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# EU Equality Law

The First Fundamental Rights Policy of the EU

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# Fundamental Rights In Europe Oxford Studies In European Law

**Ann Numhauser-Henning, Mia Rönmar**



## **Fundamental Rights In Europe Oxford Studies In European Law:**

EU Citizenship at the Edges of Freedom of Movement Katarina Hylltén-Cavallius, 2020-11-26 This book critically analyses the case law on EU citizenship in relation to its personal free movement rights its status on the primary law level and EU fundamental rights protection The book exposes the legal space where EU citizenship variably loses or gains legal relevance and questions how this space can be overcome Through a thorough analysis of the core personal free movement rights of residence family reunification equal treatment and equal political participation the book demonstrates how the development of the case law of the Court of Justice of the European Union has generated a two tiered legal concept of EU citizenship Depending on the nature of the legal claim at hand EU citizenship may appear as a poor legal personhood for exercising free movement rights sometimes pushing the individual who is in a factual cross border situation out of the scope of Union law Contrastingly in other strands of the jurisprudence we see EU citizenship and its primary law levelled rights stretch the jurisdictional scope of Union law triggering the EU s Charter of Fundamental Rights for review of the individual case The book enhances the understanding of the legal concept of EU citizenship in Union law and contributes to the debate on the future development of EU citizenship its relationship to the Charter and the strength of its legal position for the person who exercises freedom of movement *The Rise and Decline of Fundamental Rights in EU Citizenship* Adrienne

Yong, 2019-03-21 This book argues that there is an inherent relationship between EU fundamental rights and EU citizenship they both have the same objective of guaranteeing protection for the individual This is underpinned by the development of case law in the field by the Court of Justice of the EU CJEU Here however the author proposes that that relationship has weakened in recent years as the CJEU has entered increasingly sensitive territory in regard to the protection of citizenship rights and fundamental rights Writing in the post UK EU referendum environment the author argues that this decline is attributable to increasing Euroscepticism which has worsened since the Eurozone crisis and even more so in light of Brexit and arguments made that leaving the EU would reduce immigration This argument is particularly important to note given the rising fears of immigration that underlie much of the dissatisfaction with the EU project a feeling prevalent not only in the UK The chapters look at the rights of migrant EU citizens in Member States other than their own and the guarantees that exist as a matter of protecting their fundamental human rights which are present alongside rights enjoyed as part of being an EU citizen

**Research Handbook on EU Law and Human Rights** Sionaidh Douglas-Scott, Nicholas Hatzis, 2017-07-21 The place of human rights in EU law has been a central issue in contemporary debates about the character of the European Union as a political organisation This comprehensive and timely Handbook explores the principles underlying the development of fundamental rights norms and the way such norms operate in the case law of the Court of Justice Leading scholars in the field discuss both the effect of rights on substantive areas of EU law and the role of EU institutions in protecting them **Normative Patterns and Legal Developments in the Social Dimension of the EU** Ann

Numhauser-Henning, Mia Rönnmar, 2013-06-28 This book explores the normative and legal evolution of the Social Dimension labour law social security law and family law in both the EU and its Member States during the last decade It does this from a wide range of theoretical and legal substantive perspectives The past decade has witnessed the entering into force of the Lisbon Treaty and its emphasis on fundamental rights a new coordination regulation within the field of social security Regulation 883/2004/EC and the case law of the Court of Justice of the European Union in the so called Laval Quartet Furthermore structural changes affecting demographics and family have also challenged solidarity in new ways The book is organised by reference to distinct normative patterns and their development in the fields of law covered such as the protection of established groups the position of market functional values and the scope for just distribution The book represents an innovative and important interdisciplinary approach to analysing EU law and Social Europe and contributes a complex yet thought provoking picture for the future The contributors represent an interesting mix of well known and distinguished as well as upcoming and promising researchers throughout Europe and beyond

