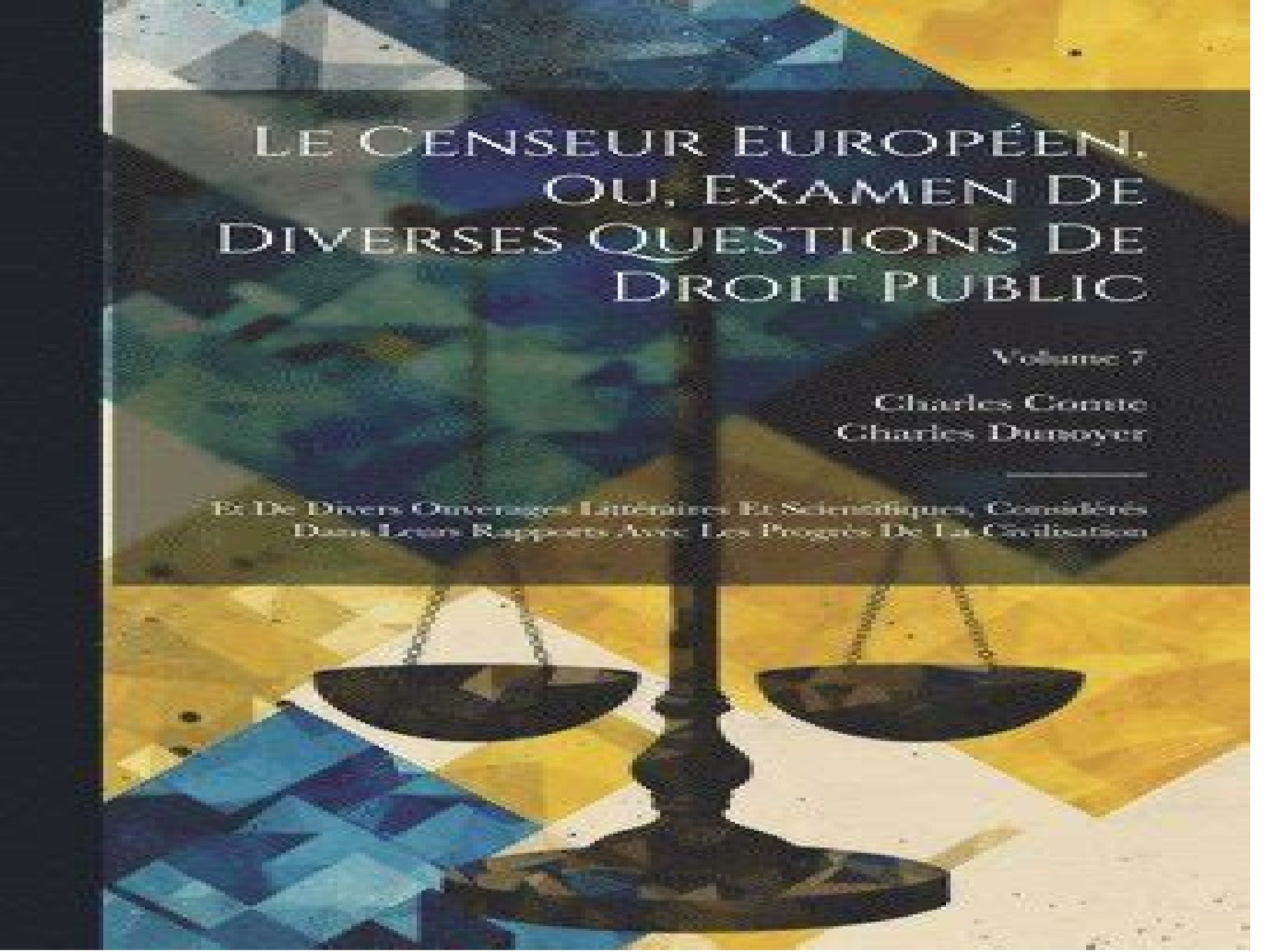




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Dans Leurs Rapports Avec Les Progrès De La Civilisation

Vers Un Droit Public Européen

Bernard Stirn



Vers Un Droit Public European:

Towards a European Public Law Bernard Stirn, 2017-04-28 A European public law is under construction but how has this occurred and what is its character Stirn proposes that this European public law is being constructed by the convergence of three circles the law of the European Union the law of the European Convention on Human Rights and the different domestic legal orders The mutually influential relationship of these constituents has allowed them to develop most considerably in the jurisprudence of the Court of Justice of the European Union and the European Court of Human Rights The book begins by reflecting on the different phases of the development of the European project from the end of the First World War It outlines the transition from the European Coal and Steel Community to the European Union as well as the other institutions contributing to these developments The discussion then moves to the European legal order which consists of the law of the European Union and the European Convention on Human Rights Stirn explores how in spite of occasional false starts and frictions their relationship is becoming ever closer and how their characteristics in law are becoming increasingly similar Furthermore Stirn analyses the relationship between European law and national legal systems The differing approach to domestic incorporation of international law whether it be monist or dualist is considered as well as the recognition that European law is superior to domestic law The character specifically of EU law and how it compares to international and domestic law is also discussed in particular its unique features but also the principles it shares with domestic law In addition the book examines the existence or not in member states of constitutional courts the level or jurisdictional orders and the recruitment and status of judges Similar trends across Europe in public administration are also accounted for and subjected to analysis Stirn concludes that a European model of public administration is becoming apparent

