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EDITORIAL



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Editorial

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Dear Readers,

On the eve of 2011, eucrim can look forward to celebrating its fifth anniversary: the first issue was published in 2006. The idea for the creation of eucrim came about in 2003 at the *Strafrechtslehrertagung*, the regular meeting of law professors in the German-speaking world, where the development of European criminal law was discussed. During these deliberations, remarks highly critical of Europeanisation but supported by incomplete and misleading information were made, and participants complained about a lack of information in the field of European criminal law. To improve this unsatisfactory situation, I proposed in the discussion that the Max Planck Institute for Foreign and International Criminal law create an electronic newsletter with summaries of current developments in European criminal law.

Thanks to the European Commission's support and the help of the 32 associations for European criminal law, the first issue of eucrim already went far beyond the newsletter I originally had in mind. Today, *eucrim's news section* is an effective information tool based on a clear systematisation of European criminal law. News items offer comprehensive summaries of ongoing events and provide links to more in-depth information. In addition, *eucrim's articles section* enriches the publication with features of a traditional law journal specialised in European criminal law.

The success story of eucrim would not have been possible without the help of many people. I am very much indebted to the representatives of the European Commission for their support, especially to Mr. Lothar Kuhl of OLAF. For their excellent work, I would also like to express my gratitude to the former and current managing editors of eucrim, Mr. Thomas Wahl and Dr. Els De Busser, to all other members of the eucrim team, both at the Max Planck Institute and beyond, as well as to all of our authors.

In the future, eucrim will continue to support the development of European criminal law by synthesising the theoretical and practical aspects of this complex process. In order to achieve better results, future research must be more attuned to the fact that the traditional model of a pyramidal relationship between the nation state and its citizens has become obsolete. Problems of the EU that transcend the territorial limits of the nation state can no longer be solved simply by resorting to traditional, parallel systems of national criminal law. Criminal law in Europe today is characterised by a fragmented cumulation of numerous legal orders. The interactions between the various subsystems of criminal law require a carefully drafted architecture with new cooperative and supranational models for transnationally effective European criminal law. Thus, research on these fundamental questions, comparative criminal law, and an international doctrine of criminal law can contribute significantly to the establishment of a better and more coherent European criminal justice system.

At the same time, European criminal law should strive for a more systematic inclusion of empirical and practical considerations. Implementation studies must identify the law in action, and criminological research must analyse the social effects of new regulations. In addition, the knowledge of practitioners on the national and international levels represents a wealth of information that should be afforded more attention than it is today, not only by academics but also by politicians. This requires new types of studies that bring together criminal law and criminology "under one roof".

In its substance, European criminal law must reflect an appropriate balance of security and liberty, the fundamental – and often conflicting – aims of criminal law. While an effective coordination of differing national systems is essential for the common European judicial area, it can jeopardise the civil liberties of the accused. This development must be counterbalanced by the introduction of protective legal instruments, such as special remedies and common procedural safeguards, as illustrated in this issue of eucrim.

Eucrim and the Max Planck Institute will continue to contribute to the evolution of European criminal law in the coming years. I invite all our readers to support this process and wish you a joyous holiday season and a very successful and happy 2011.

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About eucrim

eucrim is the leading journal serving as a European forum for insight and debate on criminal and “criministrative” law. For over 20 years, it has brought together practitioners, academics, and policymakers to exchange ideas and shape the future of European justice. From its inception, eucrim has placed focus on the protection of the EU’s financial interests – a key driver of European integration in “criministrative” justice policy.

Editorially reviewed articles published in English, French, or German, are complemented by timely news and analysis of legal and policy developments across Europe.

All content is freely accessible at <https://eucrim.eu>, with four online and print issues published annually.

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