**Human Rights in the Council of Europe and the European Union** Steven Greer, Janneke Gerards, Rose Slowe, 2018-03-29 Confusion about the differences between the Council of Europe the parent body of the European Court of Human Rights and the European Union is commonplace amongst the general public It even affects some lawyers jurists social scientists and students This book will enable the reader to distinguish clearly between those human rights norms which originate in the Council of Europe and those which derive from the EU vital for anyone interested in human rights in Europe and in the UK as it prepares to leave the EU The main achievements of relevant institutions include securing minimum standards across the continent as they deal with increasing expansion complexity multidimensionality and interpenetration of their human rights activities The authors also identify the central challenges particularly for the UK in the post Brexit era where the components of each system need to be carefully distinguished and disentangled

The Protection of Fundamental Rights in the EU After Lisbon Sybe de Vries, Ulf Bernitz, Stephen Weatherill, 2013-01-04 The changes made by the Lisbon Treaty suggest that its entry into force in December 2009 marks a new stage in the shaping of the EU's commitment to the protection of fundamental rights This book's concern is to provide an examination of the several and interlocking challenges which the Lisbon reforms present The book will not only address the fresh and intriguing challenges for the EU as an entity committed to the protection and promotion of fundamental rights presented by developments post Lisbon but also a number of conundrums about the scope and method of protection of fundamental rights in the EU which existed pre Lisbon and which endure The book consists of three parts The first part is concerned with the safeguarding of fundamental rights in Europe's internal market The second part of the book is entitled The Scope of Fundamental Rights in EU Law and the chapters discuss the reach of fundamental rights and their horizontal dimension The last part of this book deals with The Constitutional Dimension of Fundamental Rights analysing the special relationship between the ECJ and the ECtHR and the issue of rights competition between the EU Charter on

Fundamental Rights the European Convention on Human Rights and national rights catalogues      **Fundamental Rights in Europe** Federico Fabbrini, 2014-02-13 The European architecture for the protection of fundamental rights combines the legal regimes of the states the European Union and the European Convention on Human Rights The purpose of this book is to analyse the constitutional implications of this multilevel architecture and to examine the dynamics that spring from the interaction between different human rights standards in Europe The book adopts a comparative approach and through a comparison with the federal system of the United States it advances an analytical model that systematically explains the dynamics at play in the European multilevel human rights architecture It identifies two recurrent challenges in the interplay between different state and transnational human rights standards a challenge of ineffectiveness when transnational law operates as a ceiling of protection for a specific human right and a challenge of inconsistency when transnational law operates as a floor and considers the most recent transformations taking place in the European human rights regime The book tests the model of challenges and transformations by examining in depth four case studies the right to due process for suspected terrorists the right to vote for non citizens the right to strike and the right to abortion In light of these examples the book then concludes by reassessing the main theories on the protection of fundamental rights in Europe and making the case for a new vision a neo federal theory which is able to frame the dilemmas of identity equality and supremacy behind the European multilevel architecture for the protection of human rights      **Legal Constraints on EU Member States in Drafting Accession Agreements** Narin Idriz, 2022-06-22 Do Member States of the EU have a free hand in drafting Accession Treaties or are there legal constraints on their primary law making powers in this regard That is the main question this book addresses It argues that such constraints do exist and seeks to identify them thereby providing a number of insights into the nature of the EU s legal order The point of departure as well as the main focus of the study is the proposed permanent safeguard clause PSC on the free movement of persons in the Negotiating Framework for Turkey Legal provisions rules principles and norms that might constrain Member States in this regard are identified with reference to the PSC The book examines constraints on Member States stemming from three sources of EU law Association Law based on the existing legal framework built on the EEC Turkey Association Agreement Part I EU Enlargement Law comprised of past practice and existing EU rules on enlargement Part II and the foundations of EU Constitutional Law Part III which constrain Member States whenever they act within the scope of Union law both as primary and secondary lawmakers Part III reveals what the Court of Justice of the EU considers to be the essence or the very foundations of the Union s legal order which it protects against encroachment This is similar to what some constitutional courts do to protect the inner unity or basic structure of their constitutions The findings of this book can be applied to the accession of any candidate state It also sheds light on important implications for future treaty amendments and for identifying possible limits to differentiated integration      **EU Citizens' Economic Rights in Action** Sybe de Vries, Elena Ioriatti, Paolo Guarda, Elisabetta Pulice, 2018-10-26 Ever since its

