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Altri autori (Persone)	Sissakian, Alexey N. Kozlov, Gennady Kolganova, Elena
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Collana	EYIEL Monographs - Studies in European and International Economic Law, , 2524-6666 ; ; 27
Disciplina	347.064
Soggetti	Information technology - Law and legislation Mass media - Law and legislation Conflict of laws International law Comparative law Trade regulation Commercial law Mediation Dispute resolution (Law) Arbitration (Administrative law) IT Law, Media Law, Intellectual Property Private International Law, International and Foreign Law, Comparative Law International Economic Law, Trade Law European Economic Law Dispute Resolution, Mediation, Arbitration
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Nota di contenuto	1. Introduction -- 2. The legal sources of the UNCITRAL, the EU, Germany and Vietnam on electronic evidence in civil and commercial dispute resolution -- 3. Fundamental principles of civil procedure and the basic principles relating to evidence in civil procedure -- 4. Basic

issues of evidence and electronic evidence in civil and commercial dispute resolution -- 5. The significant types of electronic evidence -- 6. Finding electronic evidence -- 7. The authentication of electronic evidence -- 8. The admission of electronic evidence in civil and arbitral proceedings -- 9. Evaluation of electronic evidence and the burden of proof -- 10. Using electronic evidence in civil and commercial dispute resolution - challenges and opportunities -- 11. Final conclusion.

Sommario/riassunto

This book provides a deeper understanding of electronic evidence and its use in civil and commercial dispute resolution. The explosive growth of information technology has had major impacts on the development of the economy, society and also on the improvement of legal proceedings with the use of modern technology in all areas of criminal and civil procedures. This book focuses on the current provisions of UNCITRAL, the European Union, Germany and Vietnam concerning electronic evidence in civil and commercial dispute resolution. It analyses the notion and the basic aspects of evidence and electronic evidence and explores the process of finding electronic evidence. Further, it discusses how the effectiveness of finding electronic evidence can be reconciled with a respect for fundamental rights, in particular with personal privacy and personal data protection. The book subsequently addresses the authentication and admissibility of electronic evidence; the evaluation of electronic evidence and the burden of proof; and the challenges of using electronic evidence in civil and commercial dispute resolution. Finally, it puts forward proposals for promoting the use of electronic evidence in these contexts. As the book focuses on the current texts of UNCITRAL and the civil procedure legislation of the European Union, Germany and Vietnam, it relies on a comparative method which deals with the most significant provisions of the above legislation.