

Sborník č. 33

EUROPEAN LAW AND NATIONAL CRIMINAL LEGISLATION

Michal Tomášek (ed.)



**Právnická fakulta
Univerzita Karlova v Praze**



**Pravna fakulteta
Univerza v Ljubljani**

Praha 2007

CONTENTS

INTRODUCTORY REMARKS	7
LIST OF AUTHORS	8
GENERAL PRINCIPLES	
<i>Fišer, Zvonko</i>	
Judges Facing the Challenges of European Criminal Law	9
<i>Tomášek, Michal</i>	
Approximation Methods for Criminal Law in the EU	39
<i>Korošec, Damjan</i>	
Corpus Iuris 2000 und der allgemeine Teil des slowenischen materiellen Strafrechts	54
<i>Jakulin, Vid</i>	
Penal Regulations of the European Union Preventing Cross-border Crime	69
<i>Fuchs, Helmut</i>	
Internationale Zuständigkeit und anwendbares nationales Recht bei transnationalen Straftaten	82
<i>Fenyvesi, Csaba</i>	
Influences of the European Court of Human Rights' Decisions on Defence Lawyer's Legal Position	87
EUROPEISATION OF CRIMINAL OFFENCES	
<i>Bercea, Lucian</i>	
Revisiting the Definition of Money Laundering Offence	105
<i>Fenyk, Jaroslav – Fryšták, Marek</i>	
Protection of the Financial Interests European Communities in the Czech Republic	116
<i>Kalvodová, Věra</i>	
Anti - Money Laundering Legislation in the Czech Republic	122
<i>Žatecká, Eva</i>	
Protection of the European Communities' Financial Interests in the Czech Republic, A few notes about Corpus Iuris 2000	125
<i>Gřivna, Tomáš</i>	
Fight against Corruption under the European Law	132
<i>Ambrož, Matjaž</i>	
Council Framework Decision on Combating the Sexual Exploitation of Children and Child Pornography and the Slovenian Criminal Law	140

<i>Hořák, Jaromír</i>	
Combating Human Trafficking in Central Europe	152
<i>Soković, Snježana</i>	
Absolute Ban on Torture in the New Serbian Penal Legislation	171
<i>Gál, István László</i>	
Insider Trading. The New Hungarian Regulation	194
<i>Takayama, Kanako</i>	
Introduction of European Elements in the Antitrust Criminal Law in Japan	202
<i>Maljevič, Almir – Datzer, Darko – Budimlic, Muhamed – Muratbegovic, Elemudin</i>	
Harmonisation of Criminal Legislation of Bosnia and Herzegovina with the European Anti-corruption Standards	209
CRIMINAL LIABILITY OF LEGAL PERSONS	
<i>Deisinger, Mitja</i>	
Strafrechtliche Verantwortlichkeit juristischer Personen	225
<i>Köhalmi, László</i>	
The Punishability of Legal Persons in Hungarian Criminal Law	241
EUROPEISATION OF CRIMINAL PROCEDURE	
<i>Herke, Csongor</i>	
Internationale Abkommen im Bezug der Vollziehung der Untersuchungshaft	260
<i>Bachmaier, Winter Lorena</i>	
Mutual recognition and procedural safeguards: the Proposal for a Council Framework Decision on certain procedural rights in criminal proceedings in the European Union	270
<i>Ciopec, Flaviu</i>	
Procedural Guarantees in EU law	282
<i>Bejatović, Stanko</i>	
Konzept der Untersuchung und Strafprozessgesetzgebung der Europäischen Union	292
<i>Herczeg, Jiří</i>	
Das Recht auf “Fair Trial” und die globale Terrorbedrohung	314
<i>Zgaga, Sabina</i>	
The Influence of EU Law on Slovenian Criminal Procedure	324
<i>Nagy, Zoltán András</i>	
The mediation in penal matters in Slovenia and Hungary	338

<i>Weigend, Ewa</i>	
Der Europäische Haftbefehl und die polnische Verfassung	342
<i>Tóth, Mihály</i>	
Veränderungen in der rechtlichen Lage der Beteiligten an den ungarischen Strafprozess	348
<i>Szilovics, Csaba</i>	
The Position of Tax Investigation in some of the EU Member States	353
<i>Lazin, Đorđe</i>	
The International Standards for Discretionary Criminal Proceedings and the Legislation on Criminal Procedure in Serbia	360
<i>Rakočević, Velimir</i>	
Police in the Pre-Criminal Proceedings in Montenegro and EU Standards	375
<i>Vlastník, Jiří</i>	
Eurojust Principles	382