

Droit Compare De La Procedure Administrative Comp

Competition--approximation of Legislation Series .1980

Codification of Administrative Procedure Jean-Bernard Auby.2013-11-27 The law on administrative procedure regulates the processes through which administrative decisions and administrative projects are elaborated. It is more and more regarded as essential in administrative laws: it is really considered as the central part of it in some systems. In many jurisdictions, rules concerning administrative procedure are codified, gathered in a single piece of general legislation: in a few, it remains non codified. The book is made of the different contributions presented on the topic to the last congress of the International Academy of International Law (Taipei, 2012): national reports on twenty countries and a general report. These contributions examine the way administrative procedure became codified, the obstacles which had to be overcome, the main orientations of the codes, their evolution in time; alternatively, they explain why administrative procedure is not codified. Providing extensive materials on an issue which is a concern in many administrative laws and many administrative systems, the book is intended for all searchers and experts in administrative law and public management, whether academics or practitioners.

Due Process of Law Beyond the State Giacinto della Cananea.2016-09-22 Traditionally the issues concerning the exercise of administrative powers by public authorities were considered a type of national enclave. It was the responsibility of the state to ensure that adequate procedural safeguards were in place to prevent the government from interfering with the rights of its citizens. During the last few decades, however, a variety of sets of rules regarding procedural due process has developed to govern the conduct of those public authorities who operate on a regional or world regulatory footing, such as the European Union and the World Trade Organization. Analysing the procedural due process requirements applicable to administrative procedure beyond the borders of the States, this volume demonstrates how regional and global regulatory regimes impose requirements that are strikingly similar to those set out by the most developed legal systems of the world. The book argues that such requirements of administrative procedure are justified not only by the traditional concerns for the protection of individual interests against the misuse of power by public authorities, but also by other values, such as good governance and cooperation between public authorities. Finally, the book conceptualizes such rules as legal requirements which arbitral tribunals and other agencies should respect when interpreting standards of justice.

Tort Liability of Public Authorities in European Laws Giacinto della Cananea,Roberto Caranta.2021-01-15 Administrative law permeates all areas of law, and this series focuses on its role both regionally and globally. This volume considers tort liabilities in European public authorities. It looks at several European countries, using case studies to compare administrative laws across the EU.

Judicial Review of Administration in Europe Giacinto Della Cananea,Mauro Bussani.2021 This book is about judicial review of public administration. Many have regarded this to divide European legal orders, with judicial review of administrative action in the general courts or specialized administrative courts, or with different distance from the executive. There has been considerably less of comparison of the basic procedural and substantive principles. The comparative study in this book of procedural fairness and propriety in the courts reveals not only differences but also some common and connecting elements, in a 'common core' perspective. The book is divided into four parts. The first explains the nature and purpose of a comparison to understand the relevance and significance of commonality and diversity between the legal systems of Europe, and which considers other legal systems which are distant and distinct from Europe, such as China and Latin America. The second part contains an overview of the systems of judicial review in these legal orders. The third part, which is the heart of the 'common core' method, contains both a set of hypothetical cases and the solutions, according to the experts of the legal systems selected for our comparison, to the cases. The fourth part serves to examine the answers in comparative terms to ascertain not so much whether a 'common core' exists, but how it is shaped and evolves, also in response to the influence of supranational legal orders as the European Union and the Council of Europe.

Comparative Administrative Law Susan Rose-Ackerman,Peter L. Lindseth.2010-01-01 This research handbook is a comprehensive overview of the field of comparative administrative law. The specially commissioned chapters in this landmark volume represent a broad, multi-method approach combining perspectives from history and social science with more strictly legal analyses. Comparisons of the United States, continental Europe, and the British Commonwealth are complemented by contributions that focus on Latin America, Africa, and Asia. The work aims to stimulate comparative research on public law, reaching across countries and scholarly disciplines. Beginning with historical reflections on the emergence of administrative law over the last two centuries, the volume then turns to the relationship of administrative and constitutional law, with an additional section focusing on the key issue of administrative independence. Two further sections highlight the possible tensions between impartial expertise and public accountability, drawing insights from economics and political science as well as law. The final section considers the changing boundaries of the administrative state - both the public-private distinction and the links between domestic and transnational regulatory bodies such as the European Union. In covering this broad range of topics, the book illuminates a core concern of administrative law: the way individuals and organizations across different systems test and challenge the legitimacy of public authority. This extensive, interdisciplinary appraisal of the field will prove a vital resource for scholars and students of administrative and comparative law. Historians of the state looking for a broad overview of a key area of public law, reformers in emerging economies, donor agencies looking for governance options, and policy analysts with an interest in the law/policy interface will find this work a valuable addition to their library.

