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**HANDBOOK ON  
EUROPEAN ENLARGEMENT  
A COMMENTARY  
ON THE ENLARGEMENT PROCESS**

*Edited by*

**Andrea Ott and Kirstyn Inglis**

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# Handbook On European Enlargement A Commentary On The Enlargement Proceb

**Sebastian Mayer, Jakob Lempp**



## **Handbook On European Enlargement A Commentary On The Enlargement Process:**

**Handbook on European Enlargement** Andrea Ott, Kirstyn Inglis, 2002-10-15 The Handbook on European Enlargement HEE is the most comprehensive legal commentary on the enlargement process which brings together fifty two leading authors from Member States and candidate countries working at the European Commission universities and in public administrations The underlying rationale of the HEE is to depict and analyze the legal framework for the enlargement process and to provide a comprehensive guide to academics practitioners and students It covers the Europe Agreements and Association Agreements decisions of the Association Councils appropriate judgments of the ECJ the Accession Partnerships the candidate countries National Plans for the Adoption of the Acquis as well as the role of the European Commission Progress Reports the funding instruments that underpin the whole process PHARE ISPA SAPARD and the legal orders of the candidate countries *Handbook on European Enlargement: A Commentary on the Enlargement Process* Andrea Ott, 2002-10-15 With a Foreword by Professor Marc Maresceau University of Ghent The Handbook on European Enlargement HEE is the most comprehensive legal commentary on the enlargement process which brings together fifty two leading authors from Member States and candidate countries working at the European Commission universities and in public administrations The underlying rationale of the HEE is to depict and analyze the legal framework for the enlargement process and to provide a comprehensive guide for academics practitioners and students It covers the Europe Agreements and Association Agreements decisions of the Association Councils appropriate judgments of the ECJ the Accession Partnerships the candidate countries National Plans for the Adoption of the Acquis as well as the role of the European Commission Progress Reports the funding instruments that underpin the whole process PHARE ISPA SAPARD and the legal orders of the candidate countries Well structured and organised and is surprisingly easy to dip into for reference purposes It works according to a simple methodology that aims to give the reader a broad legal overview and analysis of the enlargement project from the Foreword [The Obsolescence of the European Neighbourhood Policy](#) Steven Blockmans, 2017-10-03 The idealism that engendered the European Neighbourhood Policy in 2004 later codified in the Lisbon Treaty in 2009 has since been reviewed to adapt to the turbulence that has befallen the EU and its neighbourhood The ENP is now little more than an elegantly crafted fig leaf that purports to take a soft power approach to the EU's outer periphery argues the author but in effect it inclines more towards Realpolitik By prioritising security interests over liberal values in increasingly transactional partnerships the EU is atomising relations with its neighbouring countries And without the political will and a strategic vision to guide relations with the neighbours of the EU's neighbours the ENP remains in suspended animation **The EU Treaties and Charter of Fundamental Rights: A Commentary**, 2024-08-17 The second edition of The EU Treaties and the Charter of Fundamental Rights A Commentary provides an article by article summary of the TEU the TFEU and the Charter of Fundamental Rights to reflect the latest developments in the law since publication of the first edition in 2019 It

offers a quick reference to the provisions of the treaties how they are interpreted and applied in practice and to the most important legal instruments enacted on their basis The fully updated Commentary considers key developments in all areas of EU law including the debates and requirements around the Rule of Law legal decisions in relation to the Covid 19 pandemic climate change measures such as the European Green Deal as well as recent changes to the Common Agricultural Policy It also includes significant court rulings on freedom security and justice migration and asylum as well as issues relating to freedom of movement and Brexit The new edition outlines the Digital Markets Act a major piece of legislation adopted in 2022 and contains significant updates on EU competition law in the light of new Regulations and Guidelines Written by a team of contributors drawn from the Legal Service of the European Commission and from academia the Commentary offers expert guidance to practitioners and academics seeking fast access to the Treaties secondary law and current practice The Commentary follows a set structure offering a short overview of the Article the Article text itself a key references list including essential case law and legislation followed by a structured commentary on the Article The editors and contributors combine experience in practice with a strong academic background and have published widely on a variety of EU law subjects

