

The European Union provides a multilevel system for the protection of fundamental rights.

The European Union (EU) is a distinctive supranational organization that is distinguished not only by its economic and political integration but also by its dedication to the defense of fundamental rights. This commitment's sophisticated multilevel framework, which is intended to protect fundamental rights throughout its member nations, is at its core. The European Court of Justice (ECJ) interprets and upholds this system in a dynamic manner. It is supported by a strong legal framework created by several EU Treaties, including the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU). The jurisprudence of the European Court of Justice (ECJ) is crucial in determining the state of fundamental rights in the European Union, frequently impacting national laws and judicial procedures.

The cornerstone of the European Union's legal system, the treaties form the legal basis for the protection of fundamental rights inside the EU. The foundation for a uniform approach to basic rights amongst member states is laid by the Treaties on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU). These treaties have gradually reinforced the EU's commitment to fundamental rights, particularly through its revisions like the Lisbon Treaty. The Lisbon Treaty's binding adoption of the Charter of Fundamental Rights represents a critical turning point in this process. The Charter is a comprehensive text that unifies a number of rights that were previously dispersed over many laws. It encompasses social, political, economic, and civil rights and upholds values like justice, equality, solidarity, liberties, and dignity for all people. To illustrate the EU's commitment to non-discrimination, consider Article 21 of the Charter, which forbids discrimination on any grounds, including sex, race, color, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, or sexual orientation. By guaranteeing a consistent implementation of rights across the Union, these treaties give the European Union the authority to take action against member states that transgress these essential values. Furthermore, these accords established the idea of EU law's primacy, which states that EU law takes precedence over national law in cases of disagreement. This principle is essential

Euro In Law And Practice

Zamira Xhaferri



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Law and Practices of Delegated Rulemaking by the European Commission Zamira Xhaferri, 2023-01-16 This book examines the law and practice of the delegation of rulemaking powers to the European Commission It combines legal doctrine with empirical research methods to bridge the gap between law on the books and law in action to fully appreciate the meaning and the impact of the changes post Lisbon The results of the empirical case study provide food for thought on how the current legal framework regime for delegated rulemaking by the European Commission could be improved The findings seek to contribute to the academic and policy debates on this research topic that is likely to continue in forthcoming years

European Law on Unfair Commercial Practices and Contract Law Mateja Durovic, 2016-07-28 The book examines the ambiguous relationship between the European law on unfair commercial practices and contract law In particular the manuscript demonstrates that the Directive 2005/29/EC on unfair commercial practices UCPD has had a major impact on contract law despite the declaration concerning the formal independence between the two branches of law established by Article 3(2) UCPD The insights and conclusions identified in the book contribute to a better understanding of European private law and the general process of Europeanisation of private law in the European Union and in particular of contract law

From common rules to best practices in European Civil Procedure Burkhard Hess, Xandra E. Kramer, 2017-12-08 Zwanzig Jahre nach der Verabschiedung des Amsterdamer Vertrags über die justizielle Zusammenarbeit in Zivilsachen wurden vom europäischen Gesetzgeber zahlreiche Instrumente des EU Zivilprozessrechts entwickelt die heute in der nationalen Rechtsprechung fest verankert sind Diese Instrumente haben einen grenzüberschreitenden Raum der Rechtssicherheit geschaffen dem Bürgerinnen und Bürgern sowie Unternehmen vertrauen können Das vorliegende Buch fragt nach den best practices gemeinsamer Regeln und Praktiken Inspiriert von der Verschiebung des Schwerpunkts von der Schaffung neuer Rechtsvorschriften hin zu einer Konzentration auf die konkrete Umsetzung bietet der Band einen Überblick über einen einheitlichen europäischen Rechtsraum und seinen Regeln

Philosophical Foundations of European Union Law Julie Dickson, Pavlos Eleftheriadis, 2012-10-11 This volume brings together legal philosophers political philosophers and EU legal academics in the service of developing the philosophical analysis of EU law In a series of original and complementary essays they bring their varied disciplinary expertise and theoretical perspectives to bear on central issues facing the Union and its law

The Oxford Handbook of European Legal History Heikki Pihlajamäki, Markus D. Dubber, Mark Godfrey, 2018-06-28 European law including both civil law and common law has gone through several major phases of expansion in the world European legal history thus also is a history of legal transplants and cultural borrowings which national legal histories as products of nineteenth century historicism have until recently largely left unconsidered The Handbook of European Legal History supplies its readers with an overview of the different phases of European legal history in the light of today's state of the art research by offering cutting edge views on research questions currently emerging in

international discussions The Handbook takes a broad approach to its subject matter both nationally and systemically Unlike traditional European legal histories which tend to concentrate on heartlands of Europe notably Italy and Germany the Europe of the Handbook is more versatile and nuanced taking into consideration the legal developments in Europe s geographical fringes such as Scandinavia and Eastern Europe The Handbook covers all major time periods from the ancient Greek law to the twenty first century Contributors include acknowledged leaders in the field as well as rising talents representing a wide range of legal systems methodologies areas of expertise and research agendas