Administrative Corpus Juris between Implementation, Reforms and Continuous Developments Spyridon Flogaitis,Cătălin-Silviu Săraru .2022-08-19 This volume contains the scientific papers presented at the 5th International Conference "Contemporary Challenges in Administrative Law from an Interdisciplinary Perspective" that was held on 27 May 2022 online on Zoom. The conference is organized every year by the Society of Juridical and Administrative Sciences together with the Faculty of Law of the Bucharest University of Economic Studies. More information about the conference can be found on the official website: www.alpaconference.ro. The scientific studies included in this volume are grouped into two chapters: I. Real and virtual meeting points for contemporary approaches to the study and practice of administrative law, and II. A rehearsal of some topics of interdisciplinary approaches in administrative sciences. This volume is aimed at practitioners, researchers, students and PhD candidates in juridical and administrative sciences, who are interested in recent developments and prospects for development in the field of administrative law and public administration at international and national level.

The Oxford Handbook of Comparative Administrative Law Peter Cane,Senior Research Fellow Peter Cane,Herwig C. H. Hofmann,Professor of European and Transnational Public Law Herwig C H Hofmann,Associate Professor of Law Eric C Ip,Eric C. Ip,Olimpiad S Ioffe Professor of International and Comparative Law Peter L Lindseth.2021-01-17 In this Handbook, distinguished experts in the field of administrative law discuss a wide range of issues from a comparative perspective. The book covers the historical beginnings of comparative administrative law scholarship, and discusses important methodological issues and basic concepts such as administrative power and accountability.

Contemporary French Administrative Law John Bell,François Lichère.2022-03-03 Despite the growing scholarly interest in comparative public law, there remain relatively few works on the subject. Contemporary French Administrative Law aims to redress that imbalance, offering English-language readers an authoritative introduction to the key features of French administrative law and its institutions. The French legal system is among the most well-developed and influential in the world, and, as procedures continually adapt to European and international influences, it has never been more worthy of research, study and interrogation. This book employs a wide range of recent, illustrative cases to demonstrate how French administrative law works both in theory and in practice. Using a systematic approach and covering everything from judicial review to public contracts, this is a highly valuable text for any student or researcher with an interest in French law. The book is also available as Open Access.

Damages for Violations of Human Rights Ewa Bagińska.2015-10-20 This volume analyses the legal grounds, premises and extent of pecuniary compensation for violations of human rights in national legal systems. The scope of comparison includes liability regimes in general and in detail, the

correlation between pecuniary remedies available under international law and under domestic law, and special (alternative) compensation systems. All sources of human rights violations are embraced, including historical injustices and systematic and gross violations. The book is a collection of nineteen contributions written by public international law, international human rights and private law experts, covering fifteen European jurisdictions (including Central and Eastern Europe), the United States, Israel and EU law. The contributions, initially prepared for the 19th International Congress of Comparative law in Vienna (2014), present the latest developments in legislation, scholarship and case-law concerning domestic causes of action in cases of human rights abuses. The book concludes with a comparative report which assesses the developments in tort law and public liability law, the role of the constitutionalisation of the right to damages as well as the court practice related to the process of enforcement of human rights through monetary remedies. This country-by-country comparison allows to consider whether the value of protection of human rights as expressed in international treaties, *ius cogens* and in national constitutional laws justifies the conclusion that the interests at stake should enjoy protection under the existing civil liability rules, or that a new cause of action, or even a whole new set of rules, should be created in national systems.

Collective Actions in Europe Csongor István Nagy.2019-08-19 This open access book offers an analytical presentation of how Europe has created its own version of collective actions. In the last three decades, Europe has seen a remarkable proliferation of collective action legislation, making class actions the most successful export product of the American legal scholarship. While its spread has been surrounded by distrust and suspiciousness, today more than half of the EU Member States have introduced collective actions for damages and from those who did, more than half chose, to some extent, the opt-out system. This book demonstrates why collective actions have been felt needed from the perspective of access to justice and effectiveness of law, the European debate and the deep layers of the European reaction and resistance, revealing how the Copernican turn of class actions questions the fundamentals of the European thinking about market and public interest. Using a transsystemic presentation of the European national models, it analyzes the way collective actions were accommodated with the European regulatory environment, the novel and peculiar regulatory questions they had to address and how and why they work differently on this side of the Atlantic.

