SUMMARY

This work relates to the criminal responsibility and international corruption in own substantive and procedural profiles.

The survey begins with the delineation of the relevant regulatory framework, examining especially the Leg. decree June 8, 2001, n. 231.

The examination, doctrinal and jurisprudential, of thislegislative text will focus on what is most important in the evaluation of the concrete company criminal responsibility, that is the objective and subjective criteria debit and organizational models.

In Chapter II, attention will be paid to an important profile, consistent in an analysis of company criminal proceedings.

This argument constitutes, for relevance and amplitude, an issuewhich can't be synthesized in a few tens of pages.

That is why the above comments will aim to highlight the most interesting and the most debated questions of law of latest years.

They are the quaestiones relating to legal representation or to the various cases of incompatibility, including those concerning incompatibilities of defendant representative of the presupposedoffense and the incompatibility with the position of witness.

In Chapter III, however, always taking as a benchmark the case of international corruption, we will analyze the legislation on precautionary measures.

They will be evaluated in reference to multiple profiles, such as, for example, the application requirements, the application procedure and the role of the adversarial principle.

Finally, the last chapter will examines another question subject of a lively debate in law, the action of liability against defendant institution.

These reflections in the course of work will be referred to the case of corruption, long regarded as a purely national phenomenon.

Today, however, it had ripened, in the context of international relations, awareness of how the corruption of public officials in international business transactions represents, in any case, not only a form of unfair competition, but also an obstacle to economic competitiveness as well to negatively affect business efficiency and on the financial development of a country.

This awareness has favored a gradual process of evolution began in the year 1977 with the adoption law US law, the Foreign Corrupt Practices Act.

In essence, the aforementioned Act provides for the exercise of extraterritorial jurisdiction by the US courts, in case of commission of a fact integral extremes of "international corruption", regardless of any proceedings initiated against the beneficiaries of corruption on the part of their national state.

By the time it has been felt the need to regulate the phenomenon of corruption in a way also specifies under international agreements, through the conclusion of major multilateral conventions, like as the OECD Convention on combating bribery of foreign public officials in international business transactions, signed in 1977, which marked, in the internationalist, the end of an era, characterized by a non-run always transparent economic operations or again, the Convention on the fight against corruption involving officials of the European Communities or officials of the EU member states, signed in 1997, or to the latest United Nations Convention against Corruption, signed in 2003.