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THE SUBSTANTIVE LAW OF THE EU

The Four Freedoms



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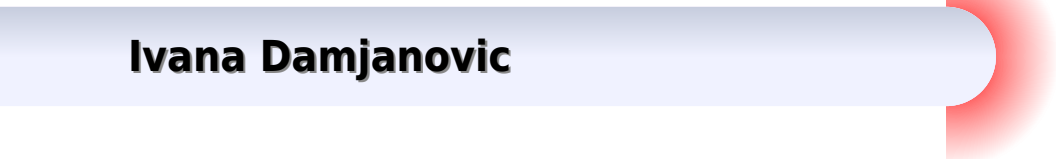
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THIRD EDITION



The Substantive Law Of The Eu The Four Freedoms

Ivana Damjanovic



The Substantive Law Of The Eu The Four Freedoms:

The Substantive Law of the EU Catherine Barnard, 2019 This textbook focuses on the law of the four freedoms of the EU and is ideal for undergraduate courses covering the substantive law of the EU Catherine Barnard outlines the core issues in an engaging and accessible manner and includes case studies to illustrate and develop points

Substantive Law of the EU Catherine Barnard, 2025

The Substantive Law of the EU Catherine Barnard, 2019

The Substantive Law of the EU Catherine Barnard, 2007

Recoge 1 Free movement of goods 2 Free movement of persons and services 3 Free movement of capital 4 Completing the single market

Commercial Law of the European Union Gabriël Moens, John Trone, 2010-04-23 The Hon Michael Kirby AC CMG This splendid book performs the heroic task of introducing readers to the large canvas of the commercial law of the European Union EU The EU began as an economic community of six nations but has grown into 27 member states sharing a significant political social and legal cohesion and serving almost 500 million citizens It generates approximately 30% of the nominal gross world product The EU is a remarkable achievement of transnational co-operation given the history including recent history of national racial ethnic and religious hatred and conflict preceding its creation Although as the book recounts the institutions of the EU grew directly out of those of the European Economic Community created in 1957 1 20 the genesis of the EU can be traced to the sufferings of the Second World War and to the disclosure of the barbarous atrocities of the Holocaust Out of the chaos and ruins of historical enmities and the shattered cities and peoples that survived those terrible events arose an astonishing pan European Movement

EU Law and Obesity Prevention Amandine Garde, 2010-01-01 Since the 1980s there has been an alarming increase in the prevalence of obesity in virtually every country in the world As obesity is known to lead to both chronic and severe medical problems it imposes a cost not only on affected individuals and their families but also on society as a whole In Europe the Obesity Prevention White Paper of May 2007 followed by the adoption of an EU School Fruit Scheme the acknowledgement that food advertising to children should be limited and proposed legislation to make nutrition labeling compulsory has firmly placed obesity on the EU agenda by laying down a multi sectoral strategy and a basis for future action In accordance with this growing sense of urgency this is the first book to offer an in depth legal analysis of obesity prevention with particular reference to Europe It describes what the EU has done and could do to support Member States in fighting the obesity epidemic and clearly shows the way to locating advocacy strategies within the framework of EU law The thorough analysis includes a discussion of the following issues the need to address nutrition and physical activity as important health determinants the emphasis traditionally placed at EU level on food safety rather than food quality the need for the development of databases on nutrition and physical activity comparable common indicators and risk assessment mechanisms mainstreaming public health into all EU policies the scope of EU powers in the case law of the Court of Justice the role of information in the EU's obesity prevention strategy the Commission's proposed Mandatory Nutrition Declaration the Food

Claims Regulation the regulation of food marketing to children and in particular the role of the Audiovisual Media Services Directive the Unfair Commercial Practices Directive and industry self regulation food reformulation the use of economic instruments in the EU s obesity prevention strategy with an emphasis on the Common Agricultural Policy and the EU s taxation policy and EU action in the fields of sport occupational health and safety and transport policy The author convincingly shows that conflicts of interest inherent in market forces demand a strong EU intervention preferably through legislation than self regulation She also demonstrates the urgent need to reach an agreement on the basis of reliable data about what is effective in practice to improve lifestyles The study acknowledges that the law is not a panacea but nonetheless has an influential role to play in making the healthy choice an easier choice and must move decisively towards ensuring that the societal costs associated with obesity are sustainable and that the ultimate goal of a healthy population is achievable The book is essential reading for everyone involved or interested in the development of the EU s obesity prevention policy EU Consumer Law and Policy Stephen Weatherill, 2005-01-01 Providing a comprehensive and up to date introduction to the subject this title explains the evolution of consumer law and policy in the EC both in terms of legislative and judicial activity