EU External Relations and the Power of Law Kenneth A Armstrong, Joanne Scott, Anne Thies, 2024-08-22 The breadth and depth of the scholarship of Marise Cremona is honoured in this collection of essays written by her colleagues and friends Taking Cremona's field defining research as a point of reference this collection of research articles examines the power of law in EU external relations Echoing the expansive scope of Cremona's intellectual enquiries across the growing and diversifying field of external relations law this volume offers new insights into the principles and procedures that underlie this area of law the role and responsibilities of the EU as an international actor and the strategies and instruments through which the Union pursues its external agenda Spanning the analysis of foundational concepts and more contemporary interventions in respect of the environment human rights foreign direct investment and even Brexit what emerges from this collection is a richly conceptualised and clear examination of the multiple ways in which the power of law captures or eludes the EU's construction of a domain of external relations a domain in which the EU interacts not only with its Member States but also other subjects of the international legal order

*International Investment Protection within Europe* Julien Berger, 2020-11-24 The steadily rising number of investor State arbitration proceedings within the EU has triggered an extensive backlash and an increased questioning of the international investment law regime by different Member States as well as the EU Commission This has resulted in the EU's assertion of control over the intra EU investment regime by promoting the termination of bilateral intra EU investment treaties intra EU BITs and by opposing the jurisdiction of arbitral tribunals in intra EU investor State arbitration proceedings Against the backdrop of the landmark Achmea decision of the European Court of Justice the book offers an in depth analysis of the interplay of international investment law and the law of the European Union with regard to intra EU investments i.e. investments undertaken by an investor from one EU Member

State within the territory of another EU Member State It specifically analyses the conflict between the two investment protection regimes applicable within the EU with a particular emphasis on the compatibility of the international legal instruments with the law of the European Union The book thereby addresses the more general question of the relationship between EU law and international law and offers a conceptual framework of intra European investment protection based on the analysis of all intra EU BITs the Energy Charter Treaty and EU law as well as the arbitral practice in over 180 intra EU investor State arbitration proceedings Finally the book develops possible solutions to reconcile the international legal standards of protection with the regionalized transnational law of the European Union

**China, the European Union and the Developing World** Jan Wouters, Jean-Christophe Defraigne, Matthieu Burnay, 2015-02-27 China the European Union and the Developing World provides a comparative analysis of Chinese and EU influence across five different regions of the developing world Asia Pacific South and Central Asia the Middle East and North Africa Sub Saharan Af

**From Soviet Republics to EU Member States** Peter Van Elsuwege, 2008 This book offers a comprehensive analysis of the legal and political challenges surrounding the EU accession of the Baltic States It examines the impact of EU enlargement on relations with Russia and on the constitutional development of the countries concerned

*Rights of Third-Country Nationals under EU Association Agreements* Daniel Thym, LL.M., Margarite Zoetewij-Turhan, 2015-07-28 Rights of Third Country Nationals under EU Association Agreements highlights the significance of the rules on the free movement of persons in the association agreements between the European Union and neighbouring states in particular Turkey It identifies overarching themes and demonstrates the pertinence of the law and the roles of judges in enforcing and developing further the rights of individuals in association agreements across borders The various chapters in this volume extrapolate horizontal questions of legal interpretation constitutional formation and substantive approximation which underlie the diverse rules in different association agreements with neighbouring countries they support the overall conclusion that there are degrees of free movement and citizens rights defining the status of associated countries between membership and partnership