inception one of the essential tasks of the EU has been to establish the internal market. Despite the impressive body of case law and legislation regarding the internal market, legal and factual barriers still exist for citizens seeking to exercise their full rights under EU law. This book analyses these barriers and proposes ways in which they may be overcome. Next to analysing the key barriers to exercising economic rights more generally, this book focuses on three areas which represent the applications of the four basic freedoms: consumer rights, the rights of professionals in gaining access to the market, and intellectual property rights in the Digital Single Market. With chapters from leading researchers, the main pathways towards the reduction and removal of these barriers are considered. Taking into account important factors including the global financial crisis as well as practical barriers such as multilingualism, the solutions provided in this book present a pathway to enhance cross-border realization of European citizens' access to their economic rights as well as increasing in the cultural richness of the EU. *EU Citizens Economic Rights in Action* is an important book which will be an essential resource for students of EU citizenship and economics as well as for EU policymakers and practitioners interested in the field.

**Cultural Governance and the European Union** Evangelia Psychogiopoulou, 2016-04-29. This edited collection brings together distinguished scholars across a range of academic disciplines to explore how the European Union engages with culture. The book examines the ways in which cultural issues have been framed at the EU level and the policies and instruments to which they have given vent.

Equality and Non-Discrimination in the EU Giovanni Zaccaroni, 2021-02-26. Discussing the fundamental role played by equality and non-discrimination in the EU legal order, this insightful book explores the positive and negative elements that have contributed to the consolidation of the process of EU legal integration. It provides an in-depth analysis of the three key dimensions of equality in the EU: equality as a value, equality as a principle, and equality as a right.

**The Treaty on European Union (TEU)** Hermann-Josef Blanke, Stelio Mangiameli, 2013-11-26. The major Commentary on the Treaty on European Union (TEU) is a European project that aims to contribute to the development of ever closer conceptual and dogmatic standpoints with regard to the creation of a Europeanised research on Union law. This publication in English contains detailed explanations article by article on all the provisions of the TEU as well as on several Protocols and Declarations including the Protocols No 1, 2, and 30 and Declaration No 17, having steady regard to the application of Union law in the national legal orders and its interpretation by the Court of Justice of the EU. The authors of the Commentary are academics from ten European states and different legal fields: some from a constitutional law background, others experts in the field of international law and EU law professionals. This should lead to more unity in European law notwithstanding all the legitimate diversity. The different traditions of constitutional law are reflected and mentioned by name, thus striving for a common framework for European constitutional law.

*The Tangled Complexity of the EU Constitutional Process* Giuseppe Martinico, 2013. Despite or perhaps because of the rejection of the EU Constitutional Treaty eventually leading to the adoption of the Lisbon Treaty, the debates concerning the European Union's constitutional

framework continue This book builds on the discourse in European Union constitutionalism in order to offer a novel analysis of the EU's constitutional developments The book considers the constitutional trends of the process of EU integration before applying a transdisciplinary concept of complexity developed in the work of Edgar Morin to the EU In doing this Giuseppe Martinico sets out a unique account of EU constitutionalism which argues that the EU legal order is a complex entity which shares some features with complex natural systems The book then goes on to explore the methodological implications of such constitutional complexity for the study of EU law

### **Exporting the European Convention on Human Rights**

Maria-Louiza Deftou, 2022-10-20 This book explores how the European Convention on Human Rights operates and influences on the global stage The ECHR and its interpretation by the European Court of Human Rights ECtHR considerably echo in and outside Europe To what degree has that influence translated into its norms doctrines and methods of interpretation being exported into equivalent systems which also enact the protection of fundamental rights This book answers that question by exploring the judicial dialogue of the ECHR system with comparable legal orders Through a horizontal and multifaceted study of regional and global systems the book identifies the impact of the ECHR within the confines of their jurisprudence to provide scholars in the field of international human rights law with an essential text Discussing the extent to which the ECHR penetrates into the judicial production of the most affected legal systems the book mostly focuses on the case law of the Court of Justice of the European Union the Inter American Court of Human Rights and the UN Human Rights Committee It also investigates whether there is room for cross fertilisation between them and finally moves on to explore the legal consequences of the interplay of these mechanisms with the ECtHR and what it means for the overall functioning of international human rights law

