

International and European Criminal Law

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Preface to the 2nd edition

The field of International and European Criminal Law is under continuous development; a development not only facilitated by the extensive jurisprudence of European and international (criminal) courts and tribunals, but also growing efforts of conceptualisation in international legal scholarship.

These characteristics provided the motivation to create this second, fully revised and considerably extended edition of my textbook on International and European Criminal Law. It offers a concise introduction to those areas of criminal law in which international and European influence is most obvious as well as to the genuinely international criminal legal order. This comprises the sub-fields of criminal jurisdiction and the territorial scope of the application of national criminal law (B.), European Criminal Law, including the influence of EU law on national criminal law, EU criminal legislation, as well as the legal regime of the European Convention on Human Rights (C.), and finally International Criminal Law as applied by the International Criminal Court and other international criminal courts and tribunals (D.).

The second edition includes all of the latest substantive legal developments and contains numerous references to international legal literature and jurisprudence. The updated chapter on the comparative analysis of the law of criminal jurisdiction illustrates the most recent essential legal reforms in a number of European states. The chapters on the criminal law of the European Union now contain a completely new segment on fundamental rights in the context of judicial cooperation in criminal matters. Furthermore, the revised chapter regarding the European Charter on Human Rights focuses particularly on the European Court of Human Rights' recent jurisprudence on the right to representation and confrontation. Moreover, the reviewed chapters regarding International Criminal Law have been revised and updated as to include the most important recent judgments and decisions issued by the International Criminal Court. Lastly, a visual synopsis displaying all situations and cases into which the International Criminal Court has opened formal investigations so far as well as a short summary of their broader socio-political backgrounds, can now be found in the attached annex.

My original inspiration to publish an English textbook on "International and European Criminal Law" can be traced back to a strong interest in a compact and concise textbook similar to the one I have published in German ("Internationales und Europäisches Strafrecht", 7th edition, Nomos 2016) demonstrated by several colleagues and numerous students from abroad. Since the English textbook is intended to primarily address readers from outside Germany, I decided to prepare an internationalised version rather than to simply translate the German textbook into English. However, the form of a typical German textbook has been maintained. I focused on the most important problematic legal issues in order to make the complex subject matters easily comprehensible for students but also for legal scholars and practitioners from diverse legal backgrounds. Additionally, the text is illustrated by numerous charts, examples and case exercises, which complement particularly complicated issues. Reference is frequently made to national legal orders and jurisprudence in order to exemplify similarities between national and international legal structures and developments.

As international and European legal texts and documents of relevance are often not easily available, I have created a complementary website in order to provide the reader with a constantly updated list of all necessary material. The website can be accessed via

<http://www.satzger-international.info>

Preface

The realisation of a second edition, revising the original text considerably and taking into account all the important and numerous changes in European and International Law, is the result of perfect team work by my most diligent student and research assistants working at my chair at the Ludwig-Maximilians-Universität in Munich. All of them deserve my utmost gratitude for their most valuable contributions, their constant commitment and dedication.

Foremost, I want to thank my assistants *Dr. Laura Neumann* and *Nicolai von Maltitz, LL.M.*, who were in charge of coordinating the second edition and diligently drafted and revised large parts of the core text. Furthermore, I want to thank *Dr. Frank Zimmermann* and *Laura Funke* for their persistent help in adapting and updating essential parts of the textbook. Moreover, I want to thank *Juliane Abel, Severin Berger, Lena Hartung, Dorothea Hirt, Niklas Kastel, Philipp Kellner, Johannes Kleinhenz, Julia Mayer, Julio Ramos Pires, Lorenz Seidl, Isabel Vicaría Barker, and Jan Wiebers* for their attentive work on formal corrections.

I am especially indebted to my student assistant *Lorcán Hyde* for his excellent 24/7 language control and translation efforts as well as for his most valuable input to the contents. Without his constant efforts, the realisation of the 2nd edition would not have been possible.

Last but not least, I want to thank *Dr. Wilhelm Warth* and *Thomas Klich* from our German co-publisher C.H.Beck for their permanent support, valuable advice and enormous patience.

*Helmut Satzger
Munich, July 2017*


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