Reverse Discrimination in EC Law Alina Tryfonidou, 2009-01-01 Discrimination is an incongruity in the contemporary EC Then the author provides an in depth analysis of two of the post Maastricht developments in the context of free movement the establishment of the status of Union citizenship by the Treaty of Maastricht in 1993 and the development of that status through the Court s recent jurisprudence and the formal completion of the internal market in 1993 as required by the provisions inserted into the EC Treaty by the Single European Act Focusing on the central issue of whether reverse discrimination is and should remain outside the scope of EC law the author explains what has been the impact of each of these developments on the question of the permissibility of reverse discrimination in EC law A brief discussion of the available solutions to the problem and their advantages and disadvantages concludes the presentation This is a ground breaking study in an area of European law that has received scant academic attention so far and is just beginning to be explored In it scholars policymakers and practitioners will discover a firm foundation from which to pursue and ultimately define the limits of reverse discrimination in EC law **European Fundamental Rights and Freedoms** Dirk Ehlers, Ulrich Becker, 2007 The ever increasing relevance of European law which involves replacement or supplementation of and interaction with national law not only affects the states in Europe but also and foremost the citizens The rights of the citizens in Europe are protected by the European Fundamental Rights and Freedoms The aim of this textbook is to grasp and illustrate the meaning of these rights and to integrate it into a coherent system For this purpose the book not only deals with the pertinent law of the European Union and the European Community but also with the European Convention for the Protection of Human Rights and Fundamental Freedoms which too is becoming more and more important In addition regard is had to the Charter of Fundamental Rights of the Union which forms part of the Treaty establishing a Constitution for

Europe Although the Charter is not yet legally binding since the Constitution has not been ratified by all EU Member States the Community Courts already make reference to it as a concentrate of the constitutional traditions common to the Member States It therefore does not seem entirely unlikely that the Charter might be included into the existing Treaties irrespective of the future constitutional developments on the EU level On a similar anticipatory basis the book also takes into account those Protocols to the European Convention for the Protection of Human Rights and Fundamental Freedoms that have not yet entered into force

General Principles of EU Law and the EU Digital Order Ulf Bernitz, Xavier Groussot, Jaan Paju, Sybe de Vries, 2020-01-09 Digitalization of societies has important ramifications for citizens and businesses The digital landscape is rapidly changing whereas at the same time there are growing concerns about how market access in the EU's digital market as well as fundamental rights can be sufficiently safeguarded in the shadow of big data and algorithms This timely and important book presents expert analyses of how digitalization raises questions of the future role for general principles of European Union EU law including the foundational principles of the EU's fundamental economic freedoms and EU competition rules Examining a number of issues revolving around the internal market the digital single market competition law intellectual property data protection democracy and the rule of law the contributors provide deeply informed insights of the challenges as to effects of the technological disruption on the doctrine of general principles the resilience of general principles in the digital society the need to rely on new general principles in the digital society the realization of the digital single market the safeguarding of fundamental rights and the rule of law The contributors are highly esteemed scholars from major European universities A common theme is the need for judicial evolution of EU fundamental rights law in the digital era alongside penetrating analyses of recent Court of Justice of the European Union case law on the impact of digitalization Dealing as it does with an area of European law of particular complexity and rapidly growing importance the anthology provides insights and knowledge about the ways in which digitalization is rapidly changing EU law Are general principles of EU law as developed in an analogue world sufficiently resilient to withstand the rapid and often disruptive developments taking place in the digital marketplace The fresh look at the concept of general principles taken by the various contributors helps to clarify the actual application in EU law in areas related to the ongoing digitalization of our society It will be greatly appreciated by practitioners policymakers and academics active in any of the many fields of law affected by the digital revolution

The Economic and Social Law of the European Union Josephine Shaw, Jo Hunt, Chloe Wallace, 2017-09-16 This title provides students with a clear accessible and highly engaging analysis of substantive law of the EU in the most comprehensive text of its kind as well as containing chapter summaries questions suggestions for further reading and annotated web addresses

