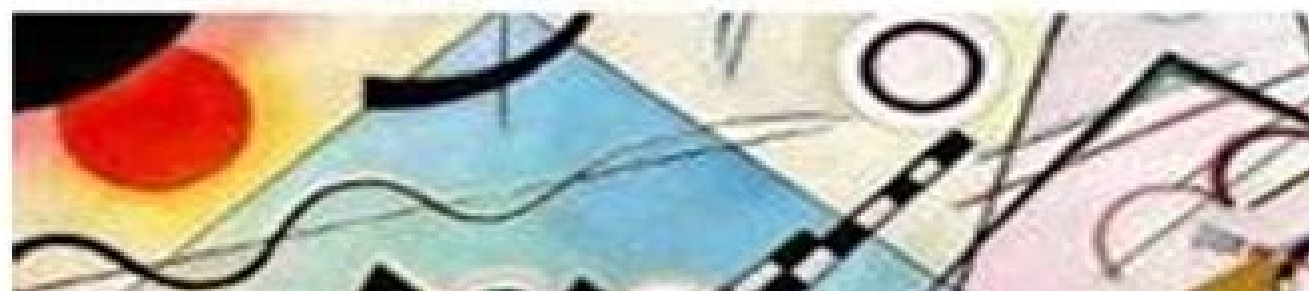




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# The European Community And Human Rights

**Paul Gragl**



## **The European Community And Human Rights:**

The EU and Human Rights Philip Alston, Mara R. Bustelo, James Heenan, 1999 For all its achievements in integrating Europe the EU lacks a human rights policy which is coherent balanced and professionally administered Whether in relation to access to Community justice sex equality race and disability discrimination or policing or in its external policies from Kosovo to China the Union needs new principles procedures and institutions to design and implement an effective set of human rights policies The introduction of a single currency the problems of racism and xenophobia the need for a humane refugee policy the growing powers of the EU in many fields and the Unions imminent eastward expansion all make it urgent to adopt such policies In this volume the leading experts in the field including individuals from every EU country provide an insightful critique of current policies and detailed recommendations for the future The volume includes comprehensive analyses of the competencies of the EU in human rights access to justice the Third Pillar

**The European Union and Human Rights** Jan Wouters, Manfred Nowak, Anna-Luise Chané, Nicolas Hachez, 2020 This is volume on the EU and human rights is based primarily on the findings of the FP7 FRAME project Carried out by a consortium of universities and research centres FRAME intended to provide an interdisciplinary knowledge base on EU human rights policies and their impact producing atleast 50 reports for the Commission

**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 Architecture of Fundamental Rights in the European Union Šejla Imamovic, 2022-02-10 This book analyses the new architecture for the protection of fundamental rights in Europe after the entry into force of the Lisbon Treaty As a starting point it identifies how the EU has gained a prominent role in promoting and protecting fundamental rights at European level despite the absence of an unlimited mandate to address fundamental rights violations This new setting affects the traditional relationship between the EU the ECHR system and the Member States and in the absence of EU accession to the ECHR enhances the risk of tensions and conflicts between the case law of the two European Courts Examples of these tensions and conflicts are explored in the Area of Freedom Security and Justice which is one of the most fundamental rights sensitive areas of EU law and one of the busiest areas of activity for the CJEU The book offers new

insights into existing rules on the resolution of conflicts between EU and ECHR law before mapping out techniques actually used by domestic courts to avoid or address such conflicts

**The Emerging Constitutional Law of the European Union** Adam Bodnar, Michal Kowalski, Karen Raible, Frank Schorkopf, 2003-07-22 Young lawyers from different academic centres in Germany and Poland comment on the ongoing constitutional debate in the EU Each of the more than 20 articles is dedicated to a specific theme i e human rights institutional design current and future function of the EU homogeneity and identity security and defence policy home policy and common values Similarities as well as differences in the perspectives of an old EU Member State on the one hand and an EU Member State to be on the other hand are revealed

**The EU's Human Rights Responsibility Gap** Joyce De Coninck, 2024-11-14 Can the EU be held legally responsible for its contributions to human rights harms in its Integrated Border Management policy Or do systemic legal design flaws in the EU s human rights responsibility regime give rise to a significant responsibility gap This book delves into these pressing questions offering a transversal analysis of applicable legal frameworks under international and EU law Divided into three parts the book first analyses the international and EU human rights responsibility frameworks revealing both normative incongruity as well as liability incongruity Part two applies these frameworks to specific illustrations within the four tiers of the EU s Integrated Border Management exposing the critical points where responsibility falters Building on these findings and drawing from shared responsibility and relationality theories part three briefly introduces Relational Human Rights Responsibility as an alternative method to ascertaining human rights responsibility of the EU specifically and international organisations more generally