*Cambridge Yearbook of European Legal Studies, Vol 14 2011-2012* Catherine Barnard, Markus Gehring, Iyiola Solanke, 2012-12-20 The Cambridge Yearbook of European Legal Studies provides a forum for the scrutiny of significant issues in EU Law the law of the European Convention on Human Rights and Comparative Law with a European dimension and particularly those issues which have come to the fore during the year preceding publication The contributions appearing in the collection are commissioned by the Centre for European Legal Studies CELS Cambridge a research centre in the Law Faculty of the University of Cambridge specialising in European legal issues The papers presented are at the cutting edge of the fields which they address and reflect the views of recognised experts drawn from the University world legal practice and the institutions of both the EU and its Member States Inclusion of the comparative dimension brings a fresh perspective to the study of European law and highlights the effects of globalisation of the law more generally and the resulting cross

fertilisation of norms and ideas that has occurred among previously sovereign and separate legal orders The Cambridge Yearbook of European Legal Studies is an invaluable resource for those wishing to keep pace with legal developments in the fast moving world of European integration

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The European Neighbourhood Policy - Values and Principles Sara Poli, 2016-03-31 The European Neighbourhood Policy is a key part of the foreign policy of the European Union EU through which the EU works with its southern and eastern neighbours with a view to furthering its interests and achieving the closest possible degree of political association and economic integration The policy is underpinned by a set of values and principles that the EU seeks to promote The European Neighbourhood Policy Values and Principles carries out a legal analysis of the values and principles that form the basis for the European Neighbourhood Policy respect for human dignity freedom democracy equality the rule of law and respect for human rights including the rights of minorities plus the principles of conditionality differentiation and coherence This collection explores the instruments that the EU has deployed under the European Neighbourhood Policy to spread its values and to achieve its interests It assesses to what extent the EU has been and is consistent in upholding its values in its relations with neighbouring countries and examines how these values have been received by these countries The book looks in particular at the nature of EU Russia relations seeking to identify areas of common interest as well as those of actual and potential disagreement

Legislative Approximation and Application of EU Law in the Eastern Neighbourhood of the European Union Roman Petrov, Peter Van Elsuwege, 2014-02-24 This book explores the exportation and application of European Union legislation beyond EU borders It clarifies the means and instruments of the voluntary application of the EU's norms by third countries and analyses in detail the process of legislative approximation between the EU and its East European neighbours It also assesses the extent to which the EU is successful in promoting its legal standards abroad The first part of the book addresses the EU's mechanisms and instruments promoting the export of its own laws and practices to other countries Key issues include the post Lisbon constitutional basis for the EU's engagement with its Eastern neighbours Art 8 TEU the different methods of *acquis* export and the impact of a new generation of Association Agreements providing for the establishment of Deep and Comprehensive Free Trade Areas DCFTAs and ultimately a Neighbourhood Economic Community NEC between the EU and its Eastern partners The second part of the book includes substantive country reports that analyse the process of legislative approximation and application of EU law in the Eastern Partnership countries and Russia authored

by leading academics from the countries concerned While currently these countries are not working towards full EU membership the EU encourages them to approximate and converge their legislation with the EU *acquis* The book also offers a unique picture of current practice of the application of EU law by judiciaries in the countries of the Eastern Partnership and Russia The book concludes with reflections on the multi faceted character of legislative approximation and the challenges surrounding the application of EU law in the EU s Eastern neighbourhood The conclusions reached are highly informative as to the effectiveness of present and future EU external regional policies aimed at the promotion of EU common values and EU legislation into the legal orders of third countries

### **The National Judicial Treatment of the ECHR and EU Laws**

Giuseppe Martinico, Oreste Pollicino, 2010 Have national judges started treating the provisions of the European Convention on Human Rights the same way they treat the EC law s norms In order to answer this question the editors of this book included scholars from the countries that are members both of the EU and the Council of Europe The book collects the proceeding of an international conference held January 16 17 2010 at the Scuola Superiore Sant Anna of Pisa

### **EU Law**

**After Lisbon** Andrea Biondi, Piet Eeckhout, Stefanie Ripley, 2012-01-05 The implementation of the Lisbon Treaty is profoundly changing many areas of EU law and policy This volume gathers leading specialists in the field to analyse the implementation process and the directions of legal reform post Lisbon situating the Lisbon reforms in the broader context of on going policy programmes

