

Contents

Regulating Corporate Criminal Liability: An Introduction	1
Dominik Brodowski, Manuel Espinoza de los Monteros de la Parra, and Klaus Tiedemann	
Part I Regulatory Options in Corporate Criminal Liability	
Corporate Criminal Liability as a Third Track	11
Klaus Tiedemann	
Where Is the Moral Indignation Over Corporate Crime?	19
William S. Laufer	
A Psychological Perspective on Punishing Corporate Entities	33
Avital Mentovich and Moran Cerf	
Decision and Punishment: Or—Hold Bankers Responsible! Corporate Criminal Liability from an Economic Perspective	47
Patrick Bernau	
Corporate Criminal Liability from a Comparative Perspective	53
Marc Engelhart	
Part II Models in Attributing Criminal Liability to Corporations	
The Austrian Model of Attributing Criminal Responsibility to Legal Entities	79
Andrea Lehner	
The Belgian <i>décumul</i> Rule: A <i>sui generis</i> Approach to Criminal Liability of Corporate Agents	87
Emmanuelle De Bock	

‘Triggering Persons’ in ‘<i>Ex Crimine</i>’ Liability of Legal Entities	95
Anna Salvina Valenzano	
Corporate Criminal Liability in Italy: Criteria for Ascribing “Actus Reus” and Unintentional Crimes	109
Camilla Cravetto and Emanuele Zanalda	
Part III Corporate Crimes: Corruption, Money Laundering and Beyond	
Mitigating the Risks of Corruption Through Collective Action	125
Gemma Aiolfi	
The New Money Laundering Law in Brazil: Understanding Criminal Compliance Programs	135
Eduardo Saad-Diniz	
The Concept of Defining and Combating Market Manipulation in Existing and Proposed EU Legislation	145
Anna Blachnio-Parzych	
Market Manipulation and Compliance	159
Axel-Dirk Blumenberg	
Towards an EU Strategy to Combat Trafficking and Labor Exploitation in the Supply Chain. Connecting Corporate Criminal Liability and State-Imposed Self-Regulation Through Due Diligence?	171
Yasmin Van Damme and Gert Vermeulen	
Part IV Corporate Criminal Procedure and Criminal Compliance	
Corporate Criminal Liability: Tool or Obstacle to Prosecution?	197
Ana María Neira Pena	
Minimum Procedural Rights for Corporations in Corporate Criminal Procedure	211
Dominik Brodowski	
Compliance Programs as Evidence in Criminal Cases	227
Jordi Gimeno Beviá	
Part V Transnational Enforcement of Corporate Criminal Liability	
On Law Enforcement Through Agreements Between the US Regulatory Authorities and Foreign Corporations	237
Yurika Ishii	

Corporate Criminal Liability and Conflicts of Jurisdiction	249
Anne Schneider	
Transnational “Ne Bis In Idem” Principle and European Competition Law with Regard to the Different Approaches to Corporate Criminal Liability Among EU Member States	261
Aikaterini Tzouma	
Part VI International Corporate Criminal Liability	
The Fifth Crime Under International Criminal Law: Ecocide?	273
Jacqueline Hellman	
Corporate Involvement in International Crimes: An Analysis of the Hypothetical Extension of the International Criminal Court’s Mandate to Include Legal Persons	281
Lynn Verrydt	
Part VII Sanctioning Corporations: Looking Beyond Fines	
Equal Treatment and Corporate Criminal Liability: Need for EU Intervention in Public Procurement?	297
Wendy De Bondt	
Are There Any Suitable Sanctions for New Forms of Corporate Offences?	311
Devrim Aydın	
The New German Ringfencing Act Establishing Criminal Liability of Banking and Insurance Executives for Failures in Risk Management: A Step Towards Corporate Criminal Liability?	321
Thomas Richter	
Part VIII The Future of Corporate Criminal Liability	
Rethinking Corporate Criminal Liability	337
Joachim Vogel [✉]	
Part IX Third AIDP Symposium for Young Penalists	
Third AIDP Symposium for Young Penalists	345
Stijn Lamberigts	