The Ethos of Europe Andrew Williams, 2010-03-11 Andrew Williams analyses the role of values in the European Union and suggests how to make the EU more just

[EU Citizenship at the Edges of Freedom of Movement](#) Katarina Hyltén-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 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

Research Handbook on Environment and Investment Law Kate Miles, 2019 The Research Handbook on Environment and Investment Law examines one of the most dynamic areas of international law the interaction between international investment law and environmental law and policy The Research Handbook takes a thematic approach analysing key issues in the environment investment nexus such as freshwater resources climate biodiversity biotechnology and sustainable development It also includes sections which explore regional experiences and address practice and procedure

and offers innovative approaches and critical perspectives including the interface between foreign investment and the environment with human rights gender indigenous peoples and economics Family Reunification in the EU Chiara Berneri, 2017-05-18 This monograph examines the intricate legislative and jurisprudential scenario of family reunification between EU citizens and third country nationals that has developed in the European Union over the last 50 years Focusing on family residence rights granted to third country national family members of EU citizens it examines one of the largest sectors affected with over two hundred thousand permits granted each year In addition to its practical significance the field has been the object of a lively debate which has yet to be systematically analysed Using a historical approach it illustrates the development of the legislation and of the case law on the issue considering the factors that influenced the choices of the EU Legislator and of the Court over the years It also suggests what future path the Court could take when deciding on cases in the field in order to reinforce the protection of families This important research ensures full understanding of the EU legislation and of the Court's jurisprudence and allows for its correct application by Member States **A Fiduciary Approach to Delegated and Implementing Rule-Making in the EU** R. Eljalil Tauschinsky, 2019-11-10 This book focuses on the evaluation of delegated and implementing rule making based on Articles 290 and 291 TFEU These articles have attracted considerable attention since their introduction in 2009 and their implementation is one of the most hotly debated questions in European Administrative Law The book takes up this timely topic discusses it in an innovative way and offers valuable new insights Delegated and implementing acts are the most common form of EU legal acts However despite their ubiquity and relevance it is unclear how the Commission's powers to adopt these important acts relates to subjects democratic rights Accordingly the book explores the question of how the Commission's powers to adopt delegated and implementing acts can be justified The relationship between the Commission and the persons within the Member States who are directly affected by its rule making should be seen the book argues as one of institutional trust and as a result as a fiduciary relationship The book begins by defining the theoretical conditions for a justificatory approach before explaining the background and foundations of fiduciary law It then links this theoretical perspective with the realities of delegated and implementing acts describing how the various roles in fiduciary relationships map onto the rule making process that produces delegated and implementing acts and explains how the fundamental tenet of fiduciary relationships loyalty can be included in the rule making process **Europe's Functional Constitution** Turkuler Isiksel, 2016 Constitutionalism has become a byword for legitimate government but is it fated to lose its relevance as constitutional states relinquish power to international institutions This book evaluates the extent to which constitutionalism as an empirical idea and normative ideal can be adapted to institutions beyond the state by surveying the sophisticated legal and political system of the European Union Having originated in a series of agreements between states the EU has acquired important constitutional features like judicial review protections for individual rights and a hierarchy of norms Nonetheless it confounds traditional models of

constitutional rule to the extent that its claim to authority rests on the promise of economic prosperity and technocratic competence rather than on the democratic will of citizens. Critically appraising the European Union and its legal system, this book proposes the idea of functional constitutionalism to describe this distinctive configuration of public power. Although the EU is the most advanced instance of functional constitutionalism to date, understanding this pragmatic mode of constitutional authority is essential for assessing contemporary international economic governance.

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.

The European Union and International Investment Law Reform Ivana Damjanovic, 2023-07-27

In order to understand the reform of international investment law envisioned by the EU, the author provides a comprehensive but concise analysis of the EU reform approaches, its constitutional and legal framework, the concepts of the rule of law and legitimacy, and the reasons for the reform. In particular, the book exposes tensions between the EU aspiration to enhance the rule of law in international investment law as a means of legitimising this legal discipline and the challenges of its reform approaches in practice. The analysis combines substantive and procedural aspects of the EU reform of international investment law in the intra-EU context and EU external relations. This book thus critically evaluates the EU vision of the rule of law in international law and its contribution to the development of international law in the field of investment.

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