The Max Planck Handbooks in European Public Law: Volume I: The Administrative State Sabino Cassese, Armin von Bogdandy, Peter Huber, 2017-07-25 The Max Planck Handbooks in European Public Law series describes and analyses the public law of the European legal space an area that encompasses not only the law of the European Union but also the European Convention on Human Rights and importantly the domestic public laws of European states Recognizing that the ongoing vertical and horizontal processes of European integration make legal comparison the task of our time for both scholars and practitioners it aims to foster the development of a specifically European legal pluralism and to contribute to the legitimacy and efficiency of European public law The first volume of the series begins this enterprise with an appraisal of the evolution of the state and its administration with cross cutting contributions and also specific country reports While the former include among others treatises on historical antecedents of the concept of European public law the development of the administrative state as such the relationship between constitutional and administrative law and legal conceptions of statehood the latter focus on states and legal orders as diverse as e.g. Spain and Hungary or Great Britain and Greece With this the book provides access to the systematic foundations pivotal historic moments and legal thought of states bound together not only by a common history but

also by deep and entrenched normative ties for the quality of the *ius publicum europaeum* can be no better than the common understanding European scholars and practitioners have of the law of other states An understanding thus improved will enable them to operate with the shared skills knowledge and values that can bring to fruition the different processes of European integration

The Common Core of European Administrative Laws Giacinto della Cananea, 2023-07-24 Though European administrative laws have gained global significance in the last few decades research which provides both theoretical analysis and original empirical research has been scarce This book offers an important account of the evolution of judicial review and administrative procedure legislation using a factual analysis to shed light on how the different legal systems react to similar problems Discussing the concept of a common core Giacinto della Cananea reveals the commonalities in and differences between the foundational assumptions of European administrative adjudication and rule making

The Administrative State Armin von Bogdandy, Sabino Cassese, Peter M. Huber, 2017 This is the first volume of The Max Planck Handbooks of European Public Law Volume I The Administrative State frames the administrative regimes of Europe in a comparative perspective analysing the evolution of state and administration of major European jurisdictions and examining issues that cut across national boundaries

Domestic Application of the ECHR Eirik Bjorge, 2015 The first sustained critique of how domestic courts in the EU apply the European Convention on Human Rights and interact with the European Court of Human Rights at Strasbourg This book considers the British French and German approaches to the ECHR and shows that domestic courts apply and develop the Convention faithfully and positively

Handbook of European Criminal Procedure Roberto E. Kostoris, 2018-04-12 This volume analyses criminal procedural issues from a European perspective particularly in connection with EU law and ECHR law As such it differs from previous works which on the one hand generally focus only on EU law and on the other address both procedural and substantial aspects as a result of which the former receive inadequate attention Indeed criminal procedural matters in the European context have now reached a level of complexity but also of maturity that shows the features of a great design which even if not yet defined in all its aspects appears sufficiently articulated to deserve to be explained in a systematic way The book offers a guidance for practitioners academics and students alike It covers a broad range of topics from the complex system of the sources of law to the multilevel protection of fundamental rights from vertical and horizontal judicial and police cooperation to the instruments of mutual recognition primarily the European Arrest Warrant but also the European Investigation Order the execution of confiscation orders the *ne bis in idem* principle the conflicts of jurisdiction and the enforcement of judgements The book also reflects the latest regulation on the establishment of the European Public Prosecutor's Office

The Transformation of Administrative Law in Europe Matthias Ruffert, 2007 This volume is a collection of the papers presented at the first kick off meeting in Dornburg near Jena Germany 26-28 May 2005 Foreword

Constituting Europe Andreas Føllesdal, Birgit Peters, Geir Ulfstein, 2013-05-23 At fifty the European Court of Human Rights finds itself in a new institutional setting With

the EU joining the European Convention on Human Rights in the near future and the Court increasingly having to address the responsibility of states in UN led military operations the Court faces important challenges at the national European and international levels In light of recent reform discussions this volume addresses the multi level relations of the Court by drawing on existing debates pointing to current deficits and highlighting the need for further improvements **New**

Perspectives for a Common Law of Europe/Nouvelles perspectives d'un droit commun de l'Europe M.

Cappelletti, 2024-10-28 Annuaire européen. 42.1994(1996) Tsimaratos, P. Leuprecht, J. Schwietzke, 1996-11-19 The European Yearbook promotes the scientific study of European organisations and the Organisation for Economic Co operation and Development Each volume contains a detailed survey of the history structure and yearly activities of each organisation and an up to date chart providing a clear overview of the member states of each organisation In addition a number of articles on topics of general interest are included in each volume A general index by subject and name and a cumulative index of all the articles which have appeared in the Yearbook are included in every volume and provide direct access to the Yearbook s subject matter Each volume contains a comprehensive bibliography covering the year s relevant publications This is an indispensable work of reference for anyone dealing with the European institutions It is bilingual English and French

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