

Franziska Grashof

National Procedural Autonomy Revisited



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Nice National Procedural Autonomy Revisited

Administrative

Liying Dong

Nice National Procedural Autonomy Revisited Administrative:

Good Administration and the Council of Europe Ulrich Stelkens, Agnè Andrijauskaitè, 2020 This book seeks to find an answer to the question of how to rule a state well by drawing on a range of organizational procedural and substantive standards of administrative conduct developed within the framework of the Council of Europe CoE as an organization of a broader scope than the European Union The Interim Protection of Individuals Before the European and National Courts Dimitrios Sinaniotis, 2006-01-01 This thesis focuses on the interim protection of the individual in the Community legal order An analysis will be made of the avenues available to individuals for requesting interim relief when a case is brought before the European or the national courts An extensive examination of the relevant case law will be performed to reveal what appears to be an evolving concept of the individual's interim protection in the European Community structure and to suggest any possible changes in order to guarantee an effective remedy of interim relief Market Supervision in the European Union Pieter van Cleynenbreugel, 2014-09-25 In Market Supervision in the European Union Pieter Van Cleynenbreugel compares and reconstructs the emergence of divergently structured supranational market supervision mechanisms in six different sectors of EU regulation competition financial services chemicals consumer law electronic communications and energy EU market supervision developments have been plentiful over the past decade but have so far mainly been studied in their own sector specific context On the basis of an innovative cross sector investigation Pieter Van Cleynenbreugel identifies and conceptualises common or converging EU constitutional benchmarks underlying those sector specific administrative design developments Those benchmarks better allow to conceptualise, predict and restrain future EU integrated administration structures and initiatives in those and other fields of European Union law National Procedural Autonomy Revisited Franziska Grashof, 2016 National Procedural Autonomy Revisited reconsiders one of the leading principles of European administrative law the principle of national procedural autonomy The book shows that due to different national administrative litigation rules common European rules are enforced in a fragmented manner This is illustrated with the example of the judicial enforcement of Directive 2011/92 EU on environmental impact assessment for projects in the legal systems of Germany, England and the Netherlands Under the same rule of EU law litigants are treated procedurally unequal As well there are different enforcement chances and judges come to different conclusions not because of diverging interpretations of the law but because of different administrative litigation rules Subsequently the book discusses whether it is necessary, desirable and possible to develop common rules of administrative litigation in environmental matters in the EU It is argued that by means of the instruments which are available in the EU specifically legislation, jurisprudence and comparative scholarship a more precise common standard for administrative litigation in environmental matters should be created so that the principle is ubi ius europaeum ibi remedium europaeum Librarians ebook available Series European Administrative Law Vol 10 Subject EU Law Environmental Law **Convergence and Divergence in European Public**

Law Paul Beaumont,Carole Lyons,Neil Walker,2002-06-07 This book grew out of a symposium held in the University of Aberdeen in May 2000 It examines the extent to which the European Union has brought about and should bring about convergence of law in Europe in particular but not exclusively public law in Europe Rather than focusing narrowly on the Intergovernmental Conference process the book engages those who wish a detached and at times theoretical examination of the politics of institutional reform in the EU Michael Keating and Joanne Scott of the legal techniques for accommodating diversity within the Union and the process of treaty making or constitution building in the EU Deirdre Curtin Ige Dekker Bruno de Witte and Carole Lyons the cross fertilisation of administrative law concepts between the EU level and the national level Chris Himssworth Ton Heukels and Jamila Tib the need for and legitimacy of a European Union competence on human rights Grinne de Braca Paul Beaumont and Niamh NicShuibhne and whether private law and public law differ in the extent to which they go to the heart of reflect national culture and therefore in the extent to which they are amenable to convergence Carol Harlow Pierre Legrand and Neil Walker

Termination Revisited Kenneth R. Philp,1999 In this essential contribution to twentieth century Native history Kenneth R Philp reassesses the controversial and ultimately failed federal policy of termination In the years after World War II federal policy toward the Indian reservation system changed markedly Reservations were seen as bastions of an old colonial order as economically deprived areas in need of revitalization and as obstacles to large scale federal projects Motivated by these views President Truman Commissioner of Indian Affairs Dillon Myer and certain members of Congress worked to end the reservation system Federal policies set during this period strongly encouraged Native peoples to terminate their status as wards of the American government relocate to prosperous cities and develop long range plans to secure greater political and economic power for themselves Until recently scholars have largely portrayed the termination years as a regressive era in which Indians encountered renewed assaults on tribalism lost important rights and were placed on the road to dispossession Termination Revisited offers a more complex portrait of Native responses to termination By focusing on the diverse reactions of Native peoples to the concept of self determination Philp demonstrates how widely the interpretations of this important concept and the proposed strategy of termination varied

