



EU LAW IN THE MEMBER STATES

Central European Judges Under the European Influence

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Pdf Central European Judges Under Influence

Anneli Albi, Samo Bardutzky



Pdf Central European Judges Under Influence:

National Constitutions in European and Global Governance: Democracy, Rights, the Rule of Law Anneli Albi, Samo Bardutzky, 2019-05-29 This two volume book published open access brings together leading scholars of constitutional law from twenty nine European countries to revisit the role of national constitutions at a time when decision making has increasingly shifted to the European and transnational level It offers important insights into three areas First it explores how constitutions reflect the transfer of powers from domestic to European and global institutions Secondly it revisits substantive constitutional values such as the protection of constitutional rights the rule of law democratic participation and constitutional review along with constitutional court judgments that tackle the protection of these rights and values in the transnational context e g with regard to the Data Retention Directive the European Arrest Warrant the ESM Treaty and EU and IMF austerity measures The responsiveness of the ECJ regarding the above rights and values along with the standard of protection is also assessed Thirdly challenges in the context of global governance in relation to judicial review democratic control and accountability are examined On a broader level the contributors were also invited to reflect on what has increasingly been described as the erosion or twilight of constitutionalism or a shift to a thin version of the rule of law democracy and judicial review in the context of Europeanisation and globalisation processes The national reports are complemented by a separately published comparative study which identifies a number of broader trends and challenges that are shared across several Member States and warrant wider discussion The research for this publication and the comparative study were carried out within the framework of the ERC funded project The Role and Future of National Constitutions in European and Global Governance The book is aimed at scholars researchers judges and legal advisors working on the interface between national constitutional law and EU and transnational law The extradition cases are also of interest to scholars and practitioners in the field of criminal law Anneli Albi is Professor of European Law at the University of Kent United Kingdom Samo Bardutzky is Assistant Professor of Constitutional Law at the University of Ljubljana Slovenia

The Impact of European Institutions on the Rule of Law and Democracy Matej Avbelj, Jernej Letnar Cernic, 2020-04-30 Since 2010 the European Union has been plagued by crises of democracy and the rule of law which have been spreading from Central and Eastern Europe CEE catching many by surprise This book argues that the professed success of the 2004 big bang enlargement mirrored the Potemkin villages erected in the new Member States on their accession to Europe Slovenia is a prime example Since its independence and throughout the accession process Slovenia has been portrayed as the poster child of the New Europe This book claims that the widely shared narrative of the Slovenian EU dream is a myth In many ways Slovenia has fared even worse than its contemporary constitutionally backsliding CEE counterparts The book s discussion of the depth and breadth of the democratic crises in Slovenia should contribute to a critical intellectual awakening and better comprehension of the real causes of the present crises across the other CEE

Member States which threaten the viability of the EU and Council of Europe projects It is only on the basis of this improved understanding that the crises can be appropriately addressed at national transnational and supranational levels

Domestic Judicial Treatment of European Court of Human Rights Case Law David Kosař, Jan Petrov, Katarína Šipulová, Hubert Smekal, Ladislav Vyhnánek, Jozef Janovský, 2020-02-28 The European Court of Human Rights ECtHR suffers from the burgeoning caseload and challenges to its authority This two pronged crisis undermines the ECtHR s legitimacy and consequently the functioning of the whole European human rights regime Domestic courts can serve as welcome allies of the Strasbourg Court They have a potential to diffuse Convention norms domestically and therefore prevent and filter many potential human rights violations Yet we know very little about how domestic courts actually treat the Strasbourg Court s rulings This book brings unique empirical findings on how often how and with what consequences domestic judges work with the ECtHR s case law It moves beyond the narrow concept of compliance and develops a new three level methodology for analysing the role played by domestic courts in the implementation of ECtHR case law Moreover using the example of Czechia it shifts the attention from Western countries to a more volatile Central and Eastern European region which has recently witnessed democratic backsliding and backlash against international checks on human rights and the rule of law standards Looking at a wider social and legal context this book identifies factors helping transitional countries to adapt to regional human rights regimes The work will be an essential resource for students academics and policy makers working in the areas of Constitutional law Politics and Human Rights law Its global appeal is enhanced by the methodological framework which is applicable in other international systems

The Heir Matt Palumbo, 2025-10-28 As Seen on Steve Bannon s War Room The George Soros empire is now the Alex Soros empire and the son is more radical than the father Like father like son In June 2023 it was finally made official Alex Soros would be taking over the empire started by his father who has contributed 32 billion of his own money to the cause As the news broke one question echoed around the world What will the future of Soros s influence look like The Heir investigates the transformation underway This is not the end of Soros backed radicalism it s just the beginning

Transnational Actors in Central and East European Transitions Mitchell Alexander Orenstein, Stephen R. Bloom, Nicole Lindstrom, 2008 The editors of this volume contend that transnational actors have exerted a powerful influence in postcommunist transitions They demonstrate that transitions to democracy capitalism and nation statehood which scholars thought were likely to undermine one another were facilitated by the integration of Central and East European states into an international system of complex interdependence Transnational actors turn out to be the dark matter that held the various aspects of the transition together Leading scholars debate the role and impact of transnational actors and present a promising new research program for the study of this rapidly transforming region