Evidence Standards in EU Competition Enforcement Andriani Kalintiri.2019-02-07 What rules or principles govern the assessment of evidence in EU competition enforcement? This book offers, for the first time, a comprehensive academic study on the topic. Its aim is twofold. Firstly, it produces a typology of evidence standards in competition proceedings at the EU level, thereby systemising the guidance that is currently dispersed in the case-law of the EU Courts. Secondly, it examines the applicable evidence rules and principles with a view to better understanding their role in EU competition enforcement. In so doing, the book illustrates that evidence standards are not mere technicalities and their significance should not be underestimated. Rigorous and engaging, this work provides a much-needed analysis of a key question of EU competition enforcement.

The Austrian Codification of Administrative Procedure Giacinto della Cananea, Angela Ferrari Zumbini, Otto Pfersmann.2023-02-04 This book argues that the development of administrative law in Europe owes much to Austria, not only because its Administrative Court was one of the first to define and refine general principles, such as legality, due process and general interest, but also because in 1925 Austria adopted a general law of administrative procedure, which had important consequences for other legal systems. The book follows two themes. The first is the Austrian codification of administrative procedure itself. The second is the spread of Austrian ideas and institutions to some neighbouring countries. From the first point of view, the book points out the various factors that favoured the adoption of administrative procedure legislation and the reception of the model of review. In this respect, the book is enriched by the English translation of the Austrian general act of 1925. From the other viewpoint, the book deviates from the standard accounts whereby the Austrian codification had some influence on its closest neighbours, including Poland, Czechoslovakia and Yugoslavia; first, because it compares their legislative provisions, as well as their durability, notwithstanding drastic political changes, when these countries fell under Soviet rule; second, because it does not limit itself to the concept of 'influence', arguing that there was a 'diffusion' of general administrative procedure legislation; thirdly, because it examines why the major administrative systems of continental Europe, such as France, Germany and Italy, did not adopt administrative procedure legislation. The book thus provides an unprecedented outlook on the emergence of an increasing common core regarding administrative procedure.

The Cambridge Handbook of Class Actions Brian T. Fitzpatrick, Randall S. Thomas.2021-02-03 Economic activity is more globally integrated than ever before, but so is the scope of corporate misconduct. As more and more people across the world are affected by such malfeasance, the differences in legal redress have become increasingly visible. This transparency has resulted in a growing convergence towards an American model of robust private enforcement of the law, including the class-action lawsuit. This handbook brings together scholars from nearly two dozen countries to describe and assess the class-action procedure (or its equivalent) in their respective countries and, where possible, to offer empirical data on these systems. At the same time, the work presents a variety of multidisciplinary perspectives on class actions, from economics to philosophy, making this handbook an essential resource to academics, lawyers, and policymakers alike.

Transformation of Civil Justice Alan Uzelac, Cornelis Hendrik (Remco) van Rhee.2018-09-03 National civil justice systems are deeply rooted in national legal cultures and traditions. However, in the past few decades they have been increasingly influenced by integration processes at the regional, supra-national and international level. As a by-product of the emergence of economic and political unions and globalisation processes there is pressure to harmonise or even unify the way in which national civil justice systems operate. In an attempt to create a 'genuine area of justice', new unified procedures are being developed, which operate in parallel with national civil procedures, and sometimes even strive to replace them. As a reaction to the forces that endeavour to harmonise and unify procedural laws and practices, an opposing trend is gaining momentum: one that insists on diversity and pluralism of national civil procedures. This book focuses on the evolution of procedural reforms in various jurisdictions and the ongoing transformation of national civil justice systems.

La Gestion Administrative Maurice Hauriou.2018-10-06 This work has been selected by scholars as being culturally important and is part of the knowledge base of civilization as we know it. This work is in the public domain in the United States of America, and possibly other nations. Within the United States, you may freely copy and distribute this work, as no entity (individual or corporate) has a copyright on the body of the work. Scholars believe, and we concur, that this work is important enough to be preserved, reproduced, and made generally available to the public. To ensure a quality reading experience, this work has been proofread and republished using a format that seamlessly blends the original graphical elements with text in an easy-to-read typeface. We appreciate your support of the preservation process, and thank you for being an important part of keeping this knowledge alive and relevant.

