultés récurrentes et en proposant des solutions ou de bonnes pratiques pour y remédier. Découvrez un ouvrage alliant pratique et théorie, fruit de la collaboration de praticiens de l'expertise. EXTRAIT Comme au stade préliminaire du procès pénal, l'expert se doit d'être impartial et objectif. À défaut, il peut faire l'objet d'une procédure en récusation, pour l'une des causes pour lesquelles la récusation des juges est admise, visées à l'article 828 du Code judiciaire. Les règles en matière de récusation sont parfaitement identiques à celles applicables à la récusation d'un expert au stade préliminaire du procès pénal. Nous nous permettons dès lors d'y renvoyer. En ce qui concerne l'appel contre la décision rendue sur la demande en récusation d'un expert désigné par une juridiction de fond, celui-ci sera porté, non pas devant la chambre des mises en accusation, mais devant une chambre correctionnelle de la cour d'appel. L'article 203 du Code d'instruction criminelle formant la disposition de référence en la matière, l'appel doit être interjeté par déclaration au greffe de la juridiction qui a rendu ladite décision. A PROPOS DES AUTEURS Sous la direction de Georges Laval, plusieurs auteurs ont contribué à l'élaboration de cet ouvrage : Cédric Antonelli, Hakim Boularbah, Philippe Boxho, Bernard Ceulemans, Mona Giacometti, André Kilesse, Benoît Kohl, Sébastien Leroy, Pierrre Monville, Christian Mormont, Dominique Mougenot, Manon Philippet et Maxime Stassin. The book provides rule-by-rule commentaries on European contract law (general contract law, consumer contract law, the law of sale and related services), dealing with its modern manifestations as well as its historical and comparative foundations. After the collapse of the European Commission's plans to codify European contract law it is timely to reflect on what has been achieved over the past three to four decades, and for an assessment of the current situation. In particular, the production of a bewildering number of reference texts has contributed to a complex picture of European contract laws rather than a European contract law. The present book adopts a broad perspective and an integrative approach. All relevant reference texts (from the CISG to the Draft Common European Sales Law) are critically examined and compared with each other. As far as the acquis commun (ie the traditional private law as laid down in the national codifications) is concerned, the Principles of European Contract Law have been chosen as a point of departure. The rules contained in that document have, however, been complemented with some chapters, sections, and individual provisions drawn from other sources, primarily in order to account for the quickly growing acquis communautaire in the field of consumer contract law. In addition, the book ties the discussion concerning the reference texts back to the pertinent historical and comparative background; and it thus investigates whether, and to what extent, these texts can be taken to be genuinely European in nature, ie to constitute a manifestation of a common core of European contract law. Where this is not the case, the question is asked whether, and for what reasons, they should be seen as points of departure for the further development of European contract law. Il volume PROVA SCIENTIFICA E PROCESSO PENALE fornisce le coordinate concettuali e gli strumenti ermeneutici per risolvere le questioni più controverse sull'impiego delle evidenze scientifiche nel sistema di giustizia penale. La prova scientifica entra nei nostri Tribunali con sempre maggiore ricorsività, infatti, chiamando gli operatori (avvocati, magistrati, forze di polizia) e gli studiosi del processo penale a risolvere inediti interrogativi e a reinterpretare le norme codicistiche alla luce d'un fenomeno di rilevante complessità. Il libro è diviso in quattro differenti sezioni: profili generali: teoria della prova e della decisione; rapporti con il diritto sostanziale; risvolti sovranazionali dinamica processuale: criteri di ammissione; problemi di assunzione; canoni valutativi; controlli impugnatori; esperienza comparata analisi di singole prove scientifiche: dal test genetico agli esiti medico-legali; dalla digital evidence alle neuroscienze risvolti dell'ingresso della intelligenza artificiale nelle nostre aule di giustizia. This book reviews and critically analyzes the current legal framework with regard to a more just culture for the aviation sector. This new culture is intended to protect front-line operators, in particular controllers and pilots, from legal action (except in the case of willful misconduct or gross negligence) by creating suitable laws, regulations and standards. In this regard, it is essential to have an environment in which all incidents are reported, moving away from fears of criminalization. The approach taken until now has been to seek out