

1. Record Nr.	UNINA9910786961203321
Titolo	Toward a Prosecutor for the European Union . Volume 1 A comparative analysis / edited by Katalin Ligeti
Pubbl/distr/stampa	Oxford, : Hart Publishing, 2013
ISBN	1-4742-0215-2 1-78225-044-1
Edizione	[1st ed.]
Descrizione fisica	1 online resource (1097 p.)
Collana	Modern studies in European law ; v. 34
Disciplina	345.405
Soggetti	Prosecution - European Union countries
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references
Nota di contenuto	I. Introduction -- Katalin Ligeti -- Part I Presentation of national systems of investigation, prosecution, evidence and procedural safeguards -- 1. The Austrian system Robert Kert -- Andrea Lehner -- 2. The Belgian system Marie-Aude Beernaert -- 3. The Danish system Birgit Feldtmann -- Sebastian Knop -- 4. The Dutch system Idlir Peci -- 5. The English and Welsh system Tricia Howse -- 6. The Estonian system Jaan Ginter -- 7. The Finnish system Teemu Kastula -- 8. The French system Aurelie Binet-Grosclaude -- 9. The German system Bernd Hecker -- 10. The Hungarian system Miklos Hollan -- 11. The Irish system Andrea Ryan -- 12. The Italian system Francesca Ruggieri -- Stefano Marcolini -- 13. The Latvian system Kristine Strada-Rozenberga -- 14. The Lithuanian system -- Remigijus Merkevieius Gintaras Svedas -- 15. The Luxembourgish system Marc Schiltz -- 16. The Maltese system Stefano Filletti -- 17. The Polish system Celina Nowak -- Sławomir Steinborn -- 18. The Portuguese system Pedro Caeiro -- Miguel Joao Costa -- 19. The Romanian system Claudiu Dumitrescu -- Augustin Lazar -- Anca Augusta Lazar -- Angela Nicolae -- 20. The Scottish system Lorna Harris -- 21. The Slovak system Anna Ondrejova -- 22. The Slovenian system Primož Gorkie -- 23. The Spanish system Lorena Bachmaier -- 24. The Swedish system Christoffer Wong -- Part II Issues of interest for the creation of a European Public Prosecutor's Office -- i. Federal Criminal Law and the European Public Prosecutor's Office Marta Munoz de Morales -- Adan

Nieto Martin -- Marianne Wade -- ii. The system of vertical cooperation in administrative investigations in EU subsidy cases Justyna Łacny -- Lech Paprzycki -- Eleonora Zielinska -- iii. The system of vertical and horizontal cooperation in administrative investigations in EU competition cases Martin Bose -- iv. The material scope of the European Public Prosecutor's Office Rosaria Sicurella -- v. The interaction between the ECJ and the ECTHR with respect to the protection of procedural safeguards: the accession of the EU to the ECHR. Silvia Allegrezza -- vi. Judicial control in cooperation in criminal matters. The evolution from judicial cooperation to mutual recognition Anne Weyembergh, Zlata Durdevic -- vii. Report on the protection of personal data in the framework of police and judicial cooperation in criminal matters. Stefan Braum -- Valentina Covolo -- viii. Mutual Recognition in the European Law of Civil Procedure Burkhard Hess -- ix. Decentralised enforcement of European Competition Law: powers, procedures and legal protection -- Heleen Koggink -- Saskia Lavrijssen -- Thomas Nauta

Sommario/riassunto

"Volume 1 begins with thorough descriptions of 24 different national legal systems of investigation and prosecution, addressing a range of evidential and procedural safeguards. These will serve as a point of reference for all future research on public prosecutors. Volume 1 also contains a series of cross-cutting studies of the key issues which will inform debates about the creation of a European Public Prosecutor's Office, including studies of vertical cooperation in administrative investigations in subsidy and competition cases, the accession of the EU to the ECHR, judicial control in cooperation in criminal matters, mutual recognition, and decentralised enforcement of European competition law."--Publisher

In an era in which the EU's influence in criminal law matters has expanded rapidly, attention has recently turned to the possible creation of a European Public Prosecutor's Office. This two volume work presents the results of a study carried out by a group of European criminal law experts in 2010-2012, with the financial support of the EU Commission, whose aims were to examine in detail current public prosecution systems in the Member States and to scrutinise proposals for a new European office. Volume 1 begins with thorough descriptions of 20 different national legal systems of investigation and prosecution, addressing a range of evidential and procedural safeguards. These will serve as a point of reference for all future research on public prosecutors. Volume 1 also contains a series of cross-cutting studies of the key issues that will inform debates about the creation of a European Public Prosecutor's Office, including studies of vertical cooperation in administrative investigations in subsidy and competition cases, the accession of the EU to the ECHR, judicial control in cooperation in criminal matters, mutual recognition and decentralised enforcement of European competition law. Volume 2 (which will be published in 2013) presents a draft set of model rules for the procedure of the European Public Prosecutor's Office and continues with a set of comparative studies of the national legal systems that cover the gathering of evidence, seizure of assets, arrests, tracking and tracing, prosecution measures, procedural safeguards, the presumption of innocence and the right to silence, access to the file and victim reconciliation. Volume 2 concludes with the final report, written by Professor Ligeti, summarising the findings of the group and reporting on the prospects for the proposed reform