The Law of the European Union and the European Communities Pieter Jan Kuijper,Fabian Amtenbrink,Deirdre Curtin,Bruno De Witte,Alison McDonnell,2018-09-28 The Law of the European Union is a complete reference work on all aspects of the law of the European Union including the institutional framework the Internal Market Economic and Monetary Union and external policy and action Completely revised and updated with many newly written chapters this fifth edition of the most thorough resource in its field provides the most comprehensive and systematic account available of the law of the European Union EU Written by a new team of experts in their respective areas of European law its coverage incorporates and embraces many current controversial and emerging issues and provides detailed attention to historical development and legislative history of EU law Topics that are constantly debated in European legal analysis and practice are touched on in

ways that are both fundamental and enlightening including the following powers and functions of the EU law institutions and relationship among them the principles of equality loyalty subsidiarity and proportionality free movement of persons goods services and capital mechanisms of constitutional change treaty revisions accession treaties withdrawal agreements budgetary principles and procedures State aid rules effect of Union law in national legal systems coexistence of EU European Convention of Human Rights ECHR and national fundamental rights law migration and asylum law liability of Member States for damage suffered by individuals competition law cartels abuse of dominant position merger control social policy equal pay and equal treatment environmental policy consumer protection public health cultural policy education and tourism nature of EU citizenship its acquisition and loss and law and policy of the EU's external relations The fifth edition embraces many new ongoing and emerging European legal issues As in the previous editions the presentation is notable for its attention to how the law relates to economic and political realities and how the various policy areas interact with each other and with the institutional framework The many practitioners and scholars who have relied on the predecessors of this definitive work for years will welcome this extensively revised and updated edition Those coming to the field for the first time will instantly recognize that they are in the presence of a masterwork that can always be turned to with profit and that helps in understanding the rationale underlying any EU law provision or principle

Principles of Administrative Procedure in EC Law Hanns Peter Nehl, 1999 Recoge 1 Introduction 2 Procedural good administration in EC law 3 Expansion access to

information and the right to be heard 4 Expansion The principle of care diligence 5 Conclusion [EU Administrative Law](#)

Paul Craig, 2018-10-25 The third edition of EU Administrative Law provides comprehensive coverage of the administrative system in the EU and the principles of judicial review that apply in this area This revised edition provides important updates on each area covered including new case law institutional developments and EU legislation These changes are located within the framework of broader developments in the EU The chapters in the first half of the book deal with all the principal variants of the EU administrative regime Thus there are chapters dealing with the history and taxonomy of the EU

administrative regime direct administration shared administration comitology agencies social partners and the open method of coordination The coverage throughout focuses on the legal regime that governs the particular form of administration and broader issues of accountability drawing on literature from political science as well as law The focus in the second part of the book shifts to judicial review There are detailed chapters covering all principles of judicial review and the discussion of the law throughout is analytical and contextual It begins with the principles that have informed the development of EU judicial review This is followed by a chapter dealing with the judicial system and the way in which reform could impact on the subject matter of the book There are then chapters dealing with competence access transparency process law fact and discretion

rights equality legitimate expectations two chapters on proportionality the precautionary principle two chapters on remedies and the Ombudsman *Current Index to Journals in Education*, 1994 [About Guilt and Innocence](#) Donald A. Dripps, 2003

This remarkably original and vital work argues that the problems are rooted in a disjunction between prevailing values and the prevailing doctrinal regime in constitutional law Dripps asserts that the Fourteenth Amendment's more general standards of due process and equal protection encompass the values that ought to govern the criminal process Why does the American criminal justice system punish too many innocent people failing to punish so many guilty parties and imposing a disproportionate burden on blacks This remarkably original and vital work argues that the problems are rooted in a disjunction between prevailing values and the prevailing doctrinal regime in constitutional law Dripps asserts that the Fourteenth Amendment's more general standards of due process and equal protection encompass the values that ought to govern the criminal process Criminal procedure ought to be about protecting the innocent punishing the guilty and doing equal justice Modern legal doctrine however hinders these pursuits by concentrating on the specific procedural safeguards contained in the Bill of Rights Dripps argues that a renewed focus on the Fourteenth Amendment would be more consistent than current law with both our values and with the legitimate sources of Constitutional law and will promote the instrumental values the criminal process ought to serve Legal and constitutional scholars will find his account of our criminal system's disarray compelling and his argument as to how it may be reconstructed important and provoking

Index to Legal Periodicals Eldon Revare James, 1992 Political Science, Government & Public Policy Series Universal Reference

System, 1967 *Current Law Index*, 2006 **Politics in Canada** Robert J. Jackson, Doreen Jackson, 1994 Appropriate for introductory courses in Canadian politics at the university level The new edition of this award winning text offers students a comprehensive introduction to Canadian politics within a comparative global context It has been updated to include information up to and including the federal election of 1993 The authors structure the parts around four key political concepts culture institutions behaviour and public policy There is substantial material on patronage and conflict of interest and on the structure and role of the courts Important issues such as women in politics Canada's international peacekeeping role Canada U.S. relations free trade constitutional affairs and policy making in this age of budgetary restraint also receive significant treatment

PRC Official Activities and Monthly Bibliography, 1984 *Sociological Abstracts*, 1993

New York State Education, 1969 Parliamentary Debates (Hansard). Great Britain. Parliament. House of Commons, 2014 *Index to Legal Periodicals & Books*, 2005

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