International Encyclopedia of Comparative Law Viktor Knapp.1983

Human Rights and the Impact of ICT in the Public Sphere: Participation, Democracy, and Political Autonomy Akrivopoulou, Christina M..2014-06-30 The creation of a new public realm through the use of the Internet and ICT may positively promote political liberties and freedom of speech, but could also threaten the political and public autonomy of the individual. *Human Rights and the Impact of ICT in the Public Sphere: Participation, Democracy, and Political Autonomy* focuses on the new technological era as an innovative way to initiate democratic dialogue, but one that can also endanger individual rights to freedom, privacy, and autonomy. This reference book focuses on the new opportunities technology offers for political expression and will be of use to both academic and legal audiences, including academics, students, independent authorities, legislative bodies, and lawyers.

General Reports of the XXth General Congress of the International Academy of Comparative Law - Rapports généraux du XXème Congrès général de l'Académie internationale de droit comparé Katharina Boele-Woelki, Diego P. Fernández Arroyo, Alexandre Senegacnik.2020-12-17 This book explores convergences of legal doctrine despite jurisdictional, cultural and political barriers, as well as divergences due to such barriers, examining topics that are of vital importance to contemporary legal scholars. Written by leading experts from all continents, its 26 chapters present a comparative analysis of cutting-edge legal issues of the 21st century. While each of the countries covered stands alone as a sovereign state, in a technologically advanced world their disparate systems nonetheless show comparable strategies in dealing with complex legal issues. Several of the chapters show

how, in addition to state normative production and state adjudication, a growing panoply of non-state instruments and non-state adjudication are becoming more and more central to the legal field. This book is a key addition to the library of any scholar wanting to keep abreast of the major trends in contemporary law. Representing the current state of law in a vast range of areas, it covers each topic from a comparative perspective. Cet ouvrage, en examinant des sujets d'une importance vitale pour les juristes contemporains, traite des convergences de la doctrine juridique malgré les barrières juridictionnelles, culturelles et politiques ainsi que des divergences dues à ces barrières. Écrits par d'éminents universitaires de tous les continents, ses 26 chapitres présentent une analyse comparative de sujets juridiques majeurs du 21^e siècle. Dans un monde technologiquement avancé, bien que chaque pays analysé dans cet ouvrage demeure autonome en tant qu'État souverain, l'ensemble des systèmes disparates présente néanmoins des stratégies comparables pour traiter des questions juridiques complexes. En outre, plusieurs chapitres montrent comment, en plus de la production normative et de la résolution des différends étatiques, la panoplie croissante de différents types d'instruments non étatiques et de résolution non étatique des différends devient de plus en plus centrale dans la sphère juridique. Cet ouvrage est un ajout essentiel à la bibliothèque de tout universitaire souhaitant se tenir au courant des principales tendances du droit contemporain. Il couvre un vaste domaine de sujets traités d'un point de vue comparatif et représente l'état actuel du droit dans chaque domaine.

Les principes de la procédure administrative non contentieuse Allan-Randolph Brewer Carías.1992

European Competition Law Annual 2001 Claus-Dieter Ehlermann, Philip Lowe, Isabela Atanasiu.2003-07 Recoge: 1. Substantive remedies - 2. Procesural issues - 3. Arbitration courts - 4. Criminal sanctions.

Principles of Administrative Procedure in EC Law Hanns Peter Nehl.1999-01-01 This book presents an analysis of the recent development of administrative procedures in EC law. It is a pathbreaking study of what might be termed the "constitutionalising norms" now emerging, including a range of 'process rights' and procedural standards, such as the right to access to information, the right to be heard, the principle of care and duty to state reasons. These new standards are increasingly applied in areas as diverse as competition, State aids, customs matters, anti-dumping and the European Social Fund. Different strands of case-law of the EC courts are thus connected to document the overall evolution of procedural rules peculiar to the EC administrative system as a whole. The author adopts a critical stance, in particular, towards the case-law of the Court of First Instance and points out the increasing pressure being brought to bear on the European Commission in respect of its procedural requirements. Particular emphasis is placed on the concept of 'care', i.e. the duty to collect and examine the factual and legal points of individual cases impartially and carefully. The book reveals both the theoretical and practical relevance of this principle as a means of both procedural and substantive review and the reasons why it is likely to be misinterpreted by the courts.

