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September 2026

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Albiez, Stefan [HerausgeberIn]; Petutschnig, Matthias [HerausgeberIn]; Wimpissinger, Christian [HerausgeberIn]

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Stefan Albiez  
Matthias Petutschnig  
Christian Wimpissinger (Hrsg)

# Bilanz und Haftung

Strafrecht – Gesellschaftsrecht – Steuerrecht

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Handbuch

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## International law

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Ludwigs, Markus, 1976- [HerausgeberIn]; Schwarz, Kyrill-Alexander, 1968-  
[HerausgeberIn]; Mannheim, Karl, 1963- [HerausgeberIn]

Berlin : Duncker & Humblot; 2026

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Craig, Paul P., 1951- [HerausgeberIn]; Schütze, Robert, ca. 20./21. Jh. [HerausgeberIn]

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### Latin American international law in the twenty-first century

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**Liquid legal - sustaining the rule of law : artificial intelligence, e-justice, and the cloud**

Jacob, Kai [HerausgeberIn]; Schindler, Dierk [HerausgeberIn]; Strathausen, Roger [HerausgeberIn]; Walzl, Bernhard [HerausgeberIn]

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## Optional choice of court agreements in private international law

Keyes, Mary [HerausgeberIn]

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Janssen, Willem, 1988- [HerausgeberIn]; Lichère, François, 1969- [HerausgeberIn];  
Magga, Kirsi-Maria [HerausgeberIn]

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**Research handbook on climate finance and investment law**

Mehling, Michael, 1973- [HerausgeberIn]; Asselt, Harro van, 1979- [HerausgeberIn]

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**Research handbook on EU media law and policy**

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**Research handbook on European property law**

Erp, J. H. M. van [HerausgeberIn]; Zimmermann, Katja [HerausgeberIn]

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**Research handbook on intelligence and international law**

Buchan, Russell, 1983- [HerausgeberIn]; Navarrete, Iñaki [HerausgeberIn]

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Butler, Petra, 1966- [HerausgeberIn]; Gauci, Jean-Pierre [HerausgeberIn]; Greville, Georgia [HerausgeberIn]

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Seggauer Gespräch zu Staat und Kirche, 9., 2024, Leibnitz-Seggauberg [VerfasserIn]; Esterbauer, Reinhold, 1963- [HerausgeberIn]; Grabenwarter, Christoph, 1966- [HerausgeberIn]; Pabel, Katharina, 1969- [HerausgeberIn]

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# **Staatliche und kirchliche Gerichtbarkeit**

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## The international law of economic integration

Chaisse, Julien [HerausgeberIn]; Herrmann, Christoph [HerausgeberIn]; Abel, Patrick, 1988- [HerausgeberIn]

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[HerausgeberIn]

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