Global Issues in Legal Ethics James E. Moliterno, George C. Harris, 2007 This book is designed to facilitate the introduction of international transnational and comparative law issues into a course on Professional Responsibility The book

is very accessible for law students and their professors The chapters can be used in any combination and in any order The book can be assigned or recommended as optional reading to supplement a domestic only course to advance the students understanding of their own system *Transition? To Rule of Law?* Csaba Varga,2008 **Defence and Security Sector Governance and Reform in South East Europe** Eden Cole,2005 This volume analyzes the Stability Pact South East Europe Self Assessment Studies with the three fold aim of enhancing the relevance of the original papers examining their findings for the benefit of local national regional and international decision makers and preparing the ground for a possible more comprehensive phase of the Stock Taking Programme Western and regional contributors were asked to assess the quality of the papers address any omissions add contextual information they perceived to be relevant and on the basis of those findings make constructive suggestions and recommendations for enhanced international institutional engagement in the region Three types of analyses were commissioned analyses of the self assessment papers by country region wide analyses of the topical papers and a conclusive chapter surveying not only the self assessment papers in the original volumes but also the thematic and national analyses in this volume data from the Swiss MFA Stability Pact mandated Expert Formation and Transparency in Defence Programmes studies **Offender Supervision in Europe** F. McNeill,K. Beyens,2013-11-25 Offender supervision in Europe has developed rapidly in scale distribution and intensity in recent years However the emergence of mass supervision in the community has largely escaped the attention of legal scholars and social scientists more concerned with the mass incarceration reflected in prison growth As well as representing an important analytical lacuna for penology in general and comparative criminal justice in particular the neglect of supervision means that research has not delivered the knowledge that is urgently required to engage with political policy and practice communities grappling with delivering justice efficiently and effectively in fiscally straitened times and with the challenges of communicating the meaning legitimacy and utility of supervision to an insecure public This book reports the findings from a survey of European research on this topic undertaken during the first year of a European research network that spans twenty countries As such it provides the first comprehensive review of research on offender supervision in Europe opening up an important new field of enquiry for comparative social science and offering the prospects of better informed democratic deliberation about key challenges facing contemporary justice systems policymakers and practitioners and the societies they seek to serve Non-judicial Mechanisms for the Implementation of Human Rights in European States Gauthier De Beco,2010 **West Virginia Law Review** ,2009 **The Western Balkans and the EU** Morton Abramowitz,2011 Today more than fifteen years after the end of the wars that accompanied Yugoslavia s dissolution the Balkan question remains more than ever a European question In the eyes of many Europeans in the 1990s Bosnia was the symbol of a collective failure while Kosovo later became a catalyst for an emerging Common Foreign and Security Policy CFSP In the last decade however the overall thrust of the EU s Balkans policy has moved from an agenda dominated by security issues related to the war and

its legacies to one focused on the perspective of the Western Balkan states accession to the European Union This Chaillot Paper which features contributions from authors from various parts of the region examines the current state of play in the countries of the Western Balkans with regard to EU accession It brings together both views from the Balkans states themselves and overarching thematic perspectives For the first time the European Union has become involved in the formation of new nation states that also aspire to become members of the Union The EU s transformative power has proved effective in integrating established states now it is confronted with the challenge of integrating new and sometimes contested states Against this background this paper makes the case for a concerted regional approach to EU enlargement and a renewed and sustained commitment to the European integration of the Western Balkans

Transnational Law & Contemporary Problems, 2009 *The Impact of the European Convention on Human Rights on Russian Law* Anton Burkov, 2007 This book analyzes the practice of Russia honoring her legal obligations under the European Convention of Human Rights ECHR to secure to everyone within its jurisdiction the rights and freedoms defined in the Convention Article 1 of the ECHR The study comes to the conclusion that the impact of the ECHR on the Russian legal system in terms of its implementation by domestic courts is unsatisfactory The jurisprudence of the Supreme Court and Supreme Arbitration Court is an attempt to demonstrate to the Council of Europe that the ECHR is being applied rather than to implement the ECHR In contrast the jurisprudence emerging from decisions of the Russian Federation s Constitutional Court and district courts indicates a better understanding of the spirit of the ECHR Still the rare instances in which domestic courts implemented the ECHR were more often than not prompted by applicants arguments based on ECHR case law rather than by the courts The book suggests methods of ensuring a more effective implementation of the ECHR s provisions within Russian national law It develops recommendations on how to assess the Russian government s compliance with judgments of the European Court of Human Rights and how to interpret explanations submitted by Russia to the Secretary General of the Council of Europe on her implementation of the ECHR *Access to European Justice for Environmental Civil Society Organizations* Inga Immel, 2011 This book examines in line with the demands of the Aarhus Convention the participation opportunities for civil society organizations in the area of environmental protection at the European Union EU Institutions throughout the policy cycle as a whole The study aims at alleviating the paradox that arises in litigation in environmental matters before the European Court of Justice For this purpose the current standing rules are assessed and potential reforms are discussed in detail Based on the rules existing in for instance the EU Member States and the USA the author formulates a proposal for a new article in the Statutes and Rules of Procedure of the European Court of Justice to allow for the submission of amicus curiae briefs **Problems of Post-communism**, 2008 **European Access**, 2002 **Southwestern Journal of Law and Trade in the Americas**, 2005 **Ownership Process in Bosnia and Herzegovina** Christophe Solioz, Svebor Dizdarevic, 2003 Fundamental Rights and Private Law in the European Union: A comparative overview Gert

Brüggemeier, Aurelia Colombi Ciacchi, Giovanni Comandé, 2010 This two volume comparative study carried out by the Research Training Network on Fundamental Rights and Private Law in the European Union offers an overview of the doctrines and case law on the direct or indirect application of a fundamental right for example a national constitutional right or an international human right in order to solve a dispute between private parties in England France Germany Italy the Netherlands Poland Portugal Spain and Sweden Volume I contains national reports for each of these countries preceded by a brief introduction explaining the project terminology and methodology and followed by a comparative chapter A contribution on the horizontal effect of fundamental rights and freedoms in EU law is also included Volume II includes ten comparative analyses of selected case patterns in contract tort property and family law which have been adjudicated with reference to fundamental rights in many or at least some of these countries

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