General Reports of the XVIIIth Congress of the International Academy of Comparative Law/Rapports Généraux du XVIII^{ème} Congrès de l'Académie Internationale de Droit Comparé Karen B. Brown, David V. Snyder.2011-12-29 This title presents twenty-nine topics, prepared by leading scholars in more than 20 countries, providing a comparative analysis of cutting-edge legal topics of the 21st century. Considering topics of vital moment to contemporary legal scholars, the title includes pieces on Surrogate Motherhood, The Balance of Copyright in Comparative Perspective, International Law in Domestic Systems, Constitutional Courts as Positive Legislators, Same-sex Marriage, Climate Change and the Law, The Regulation of Private Equity, Hedge Funds, and State Funds, and Regulation of Corporate Tax Evasion. Each chapter surveys legal developments in the U.S. and Canada, Europe, Asia, Latin and South America, Africa, and the Middle East in a format that permits the reader easy access to similarities and differences in the approaches of the selected national regimes. This comprehensive volume tells the story of parallel trends in the evolution of legal doctrine despite jurisdictional, cultural, and political barriers. While each of the covered countries stands alone as a sovereign, in a technologically advanced world their disparate systems nonetheless have converged to adopt comparable strategies in dealing with complex legal issues. The volume is a critical addition to the library of any scholar hoping to keep abreast of the major trends in contemporary law.

Criminal Liability of Corporations = LA Criminalisation Du Comportement Collectif Hans De Doelder, Klaus Tiedemann.1996 This volume contains fourteen national reports and the general report on the subject of Criminal Liability of Corporations, written for the XIVth Congress of the International Academy of Comparative Law which was held in 1994 in Athens, Greece. The issue of criminal liability of corporations is being discussed worldwide, as is apparent in the many changes which are taking place in both criminal law and administrative law in several countries. The national reports give an overview of the various trends in criminal policy when addressing the topic of liability of corporations and the general report sets out a common thread in this field.

Party-Appointed Arbitrators in International Commercial Arbitration Alfonso Gómez-Acebo.2016-04-26 The agreement of disputing parties to each make a unilateral appointment of an arbitrator is among the most distinctive features of arbitral practice. A detailed examination, long overdue, of how this feature affects the actual process of arbitration is presented in this book. The study includes a historical analysis of unilateral nominations, a critical assessment of how the unilateral appointments system currently works and an empirical study of challenges of arbitrators. The author's critical assessment addresses several issues including: - limits to the right of the parties to make unilateral appointments; - the principle of equality of the parties in the constitution of the arbitral tribunal; - arbitrators' duty to be impartial and independent; - specific problems of bias in tribunals with party-appointed members; - the question of whether a different standard of impartiality and independence in party-appointed arbitrators makes any sense; - the presumption that party-appointed arbitrators can do things that presiding arbitrators cannot; and - the question of whether it is worth keeping the system of unilateral appointments as the default method for the constitution of multiple-member tribunals, or keeping it at all. The empirical study, in which the author offers a comparative analysis of challenges of arbitrators taking into account the method of appointment of the arbitrator, reveals interesting differences and coincidences between party-appointed and non-party-appointed arbitrators. The book ends with some suggestions on how the system of unilateral appointments could be improved, namely in order to increase the trust of each party in the arbitrator appointed by the other party and to allow an accurate match between what arbitration end-users may want from party-appointed arbitrators and what they ultimately get. For both its thorough and well-informed analysis and its sound recommendations, the book is sure to be welcomed by professionals in the arbitral community worldwide, as well as by arbitration law academics.

The Max Planck Handbooks in European Public Law: Volume I: The Administrative State Sabino Cassese, Armin von Bogdandy, Peter Huber.2017-07-24 The Max Planck Handbooks in European Public Law series describes and analyses the public law of the European legal space, an area that encompasses not only the law of the European Union but also the European Convention on Human Rights and, importantly, the domestic public laws of European states. Recognizing that the ongoing vertical and horizontal processes of European integration make legal comparison the task of our time for both scholars and practitioners, it aims to foster the development of a specifically European legal pluralism and to contribute to the legitimacy and efficiency of European public law. The first volume of the series begins this enterprise with an appraisal of the evolution of the state and its administration, with cross-cutting contributions and also specific country reports. While the former include, among others, treatises on historical antecedents of the concept of European public law, the development of the administrative state as such, the relationship between constitutional and administrative law, and legal conceptions of statehood, the latter focus on states and legal orders as diverse as, e.g., Spain and Hungary or Great Britain and Greece. With this, the book provides access to the systematic foundations, pivotal historic moments, and legal thought of states bound together not only by a common history but also by deep and entrenched normative ties; for the quality of the *ius publicum europaeum* can be no better than the common understanding European scholars and practitioners have of the law of other states. An understanding thus improved will enable them to operate with the shared skills, knowledge, and values that can bring to fruition the different processes of European integration.

