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Law and Judicial Dialogue on the Return of Irregular Migrants from the European Union Madalina Moraru,Galina Cornelisse,Philippe De Bruycker,2020-08-06 This volume examines the implementation of the Return Directive from the perspective of judicial dialogue While the role of judges has been widely addressed in European asylum law and EU law more generally their role in EU return policy has hitherto remained under explored This volume addresses the interaction and dialogue between domestic judiciaries and European courts in the implementation of European return policy The book brings together leading authors from various backgrounds including legal scholars judges and practitioners This allows the collection to offer theoretical and practical perspectives on important questions regarding the regulation of irregular migration in Europe such as what constitutes inadequate implementation of the Directive and under which conditions can judicial dialogue solve it How can judges ensure that the right balance is struck between effective return procedures and fundamental rights Why do we see different patterns of judicial dialogue in the Member States when it comes to particular questions of return policy for example regarding the use of detention These questions are more timely than ever given the shifting public discourse on immigration and the growing political backlash against immigration courts This book will be essential reading for all scholars and practitioners in the fields of immigration law and policy EU law and public law

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