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P. ACCONCI, *Investimenti stranieri sostenibili. Diritto e governance internazionale e dell'Unione Europea*, Editoriale Scientifica, Napoli, 2023, pp. XIII-217 (*Luca Rubini*), p. 373.

ISSUE. 3

E. LATOSZEK, A. KLOS (edited by), *Global Public Goods and Sustainable Development in the Practice of International Organizations: Responding to Challenges of Today's World*, Brill, Boston, 2023, pp. XXVI-386 (Susanna Cafaro), p. 595

ISSUE. 4

M. VELLANO, A. MIGLIO (a cura di), *Sicurezza e difesa comune dell'Unione europea*, CEDAM, Wolters Kluwer, Milano, 2022, pp. 402 (Francesco Munari), p. 775.

I. R. PAVONE, *Global Pandemics and International Law – An Analysis in the Age of COVID-19*, Routledge, Londra, 2024, pp. 268 (Gian Luca Burci), p. 778.

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