Comparative law of administrative procedure Jean-Bernard Auby.2016 L'ouvrage présente un panorama des questions majeures qui se posent dans les différents droits de la procédure administrative. Il décrit d'abord une série de modèles nationaux dans leurs caractéristiques essentielles. Il aborde ensuite la question des valeurs au service desquelles ces différents droits sont placés. Il s'interroge ensuite sur la question de la structuration des régimes de procédure administrative, autour notamment de la question de la codification et de celle de la procédure applicable aux autorités

administratives indépendantes. Il compare les solutions adoptées pour répondre à certaines questions pratiques récurrentes : notamment celle du traitement du silence, de l'inertie administratifs, celle des recours administratifs, celle aussi du traitement contentieux des irrégularités procédurales. Il rend enfin compte des débats qui entourent la procédure administrative dans différents systèmes.

French Administrative Law Lionel Neville Brown, John Francis Garner, Nicole Questiaux. 1973 Monograph comprising a compilation of lectures on the administrative law of France - includes a comparison of UK and European systems, discusses the merits and defects of this branch of the French civil law system, its institutional framework and jurisdiction, and covers court procedures, liability of public administration, local government, the civil service, etc. Bibliography pp. 176 to 178 and references.

Traditions and Change in European Administrative Law Roberto Caranta, Anna Gerbrandy. 2011 The background to this collection of paper is formed by the changes in contemporary society. In modern-day western societies it is the thought that individualism trumps collectivism. There is change from the paradigm of hierarchy to a paradigm of cooperation. This effects administrative law, which is traditionally top-down, but is slowly accepting and incorporating mechanism of negotiation and bottom up involvement of stakeholders and concerned individuals. The contributors to his volume investigate, these changes in administrative law and provide an assessment as to whether and to what extent they are reflected in the way judicial review of governmental action is shaped. The analysis covers the EU and a number of EU jurisdictions (France, Germany, United Kingdom, the Netherlands, Italy and Romania.) representing different administrative law traditions and being differently responsive to change. To provide an outside comparison, the US administrative system is also covered. Book jacket.

International Antitrust Litigation Jurgen Basedow, Stephanie Francq, Laurence Idot. 2012-02-03 The decentralisation of competition law enforcement and the stimulation of private damages actions in the European Union go hand in hand with the increasingly international character of antitrust proceedings. As a consequence, there is an ever-growing need for clear and workable rules to co-ordinate cross-border actions, whether they are of a judicial or administrative nature: rules on jurisdiction, applicable law and recognition as well as rules on sharing of evidence, the protection of business secrets and the interplay between administrative and judicial procedures. This book offers an in-depth analysis of these long neglected yet practically most important topics. It is the fruit of a research project funded by the European Commission, which brought together experts from academia, private practice and policy-making from across Europe and the United States. The 16 chapters cover the relevant provisions of the Brussels I and Rome I and II Regulations, the co-operation mechanisms provided for by Regulation 1/2003 and selected issues of US procedural law (such as discovery) that are highly relevant for transatlantic damages actions. Each contribution critically analyses the existing legislative framework and formulates specific proposals to consolidate and enhance cross-border antitrust litigation in Europe and beyond.

IBSS: Political Science: 2004 Vol.52 The British Library of Political and Economic Science. 2004-12 First published in 1952, the International Bibliography of the Social Sciences (anthropology, economics, political science, and sociology) is well established as a major bibliographic reference for students, researchers and librarians in the social sciences worldwide. Key features: * Authority: Rigorous standards are applied to make the IBSS the most authoritative selective bibliography ever produced. Articles and books are selected on merit by some of the world's most expert librarians and academics. * Breadth: Today the IBSS covers over 2000 journals - more than any other comparable resource. The latest monograph publications are also included. * International Coverage: The IBSS reviews scholarship published in over thirty languages, including publications from Eastern Europe and the developing world. * User friendly organization: all non-English titles are word sections. Extensive author, subject and place name indexes are provided in both English and French.

The Cambridge Handbook of Competition Law Sanctions Tihamer Tóth. 2022-06-23 This handbook brings together an international roster of competition law scholars and practitioners to address the issue of sanctions in competition law from all angles. Covering nineteen jurisdictions around the world, the book analyzes the theoretical foundations and practice of sanctioning competition law infringements and, most importantly, cartels. Contributors include a range of experts drawing on criminal law, company law, labor law, human rights, and law and economics, to determine what sanctions are available as a matter of positive law against corporations and individuals, including fines and other criminal, administrative, and civil law sanctions; whether law enforcers are using these sanctions effectively; and if new sanctions - including individual sanctions - should be introduced.