Innovative Teaching in European Legal Education Claas Friedrich Germelmann, 2021-04-15 Moderne Lehrmethoden sind in akademischen Diskussionen allgegenwärtig Die Wissenschaft schreitet voran daher muss die Lehre zum Nutzen der Studierenden folgen Auf einer internationalen Konferenz in Hannover Dezember 2019 unter der Gide des renommierten ELPIS Netzwerkes wurde die Angelegenheit anhand der Vielfalt der Rechtsausbildung in den EU Mitgliedstaaten erörtert um gemeinsame Grundlagen für die moderne Rechtslehre zu finden Der vorliegende Band erzielt eine Balance relevanter Erkenntnisse von Wissenschaftlern und Studierenden Er besteht aus Beiträgen von Wissenschaftlern verschiedener Rechtsgebiete an unterschiedlichen Universitäten wie Bernd Oppermann Hannover Claas Friedrich Germelmann Hannover Vasco Pereira da Silva Lissabon Francisco Balaguer Callejón Granada Andreas Schwartze Innsbruck Arndt Künnecke Berlin Maria Meng Papantoni Athen Patrick R Hugg New Orleans Rui Guerra da Fonseca Lissabon Balázs Rig Budapest Dimitrios Parashu Hannover Kersi Kurti Hannover und Kire Jovanov Hannover

Legal Knowledge Representation: Automatic Text Analysis in Public International and European Law Erich Schweighofer, 1999-10-19 This volume is a presentation of all methods of legal knowledge representation from the point of view of jurisprudence as well as computer science A new method of automatic analysis of legal texts is presented in four case studies Law is seen as an information system with legally formalised information processes The achieved coverage of legal knowledge in information retrieval systems has to be followed by the next step conceptual indexing and automatic analysis of texts Existing approaches of automatic knowledge representations do not have a proper link to the legal language in information systems The concept based model for semi automatic analysis of legal texts provides this necessary connection The knowledge base of descriptors context sensitive rules and meta rules formalises properly all important passages in the text corpora for automatic analysis Statistics and self organising maps give assistance in knowledge acquisition The result of the analysis is organised with automatically generated hypertext links Four case studies show the huge potential but also some drawbacks of this approach

Paradoxes of European Legal Integration Hanne Petersen, 2008 Focusing on paradoxes and tensions of European legal integration this book investigates four complex and inherently contradictory processes to offer a new framework for understanding contemporary European integration The volume features contributions from some of the biggest names in European legal philosophy to include Neil MacCormick Yves Dezalay and Bryant Garth Pierre Legrand Heikki Mattila and David Nelken

European Union Agencies as Global

Actors Florin Coman-Kund, 2018-05-01 This book examines a largely unexplored dimension of the European agencies namely their role in EU external relations and on the international plane International cooperation has become a salient feature of EU agencies triggering important legal questions regarding the scope and limits of their international dimension the nature and effects of their international cooperation instruments their status within the EU and on the global level and leading potentially to tensions between EU law and international law This book fills the existing knowledge gap by scrutinizing the international cooperation legal framework and practice of EU agencies including their mandate tasks and instruments together with their legal status as actors with a global dimension It sets out a general legal analytical framework which combines legal parameters from EU and international law to assess EU agencies as global actors and examines in detail three case studies on carefully selected agencies to shed light on the complexities of EU agencies daily international cooperation

The Average Consumer in Confusion-based Disputes in European Trademark Law and Similar Fictions Rasmus Dalgaard Laustsen, 2019-11-06 This book contends that with regard to the likelihood of confusion standard European trademark law applies the average consumer incoherently and inconsistently To test this proposal it presents an analysis of the horizontal and vertical level of harmonization of the average consumer The horizontal part focuses on similar fictions in areas of law adjacent to European trademark law and in economics and the average consumer in unfair competition law The vertical part focuses on European trademark law represented mainly by EU trademark law and the trademark laws of the UK Sweden Denmark and Norway The book provides readers with a better understanding of key aspects of European trademark law the average consumer applied as part of the likelihood of confusion standard and combines relevant law and practices with theoretical content and other related areas of law and economics Accordingly it is an asset for policymakers and practitioners as well as general readers with an interest in intellectual property law and theory

Reinventing Legal Education Alberto Alemanno, Lamin Khadar, 2018-05-24 Reinventing Legal Education explores how clinical legal education a new frontier for European public interest lawyering is reforming law teaching and practice in Europe