human errors and identify the individuals responsible. This punitive approach does not solve the problem because frequently the system itself is (also) at fault. Introducing the framework of a just culture could ensure balanced accountability for both individuals and complex organizations responsible for improving safety. Both aviation safety and justice administration would benefit from this carefully established equilibrium. This book analyses current developments in Europe and Latin America towards the greater involvement of the parties in the administration of criminal justice. Focusing on both national criminal proceedings and transnational cases, this study employs a comparative law approach to examine the shift experienced by Italy and Brazil from the long tradition of mixed criminal justice to unprecedented adversarial trends. The identification of common needs and divergences from the national approach to criminal justice paves the way for a subsequent analysis of new solution models emerging from international human rights law and EU law. To a great extent, these developments are due to the increasing impact of international human rights case-law on the criminal justice systems of the countries in question. The book concludes by proposing a set of qualitative requirements for a participatory model of criminal justice. Building on the strengths of prior editions, CRIMINAL LAW, Seventh Edition, integrates updated cases and new real-world examples to provide a current, engaging, and succinct introduction to criminal law. This successful and time-tested text couples a classic organization and traditional presentation of case law with cutting-edge coverage of recent trends in law. The author's academic and legal experience provides students with firsthand insights into the American legal system, while ample pedagogy and simple, non-legal language make the book's writing uniquely accessible. Utilizing extensive case material, the book covers the historical background of criminal law as well as the most significant recent developments. This volume is one of two updated splits of the combined CRIMINAL LAW AND PROCEDURE, Eighth Edition (c. 2014), by the same author. Important Notice: Media content referenced within the product description or the product text may not be available in the ebook version. Professeur, chercheur, directeur de centre, doyen et recteur, Yves Poullet s'est illustré dans toutes les étapes et fonctions d'une carrière universitaire bien remplie, marquant des générations d'étudiants, de chercheurs, de collègues et de pairs. Spécialiste éminent et incontournable du droit de l'internet et des technologies de l'information et de la communication, il en est aussi l'un des précurseurs en fondant dès 1979 un des premiers centres de recherche européens en la matière. Par cet ouvrage, collègues, amis, anciens doctorants rendent hommage à l'une des plus belles plumes de la discipline, en lui offrant leurs réflexions sur l'influence réciproque du droit et de la technologie. Leurs contributions démontrent l'étendue de l'expertise et des réseaux européens et internationaux d'Yves Poullet. Elles s'articulent autour de trois axes qui furent autant de perspectives dans lesquelles il a inscrit sa recherche : le droit, les normes et les libertés. La richesse de ce volume témoigne de son attention à l'humain, des amitiés qu'il a nouées, mais aussi des sillons qu'il a tracés en droit des technologies de l'information et de la communication, sillons dans lesquels a poussé une forêt luxuriante, toujours fertile. C'est l'héritage d'un grand penseur, d'un véritable universitaire. ========== Yves Poullet has not merely served but excelled in all functions of the University world. Whether as professor, researcher, director of a research centre or as dean and rector, he has left a lasting impression in the minds of generations of students, researchers, colleagues and peers. He is a preeminent expert on the law of Internet and Information and Communications Technologies who, already in 1979, pioneered one of the first European research centres in the field. This volume is a tribute to Yves Poullet from colleagues, friends, former PhD researchers, offering their reflections on the reciprocal influence of law and technology. These contributions highlight both the range of expertise and the extent of the European and international networks he has nourished. They address the three main research axes Yves Poullet has developed through the years: law, norms and freedoms. The authors of this volume pay homage to a mentor, a friend, but above all to an exceptional researcher who has sown countless seeds in the field, enabling a luxurious landscape to grow and become a source of inspiration for many scholars. This is the heritage of a genuine thinker, a real academic.

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