Arbitration and International Trade in the Arab Countries Nathalie Najjar. 2017-10-30 Arbitration and International Trade in the Arab Countries examines international trade arbitration in the MENA region and analyses legal sources, decisions and practices through the prism of freedom and safety requirements. The work is an essential guide to the body of arbitration law at both the practical and theoretical levels.

Le futur du droit administratif .2019-11-14

La justice administrative François Belleflamme, Philippe Levert, Bruno Lombaert, Manuela von Kuegelgen, Michèle Belmessieri, Sarah Ben Messaoud, Marie Bertrand, Jean Bourtembourg, Benoît Cambier, Thomas Cambier, Maxime Chomé, Evrard de Lophem, Patrik De Maeyer, Francis Delpérée, Sébastien Depré, Anne Feyt, Emmanuel Gourdin, Benoît Gors, Bertrand Heymans, Michel Kaiser, Marie Lambert de Rouvroit, Paul Martens, Irène Mathy, Alexandre Paternostre, Justine Philippart, Jérôme Sohier, François Tulkens, Tanguy Vandenput, Maxime Vanderstraeten, Isabelle Van Kruchten, Louis Vansnick, François Viseur. 2015-11-17 La loi du 20 janvier 2014 portant réforme de la compétence, de la procédure et de l'organisation du Conseil d'État souffle sa première bougie et ses douze premiers mois d'application s'apparentent à tout sauf à un long fleuve tranquille. Le texte et ses arrêtés d'exécution apportent non seulement de profondes modifications à la procédure en suspension mais introduisent également d'importantes nouveautés comme la boucle administrative ou l'indemnité réparatrice. Très controversée, critiquée car trop politique ou trop éloignée des réalités quotidiennes de la juridiction, attaquée devant la Cour constitutionnelle et le Conseil d'État lui-même, la réforme est secouée de toutes parts et il semble encore difficile de déterminer si les changements qu'elle apporte seront autant de tentatives manquées de moderniser la procédure ou, au contraire, d'utiles innovations améliorant l'accès au Conseil d'État et la réception de ses arrêts par les autorités administratives. Dans ce contexte, le présent ouvrage qui reprend les exposés présentés lors des colloques des 21 et 28 mai 2015 organisés par la Conférence du jeune barreau de Bruxelles sous la présidence de Patrick Goffaux et de David Renders, se donne pour objectif de dresser un état des lieux pratique de la procédure contentieuse administrative un an après la réforme du Conseil d'État. Une part importante des travaux sera consacrée au Conseil d'État lui-même, en offrant un aperçu général de la procédure telle qu'aujourd'hui en vigueur mais également en abordant, d'un point de vue sectoriel, les apports de la réforme dans le contentieux de la fonction publique, le contentieux des marchés publics et le contentieux de l'urbanisme et de l'environnement. Différentes interventions donneront, par ailleurs, l'occasion de faire le point sur les « nouveaux lieux de justice administrative » - nouvelles juridictions ou tribunaux judiciaires - vers lesquels le législateur tend à transférer certaines compétences « classiques » du Conseil d'État et dont le rôle grandissant n'est pas sans poser question.

General Reports of the XIXth Congress of the International Academy of Comparative Law Rapports Généraux du XIXème Congrès de l'Académie Internationale de Droit Comparé Martin Schauer, Bea Verschraegen. 2017-06-01 This book deals with convergences of legal doctrine despite jurisdictional, cultural, and political barriers, and of divergences due to such barriers, examining topics that are of vital importance to contemporary legal scholars. Written by leading scholars from more than twenty countries, its thirty-two chapters present a comparative analysis of cutting-edge legal topics of the 21st century. While each of the countries covered stands alone as a sovereign state, in a technologically advanced world their disparate systems nonetheless show comparable strategies in dealing with complex legal issues. The book is a critical addition to the library of any scholar hoping to keep abreast of the major trends in contemporary law. It covers a vast area of topics that are dealt with from a comparative point of view and represents the current state of law in each area.