Succession Law, Practice and Society in Europe across the Centuries Maria Gigliola di Renzo Villata, 2018-03-19 This book presents a broad overview of succession law encompassing aspects of family law testamentary law and legal history It examines society and legal practice in Europe from the Middle Ages to the present from both a legal and a sociological perspective The contributing authors investigate various aspects of succession law that have not yet been thoroughly examined by legal historians and in doing so they not only add to our knowledge of past succession law but also provide a valuable key to interpreting and understanding current European succession law Readers can explore such issues as the importance of a father's permission to marry in relation to disinheritance as well as inheritance transactions and private dynastic and cross border successions Further themes addressed by the expert contributors include women's inheritance rights the laws of succession for the prince in legal consulting and succession in the Rota Romana's

jurisprudence *Bilingual Higher Education in the Legal Context* Xavier Arzoz, 2012-02-17 The aim of this book is to document the experiences of institutions and states that are implementing bilingual higher education policies in the legal context to identify the different approaches and to suggest some of the likely areas for future theoretical development It examines the role of higher education language policies medium of instruction policies in higher education in mediating the tension between on the one hand the centralizing forces of stated mandated policies and globalisation and demands for language rights by ethnic and linguistic minorities on the other **Annual of German and European Law** Russell A. Miller, Peer Zumbansen, 2004 Complementing the highly successful online German Law Journal this new publication aims to deepen and develop some of the issues discussed in the Journal as well as to take up new questions and directions of commentary Focusing on pressing legal questions of socio political relevance it offers scholarly articles reports book reviews and selected statutes or court decisions in English translation in all fields of German and European Law The main objective is to offer border transcending and interdisciplinary research into fast moving areas of the law often involving a complex array of institutional political and private actors **European Constitutionalism** Kaarlo Tuori, 2015-07-16 This book provides a new understanding of the European constitution as a multidimensional process of constitutionalization constantly interacting with Member State constitutions **Tort Liability of Public Authorities in European Laws** Giacinto Della Cananea, Roberto Caranta (juriste), 2020 Administrative law permeates all areas of law and this series focuses on its role both regionally and globally This volume considers tort liabilities in European public authorities It looks at several European countries using case studies to compare administrative laws across the EU **Researching the European Court of Justice** Mikael Rask Madsen, Fernanda Nicola, Antoine Vauchez, 2022-05-26 The book explores cutting edge interdisciplinary research strategies for the study of the Court of Justice of the European Union *'Protection' in European Union Asylum Law* Julian Lehmann, 2020-09-25 Asylum law in the European Union is ripe with caveats that allow authorities to reject asylum applications due to protection received in the home country or another location But what does protection mean in this context And when is it strong enough to make denying an application lawful Departing from the notion that refugee status is a surrogate for lacking protection at home Julian M Lehmann investigates the interplay of international law and European Union law on protection against harm by non state actors the Internal Protection Alternative concept and asylum in third countries en route to the European Union Lehmann demonstrates how conflating these concepts risks equating international protection with mere safety which stands in contrast to the very purpose of refugee law *The Reform of Class and Representative Actions in European Legal Systems* Christopher Hodges, 2008-10-07 This book examines the principal trends and policy goals relating to collective redress mechanisms in Europe It identifies three principal areas in which procedures and debates have emerged within consumer protection and competition law and from some national court systems It identifies differing national models of public and private enforcement in consumer protection law in the Member States and

the search for more efficient and inclusive procedures that would deliver increased access to justice and enhanced compliance with desired standards arguably through deterrence A sequence of case studies illustrates the pros and cons of differing models Lessons are also drawn from the experience of class actions in the USA over the transactional costs of private law mechanisms and adverse economic consequences The various policy strands are unravelled and prioritised and options for the future are recommended The American private enforcement model is contrasted with the more prevalent European public and mediated enforcement tradition New developments involving Ombudsmen and oversight of compensation by public enforcement bodies are identified and underlying theories of restorative justice and responsive regulation discussed Public private formal informal ADR and voluntary methodologies are evaluated against criteria and it is concluded that the optimal options for collective redress in Europe involve a combination of approaches with priority given to public and voluntary solutions over private court based mechanisms Reform of collective redress is the hottest topic in European civil justice today Dr Hodges one of the world s leading experts in the field provides a deeply informed evaluation of the current debates Illustrative case studies drawn from both consumer protection and competition areas enrich and ground his provocative analysis of the complex issues at stake making this a must have book for every practitioner academic and policy maker in the field Professor Jane Stapleton Australian National University and University of Texas Austin This title is included in Bloomsbury Professional s International Arbitration online service Lawyering Europe Antoine Vauchez, Bruno de Witte, 2013-03-13 While scholarly writing has dealt with the role of law in the process of European integration so far it has shed little light on the lawyers and communities of lawyers involved in that process Law has been one of the most thoroughly investigated aspects of the European integration process and EU law has become a well established academic discipline with the emergence more recently of an impressive body of legal and political science literature on European law in context Yet this field has been dominated by an essentially judicial narrative focused on the role of the European courts underestimating in the process the multifaceted roles lawyers and law play in the EU polity notably the roles they play beyond the litigation arena This volume seeks to promote a deeper understanding of European law as a social and political phenomenon presenting a more complete view of the European legal field by looking beyond the courts and at the same time broadening the scholarly horizon by exploring the ways in which European law is actually made To do this it describes the roles of the great variety of actors who stand behind legal norms and decisions bringing together perspectives from various disciplines law political science political sociology and history to offer a global multi disciplinary reassessment of the role of law and lawyers in the European integration process

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