*National Parliaments within the Enlarged European Union* John O'Brennan, Tapio Raunio, 2007-06-11 This book presents a wide range of perspectives on the role of national parliaments in EU politics and policy making Many accounts of the role of national parliaments portray them as passive victims of European integration This study instead examines their role within the EU policy making process looking at efforts to address perceived democratic and information deficits Bringing together leading scholars in the fields of European studies public policy analysis and legislative research this new volume provides a thorough and wide ranging synthetic analysis of the position of national parliaments within the EU policy making structures a range of detailed country studies including for the first time an analysis of the new member state parliaments in Central and Eastern Europe an analysis of the significant changes to the position of national parliaments brought about by the recent Convention process and the provisions of the EU s Constitutional Treaty Making an important contribution to an emerging comparative literature on the parliamentary dimension to EU public policy making *National Parliaments within the Enlarged European Union* will interest students and researchers in the fields of European integration EU politics and public policy analysis

*The EU as an Actor in Central Asia* Sebastian Mayer, Jakob Lempp, 2024-09-30 This volume explains the behavior of the European Union EU towards Central Asia In so doing the responses of regional actors which impact the EU s regional conduct and the effects of competing external governance providers particularly Russia and China are considered The current literature often from an interdisciplinary descriptive area studies angle reveals some research gaps Scholars chiefly explore the impacts of the EU on Kazakhstan Uzbekistan Kyrgyzstan Tajikistan and

Turkmenistan while action of the EU itself with its decision making preferences and underlying drivers remains underspecified Focusing more explicitly on the EU chapters in the book are systematically organized along a set of shared overarching questions Ultimately the authors depict and explain EU action and assess how successful the organization has been in achieving its stated regional objectives in a number of policy fields Economic Development and Trade Security Democratization and Human Rights Water and Education

**The Harmonisation of National Legal Systems** Antonios E. Platsas, 2017-10-27 This book offers a novel perspective on the leading concept of harmonisation advocating the mutual benefits and practical utility of harmonised law Theoretical models and factors for harmonisation are explored in detail Antonios E Platsas acknowledges a range of additional factors and presents harmonisation as a widely applicable and useful theory

*The Substance of EU Democracy Promotion* A. Wetzel, J. Orbie, 2015-02-17 The book investigates the substance of the European Union's EU democracy promotion policy It focuses on elections civil and political rights horizontal accountability effective power to govern stateness state administrative capacity civil society and socio economic context as components of embedded liberal democracy

**The European Union, China and Central Asia** Fabienne Bossuyt, Bart Dessein, 2021-10-04 This book examines the involvement of the European Union EU and China in Central Asia and critically assesses the implications this has for the region as a whole The volume adopts a comprehensive interdisciplinary approach combining insights from International Relations EU Studies International Economics International Law Sinology and History It concentrates on three thematic levels 1 historical and contextual 2 geopolitical and geo economic and 3 socio cultural and institutional Paying particular attention to the role of the EU and the factors driving the EU's and China's relations with Central Asia it looks at how the Central Asian countries position themselves vis vis China's growing influence and how the balance of power between China Russia and the EU plays out Contributors also explore the important historical context of the Silk Routes as well as of the erstwhile connection of the Central Asian states with the Soviet Union Critically analysing the potential areas for collaboration and synergy between the EU and China the book also discusses the extent to which they share a common ground in Central Asia that could serve as a basis for long term cooperation It will be of interest to all scholars and students of International Relations Economics Sinology and History

*EC Law and the Sovereignty of the Member States in Direct Taxation* Mathieu Isenbaert, 2010 In order to develop a suitable framework for the analysis of the European Court of Justice ECJ case law it is first analysed what significance if any the concept of sovereignty has in the contemporary supranational environment of the European Union All too often tax scholars equate sovereignty with the concepts of competence or jurisdiction It will be established in this thesis that a much more specific and higher level meaning is to be attributed to the sovereignty concept which goes beyond the strictly legal concepts of competence or jurisdiction The cornerstone of this thesis however is an extensive analysis of the case law of the ECJ in direct tax matters including a comparison with its non tax case law A new kind of methodology is used in discussing the cases they are categorized



according to whether a discrimination or a restriction based analysis was applied by the ECJ

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