*Children and the European Union* Helen Stalford, 2012-08-14 This book examines in detail the status of children in the EU Drawing on a range of disciplinary perspectives including the sociology of childhood and human rights discourse it offers a critical analysis of the legal and policy framework underpinning EU children's rights across a range of areas including family law education immigration and child protection Traditionally children's rights at this level have been articulated primarily in the context of the free movement of persons provisions inevitably restricting entitlement to migrant children of EU nationality In the past decade however innovative interpretations of EU law by the Court of Justice coupled with important constitutional developments have prompted the development of a much more robust children's rights agenda This culminated in the incorporation of a more explicit reference to children's rights in the Lisbon Treaty followed by the Commission's launch in February 2011 of a dedicated EU Agenda to promote and safeguard the rights of the child The analysis presented in this book therefore comes at a pivotal point in the history of EU children's rights providing a detailed and critical overview of a range of substantive areas and making an important contribution to international children's rights studies

*The European Union as Protector and Promoter of Equality* Thomas Giegerich, 2020-07-06 This book considers the European Union as a project with a major antidiscrimination goal which is important to remember at a time of increasing

resentment against particularly exposed groups especially migrants refugees members of ethnic or religious minorities and LGBTI persons While equality and non discrimination have long been core principles of the international community as a whole as is made obvious by the UN Charter and the Universal Declaration of Human Rights they have shaped European integration in a particular way The concepts of diversity pluralism and equality have always been inherent in that process the EU being virtually founded on the values of equality and non discrimination The Charter of Fundamental Rights of the EU contains the most modern and extensive catalogue of prohibited grounds of discrimination supplementing the catalogue enshrined in the European Convention on Human Rights EU law has given new impulses to antidiscrimination law both within Europe and beyond The contributions to this book focus on how effective and credible the EU has been in combatting discrimination inside and outside Europe The authors present different mostly legal aspects of that topic and examine them from various intra and extra European angles

**The Internal Market 2.0** Sacha Garben, Inge Govaere, 2021-01-07 This edited volume brings together leading authors and actors in EU internal market law and policy revisiting the classic themes in a contemporary context and considering re directions for the future The EU would not be where and what it is today without its internal market It is the cradle of the EU s most important legal doctrines and the source of the most significant amount of European integration And as Brexit has underlined it remains the primary political reason for EU membership Considering the well established and fundamental nature of internal market law it is striking to find many crucial doctrinal questions still unanswered today as explored by this book Furthermore these questions now find a new legal social and political context one that is acutely aware of the contested nature of the EU and its policies and the need to embed the internal market project in a broader setting of constitutional norms and values This need is made all the more pressing by the rapidly changing and often disruptive technological context The various contributions to this book contribute to finding a new direction for continued European integration in changing times by rethinking and where necessary reinventing the role and purpose of this area that remains the EU s beating heart

**Constructing European Intellectual Property** Christophe Geiger, 2013 It is no longer possible to practice teach or study purely domestic intellectual property law within Europe European intellectual property norms now structure protection throughout the continent and even beyond Paradoxically what might seem as a simplification of legal rules has created a maze of new complexities substantive institutional and methodological This collection by some of the leading scholars in European IP manages to capture that complexity without sacrificing clarity Canvassing the entire field with a rich array of contributions the book both highlights the roots of European IP law and asks important fundamental questions about where it is going One can only hope that it is read by anyone with a hand in the future development of European IP law Graeme B Dinwoodie University of Oxford UK Christophe Geiger has put together a very fine collection of essays by many of the very best scholars in European intellectual property law The essays explore the basis extent as well as the successes and failings of regional harmonization of trade marks



