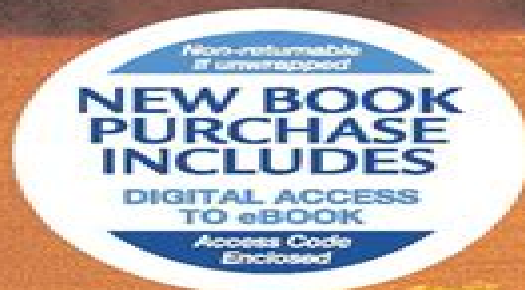


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2024–2025 Educational Edition

Compiled by Todd Aagaard and Dave Owen



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Angemessene Aussenhandelsfreiheit im Vergleich Harald Hohmann,2002 English summary To what extent have the USA the European Community and Japan been successful in ensuring as much freedom in foreign trade as possible without neglecting the public welfare interests recognized by the legal community In his book Harald Hohmann analyzes this question by treating national constitutions and WTO law as a benchmark for the decision between justified trade barriers and protectionism Instead of dealing with this topic in a theoretical manner the author emphasizes the law in action with the help of interviews thus the book is of importance for the whole business and legal community German description Inwieweit ist es in der Rechtspraxis der sogenannten Triade USA EG Japan gelungen soviel Liberalitat des Aussenhandels wie moglich zu gewährleisten ohne die von der Rechtsgemeinschaft anerkannten Gemeinwohlgueter zu vernachlässigen Dieser Frage geht Harald Hohmann im vorliegenden Band nach Im Zuge seiner Analyse nimmt er die nationale Verfassung und das WTO Recht als Massstab dafür Ansatz und Reichweite grundrechtlicher Handelsfreiheit sowie Gemeinwohlgueter aufzuzeigen die vom jeweiligen Staat als essentiell anerkannt werden Nur die Beschränkung auf diese konsensfähigen Gemeinwohlgueter hierzu gehören vor allem Schutz der Rechte der eigenen Bevölkerung Gesundheit Moral geistiges Eigentum etc Frieden Nonpoliferation volkswirtschaftliche Belange Kulturguter Umweltschutz Menschenrechte erlaubt es einen Protektionismus im Welthandel zu vermeiden Grundrechte und Gemeinwohlgueter werden im Sinne praktischer Konkordanz zum Ausgleich gebracht Harald Hohmann vergleicht das Recht der USA Deutschlands inklusive der EG und Japans und leistet so einen wichtigen Beitrag zur Konstitutionalisierung des Welthandels Gestützt auf zahlreiche Interviews steht die Rechtspraxis in diesem Band im Vordergrund zur Sprache kommen auch der Schutz vor rückwirkenden Embargoeingriffen der freie Meinungs Austausch das rechtsstaatliche Verwaltungsverfahren und die Gewährleistung der Gewaltenteilung im Aussenhandel

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