



Studies of the Oxford
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The EU Charter of Fundamental Rights as a Binding Instrument

Five Years Old and Growing

**Edited by
Sybe de Vries, Ulf Bernitz
and Stephen Weatherill**

B L O O M S B U R Y

Charter Fundamental Rights Binding Instrument

M Woodhall



Charter Fundamental Rights Binding Instrument:

The EU Charter of Fundamental Rights Giacomo Di Federico, 2010-12-02 The first part of the book reviews the multi level system of protection currently operating in Europe and its constitutional implications The Charter is analysed from a legal political and practical standpoint The activity of the European Parliament as a fundamental rights actor will also be examined as well as the right to a fair trial and to effective judicial protection before and by the EU Courts The second part of the volume addresses the impact of a binding Charter on specific areas of EU Law The order in which the contributions have been set out reflects the structure of the Treaty on the functioning of the European Union free circulation of persons the internal market the area of freedom security and justice civil and criminal aspects social rights protection environmental policy enlargement international trade and the Common Foreign and Security Policy National Constitutions and EU

Integration Stefan Griller, Lina Papadopoulou, Roman Puff, 2022-08-25 Do individual constitutions and the legal cultures underlying them pose an obstacle to future EU integration This ambitious collection brings together reports from all the European Member States systematically setting out their individual constitutional guarantees In doing so it tracks possible roadblocks to the future evolution of European integration Written by recognised authorities in each Member State it offers an authoritative and rigorous overview of the European Union's constitutional landscape Its single structure approach allows for comparison while maintaining consistency It will become the standard reference work for academics students and practitioners in the field of European Union law and integration **The Max Planck Handbooks in European Public Law**

Armin von Bogdandy, Peter M. Huber, Christoph Grabenwarter, 2023 The fourth volume of the Max Planck Handbooks in European Public Law series compares European constitutional jurisdiction in the perspective of the European legal space It examines the structures of the organization the appointment of judges the procedures and the methods of argumentation and interpretation their impact on state and society their legitimacy or their role in the division of powers and thus completes the picture following the country reports in Volume III This comparative perspective is supplemented by an examination that illustrates the relationship to the ECJ the ECtHR and the Venice Commission as well as their constitutional function Finally the volume is devoted to the challenges currently facing constitutional jurisdiction in the European Legal Space The historical political and theoretical foundations as well as the basic doctrinal features of constitutional jurisdiction are presented in such a way that the discussion about its role and further development in this legal space is sustainably stimulated The External Dimension of EU Social Security Coordination Pauline Melin, 2019-12-09 In The External

Dimension of EU Social Security Coordination Towards a Common EU Approach Pauline Melin provides a detailed legal analysis of the framework on social security coordination with third countries and offers alternative policy solutions to the current fragmented approach The analysis comprises a complete overview of the EU approach to social security coordination with third countries 9 bilateral agreements between Belgium Germany and the Netherlands with respectively India Turkey

and USA and international standards Based on this analysis the author explores the possibility from an institutional perspective to develop a common EU approach through the conclusion of EU agreements The author concludes by favouring an alternative softer solution through an EU model agreement and proposes that the content of that model agreement be based on the best practices of the current framework

Theory and Reform in the European Union Dimitris N.

Chryssochoou,2003-07-18 This substantially updated and revised edition offers a comprehensive overview of the challenges confronting the political system as well as the international politics of the European Union It draws from a rich spectrum of regional integration theories to determine what the Union actually is and how it is developing The book examines constitutional politics of the European Union from the Single European Act to the Treaty of Nice and beyond The ongoing debate on the future of Europe links together questions of democracy and legitimacy competences and rights and the prospects for European polity building The aim is to contribute to a better understanding of the emerging European polity and the questions that further treaty reform generate for the future of the regional system The authors also assess the evolving European security architecture the limits and possibilities of a genuine European foreign security and defence policy and the role of the European Union in the post Cold War international system Common themes involve debates about stability and instability continuity and change multipolarity and leadership co operation and discord power capabilities and patterns of behaviour The book traces the defining features of the new order in Europe and incorporates an analysis of the post September 11 context This major new edition will be of particular interest to academics policy makers and students with an interest in the politics and governance of contemporary Europe as well as to those pursuing a career in international affairs