geographical indications copyright designs patents and remedies The celebrated cast of authors naturally discuss in addition to the various directives and regulations on each topic the Treaty provisions on exhaustion of rights and competition and their interpretation relevant provisions on legislative competence Article 17 2 of the Charter other fundamental rights and the growing case law of the Court of Justice There is essential material here for anyone interested in European intellectual property law as well as ideas for the improvement and further development of European IP law Lionel Bently University of Cambridge UK Constructing European Intellectual Property offers a comprehensive assessment of the current state of intellectual property legislation in Europe and gives direction on how an improved system might be achieved This detailed study presents various perspectives on what further actions are necessary to provide the circumstances and tools for the construction of a truly balanced European intellectual property system The book takes as its starting point that the ultimate aim of such a system should be to ensure sustainable and innovation based economic growth while enhancing free circulation of ideas and cultural expressions Being the first in the European Intellectual Property Institutes Network EIPIN series this book lays down some concrete foundations for a deeper understanding of European intellectual property law and its complex interplay with other fields of jurisprudence as well as its impact on a broad array of spheres of social interaction In so doing it provides a well needed platform for further research Academics policymakers lawyers and many others concerned with establishment of a regulatory framework for intangibles in the EU will benefit from the extensive and thoughtful discussion presented in this work **The Impact of Union Citizenship on the EU's Market Freedoms** Alina Tryfonidou, 2016-02-25

The book's aim is to consider the impact that the introduction and development of the status of Union citizenship has had on the interpretation of the EU's market freedoms Starting by providing in its introductory part part one a comprehensive and up to date analysis of the status of Union citizenship and its development from 1998 onwards the book proceeds in part two to provide an in depth examination of the relationship between this status and the Union's market freedoms The central argument of the book is that as a result of the move towards the creation of a meaningful status of Union citizenship the market freedoms have been reconceptualised as fundamental Union citizenship rights and their interpretation has adapted accordingly Part three of the book analyses the result of this process of transforming the market freedoms into sources of fundamental Union citizenship rights and considers where it is likely to lead in the future It demonstrates that despite the fact that this development appears to be the next natural step in the process of constructing a meaningful notion of Union citizenship it brings with it a number of issues that the EU will have to consider and carefully address In particular the method which the Court seems up until now to have employed to facilitate the metamorphosis of the market freedoms into citizenship rights has led to criticisms on the grounds of legitimacy and coherence and will undoubtedly lead to further problems in the future Hence part three of the book also identifies the difficulties that may emerge as a result of this process and suggests ways in which they may be overcome In Search of the Perfect Citizen? Sergio Carrera, 2009 This book

studies the normative intersection between integration immigration and nationality in the European Union EU It examines the relationship between integration and the legal frameworks of admission stay and access to nationality by third country nationals at national and European levels Integration is being subject to multifaceted processes transforming its traditional policy and legal settings as well as its classical theoretical premises and approaches The Europeanisation of immigration policy has provoked the emergence of distinctive European approaches on integration The legal elements of integration are being developed through two parallel settings the EU Framework on Integration and European immigration law These venues constitute two of the main pillars upon which the common EU immigration policy is being constructed and their nexus raises several elements in need of reflection and study This book examines the processes through which integration becomes a norm in nationality and immigration law and policy at the national and EU levels and the implications of these processes for the legal status of third country nationals and the overall coherency of the common EU immigration policy

Fundamental Rights In Europe Oxford Studies In European Law: Bestsellers in 2023 The year 2023 has witnessed a noteworthy surge in literary brilliance, with numerous engrossing novels captivating the hearts of readers worldwide. Lets delve into the realm of top-selling books, exploring the fascinating narratives that have captivated audiences this year. The Must-Read : Colleen Hoover's "It Ends with Us" This poignant tale of love, loss, and resilience has gripped readers with its raw and emotional exploration of domestic abuse. Hoover expertly weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can prevail. Fundamental Rights In Europe Oxford Studies In European Law : Taylor Jenkins Reid's "The Seven Husbands of Evelyn Hugo" This captivating historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reid's compelling storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Discover the Magic : Delia Owens' "Where the Crawdads Sing" This captivating coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens spins a tale of resilience, survival, and the transformative power of nature, captivating readers with its evocative prose and mesmerizing setting. These bestselling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of compelling stories waiting to be discovered. The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is a brilliant and suspenseful novel that will keep you guessing until the very end. The novel is a warning tale about the dangers of obsession and the power of evil.

<https://www.portal.goodeyes.com/results/virtual-library/default.aspx/geography%20websters%20specialty%20crossword%20puzzles%20volume%202%20the%20enthusiasts%20edition.pdf>

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