EU Cartel Enforcement Andreas Scordamaglia-Tousis. 2013-08-01 There has been a long-standing debate on the compatibility of EU competition law with fundamental rights protection, particularly as the latter is enshrined in the due process requirements of the European Convention on Human Rights (ECHR). This book, a signal contribution to that debate, assesses two questions of paramount concern: first, whether the current level of fundamental rights protection in cartel enforcement falls within the accepted ECHR standards; and second, how the often conflicting objectives of

effectiveness and adequate protection of fundamental rights could optimally be achieved. Following a detailed survey of relevant EU institutional, substantive, and procedural law rules, the author offers a set of persuasive normative responses to both questions. Proceeding from an in-depth analysis of the pertinent rights and legal nature of competition proceedings under EU and ECHR law, the author goes on to examine such elements of the perceived incompatibility as the following: investigatory powers vested in competition authorities; the privilege against self-incrimination; right to privacy; “fair trial” probatory requirements; degree of use of presumptions in EU practice; Article 6 ECHR guarantees pertaining to the presumption of innocence; proving coordination of competitive behaviour; proving restriction of competition; admissibility of evidence before EU Courts and the Commission; assessment of the attribution of liability rules; EU fining rules; judicial review of cartel decisions by EU Courts; and national sanctioning rules. The author’s extraordinarily thorough presentation is rounded off with a remarkably comprehensive bibliography that lists (in addition to books and articles) newspaper articles, EU regulations and directives, soft-law guidelines and “best practices”, EU and ECtHR case law, EU Advocate General opinions, European Commission decisions, and European Ombudsman decisions. General conclusions stress the necessity of introducing further reforms to enhance the effectiveness and legitimacy of fundamental rights in the context of competition proceedings. Few books have taken such a thorough and far-reaching approach to the reconciliation of “effective public enforcement” and “fundamental rights”, or of “effective deterrence” with the principles of legality, non-retroactivity, presumption of innocence, and ne bis in idem. In the depth of its appraisal of the entire spectrum of enforcement components from a fundamental rights perspective, the book is without peers. It will be warmly welcomed by any parties interested in the intersection of competition law and human rights.

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Market Design Powers of the European Commission? Korbinian Reiter. 2020-02-06 This book provides a comprehensive analysis of the remedies practice the European Commission has adopted on the basis of articles 7 and 9 of regulation 1/03. Using article 7 as a normative benchmark, it shows that most of the criticism levelled at the Commission's article 9 decisions and the Alrosa judgment of the CJEU is not justified, since critics tend to over-state both the rigour of article 7 and the laxness of article 9. Remaining inconsistencies between the commitment practice and the standards for infringement decisions can, it is submitted, be justified by the consensual nature of commitment decisions and their underlying goal of procedural economy. Moreover, it is suggested that too little importance is generally assigned to the beneficial effect which commitments bring about by providing for precise and enforceable obligations without sacrificing the concerned undertakings’ freedom to choose how to put the infringement to an end. Adopting a case-oriented approach, this study provides valuable insights for academics and practitioners alike.

The book delves into Droit Compare De La Procedure Administrative Comp. Droit Compare De La Procedure Administrative Comp is a crucial topic that must be grasped by everyone, ranging from students and scholars to the general public. This book will furnish comprehensive and in-depth insights into Droit Compare De La Procedure Administrative Comp, encompassing both the fundamentals and more intricate discussions. The book is structured into several chapters, namely: Chapter 1: Introduction to Droit Compare De La Procedure Administrative Comp Chapter 2: Essential Elements of Droit Compare De La Procedure Administrative Comp Chapter 3: Droit Compare De La Procedure Administrative Comp in Everyday Life Chapter 4: Droit Compare De La Procedure Administrative Comp in Specific Contexts Chapter 5: Conclusion In chapter 1, the author will provide an overview of Droit Compare De La Procedure Administrative Comp. This chapter will explore what Droit Compare De La Procedure Administrative Comp is, why Droit Compare De La Procedure Administrative Comp is vital, and how to effectively learn about Droit Compare De La Procedure Administrative Comp. In chapter 2, the author will delve into the foundational concepts of Droit Compare De La Procedure Administrative Comp. The second chapter will elucidate the essential principles that need to be understood to grasp Droit Compare De La Procedure Administrative Comp in its entirety. In chapter 3, this book will examine the practical applications of Droit Compare De La Procedure Administrative Comp in daily life. The third chapter will showcase real-world examples of how Droit Compare De La Procedure Administrative Comp can be effectively utilized in everyday scenarios. In chapter 4, the author will scrutinize the relevance of Droit Compare De La Procedure Administrative Comp in specific contexts. The fourth chapter will explore how Droit Compare De La Procedure Administrative Comp is applied in specialized fields, such as education, business, and technology. In chapter 5, the author will draw a conclusion about Droit Compare De La Procedure Administrative Comp. This chapter will summarize the key points that have been discussed throughout the book. The book is crafted in an easy-to-understand language and is complemented by engaging illustrations. This book is highly recommended for anyone seeking to gain a comprehensive understanding of Droit Compare De La Procedure Administrative Comp.

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