The Council of Europe Stefanie Schmahl,Marten Breuer,2017-03-16 The Council of Europe of which all European States are members plays a pivotal role in the promotion and protection of human rights democracy and the rule of law in Europe Bringing together specialist scholars and practitioners The Council of Europe Its Laws and Policies offers profound insights into the functioning of the organization The organization s primary and secondary law its institutional structure and its far reaching fields of activities are comprehensively and systematically analysed This volume investigates the impact of the Council s activities within the national legal systems of the Member States and the dense web of relationships between the Council of Europe and other international organisations An important reference work on one of the most influential organizations in Europe the book concludes that the Council of Europe has played a considerable role in the constitutionalization process of regional public international law

The International Legal Status and Protection of

Environmentally-Displaced Persons: A European Perspective Hélène Ragheboom,2017-07-03 In The International Legal Status and Protection of Environmentally Displaced Persons A European Perspective H l ne Ragheboom addresses the topical issue of displacement caused by environmental factors and analyses in particular whether affected persons who are unable or unwilling to return to their country of origin due to the severe degradation of their living environment could or in the

negative should receive some form of international protection within the European Union The author provides a detailed analysis of relevant instruments of refugee law and international human rights law and explores possible future approaches to addressing the phenomenon of environmental displacement ranging from constructive interpretations of existing norms to the allegedly preferable creation of a multidisciplinary sui generis framework *Research Handbook on European Social Security Law* Frans Pennings, Gijsbert Vonk, 2015-10-30 The *Research Handbook on European Social Security Law* critically examines the various European dimensions of social security The collection discusses a wide range of questions and dilemmas ensuing from the present state of European social security law whilst at the same time identifying future lines of inquiry that are likely to dominate the discourse in the coming years This Handbook encompasses numerous dimensions of European social security law including social security as a human right standard setting in social security the protection of mobile persons and migrants as well as the global context of European social security law It pays attention to both EU law and to various instruments of the Council of Europe Throughout the book's chapters prominent experts analyse contemporary debates discuss new challenges and point out further lines of research Via this exploration the Handbook provides a source of inspiration for the development of this special field of law Covering a breadth of topic and research scholars and practitioners alike will find this *Research Handbook* to be an invaluable source of information

The Reach of Free Movement Mads Andenas, Tarjei Bekkedal, Luca Pantaleo, 2017-09-26 The reach of free movement within the EU Internal Market and what constitutes a restriction are the topics of this book For many years the tension between free movement and restrictions have been the subject of intense discussion and controversy and this includes the constitutional reach of the rights conferred by the Treaty of Lisbon Anything that makes movement less attractive or more burdensome may constitute a restriction Restrictions may be justified but only if proportionate The reach of free movement is fundamental to the Internal Market both for the economic constitution and increasingly for individual rights in a European legal order that provides constitutional guarantees for rights exceeding those of free movement The interaction between fundamental rights and fundamental freedoms to movement distinguishes the EU legal order from the national legal systems The book falls into four parts The Reach of Free Movement Justifications and Proportionality Fundamental Rights and Looking Abroad The clear discussion of the fundamentals and dilemmas regarding the subject of this book should prove useful for academics practitioners graduate students as well as EU officials and judges wishing to stay updated on the ongoing scholarly debate regarding relevance to case law Mads Andenas is Professor at the Department of Private Law University of Oslo and at the Institute of Advanced Legal Studies School of Advanced Studies University of London Tarjei Bekkedal is Professor at the Centre for European Law University of Oslo and the Chair of the Norwegian Association for European Law Luca Pantaleo is a Lecturer in EU law at The Hague University of Applied Sciences who obtained a PhD in International and EU Law in 2013 at the University of Macerata in Italy and who was previously a Senior Researcher at the T M C Asser Institute and Postdoctoral

researcher at the University of Luxembourg Specific to this book Up to date analysis of the reach of free movement within the EU Internal Market and what constitutes a restriction Chapters by leading authorities and a number of young scholars active in various interconnected fields such as European law Constitutional law and Human Rights law international law global governance European trade and commercial law European Financial Services law and procedural law The strength of the content lies both in its highly practical and theoretical applicability **Genetics, Disability and the Law** Aisling de Paor, 2017-09-21 While advances in science and technology bring many advantages we must not ignore the harm that they can cause Rapid changes in genetic testing are a prime example and indicators can now help to detect address and treat diseases However in this new study Aisling de Paor examines how genetic testing is also being used for non medical reasons for example for work opportunities and insurance coverage **Genetics Disability and the Law** is the first book of its kind to substantively consider an EU level response to the use of genetic information de Paor discusses how to help genetic and scientific research to evolve and grow how to enhance public confidence in research and how to control it so that it recognises our values and fundamental human rights An understudied but vitally important topic de Paor's work provides a valuable and timely contribution to the field of disability rights

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