**European Union Human Rights Law** Marton Varju, 2014-03-28 The European Union s jurisprudence is responsible for a complex body of human rights law which pursues a busy multi tiered agenda and is essential for the lawful and the effective operation and development of the EU polity and its legal order This in

**The EU's Human Rights Dialogue with China** Katrin Kinzelbach, 2014-10-03 The European Union uses a confidential institutionalized Dialogue to raise human rights concerns with China but little is publicly known about its set up its substance its development over time and its impact This book provides the first detailed reconstruction and assessment of the EU s responses to human rights violations in China from 1995 to the present day Using classified documents in the EU s historical archives and interviews with diplomats officials and human rights experts in Europe China and the United States Kinzelbach lifts the veil of secrecy on the EU China Human Rights Dialogue and provides a rare insight into how the European Union and China conduct quiet diplomacy on human rights The book reconstructs the evolution of the Dialogue and the EU s internal debate on the merits of quiet diplomacy and draws comparisons with the approach of other actors notably that of the United States In doing so the EU s relative impact is concluded to be tenuous if not counter productive The book also chronicles and analyzes numerous human rights concerns that were raised in the period ranging from structural issues to individual cases This ground breaking in depth case study will be of interest to students and scholars of international politics human rights international law EU

politics especially the EU's Common Foreign and Security Policy and Chinese politics      *Children's rights, Eastern enlargement and the EU human rights regime* Ingi Iusmen, 2015-11-01 This book critically examines how and why Eastern enlargement has impacted on EU human rights policy By drawing on the EU's intervention in human rights provision in Romania before 2007 it is demonstrated that the feedback effects of this intervention have led to the emergence of an EU child rights policy Eastern enlargement has also raised the profile of Roma protection international adoptions and mental health at the EU level The impact of these developments has been further reinforced by the constitutional and legal provisions included in the Lisbon Treaty It is argued that Eastern enlargement has led to the emergence of a more robust and well defined EU human rights regime in terms of its scope and institutional clout This book makes a substantial contribution to the scholarship on EU enlargement Europeanisation and EU human rights policy by providing empirical evidence for the emergence and persistence of EU institutional and policy structures upholding human rights      Human Rights and Minority Rights in the European Union Kirsten Shoraka, 2010-06-17 The end of the Cold War has ushered a restructuring of the institutions of the European Community culminating into its enlargement to Eastern Europe under the aegis of economic integration democracy and human rights This book examines the development and the role of human rights in the European Union from its inception as an economic co operation project to an organisation of European States with a political agenda that goes beyond its borders It argues that human rights have become an important component of the foreign policy of the European Union and that this role has grown from the inception of the Union through the Cold War and thereafter onto the process of enlargement of the Union The book goes on to analyse the EU's policy on minorities as a particular example of human rights It considers the level of their protection within the EU and the framework of international law and compares minority rights in the older Member States including France Germany and the UK with newer Eastern European states

**The Accession of the European Union to the European Convention on Human Rights** Paul Gragl, 2013-06-20 After more than 30 years of discussion negotiations between the Council of Europe and the European Union on the EU's accession to the European Convention on Human Rights have resulted in a Draft Accession Agreement This will allow the EU to accede to the Convention within the next couple of years As a consequence the Union will become subject to the external judicial supervision of an international treaty regime Individuals will also be entitled to submit applications against the Union alleging that their fundamental rights have been violated by legal acts rooted in EU law directly to the Strasbourg Court As the first comprehensive monograph on this topic this book examines the concerns for the EU's legal system in relation to accession and the question of whether and how accession and the system of human rights protection under the Convention can be effectively reconciled with the autonomy of EU law It also takes into account how this objective can be attained without jeopardising the current system of individual human rights protection under the Convention The main chapters deal with the legal status and rank of the Convention and the Accession Agreement within Union law after accession the external

review of EU law by Strasbourg and the potential subordination of the Luxembourg Court the future of individual applications and the so called co respondent mechanism the legal arrangement of inter party cases after accession and the presumable clash of jurisdictions between Strasbourg and Luxembourg and the interplay between the Convention s subsidiarity principle the exhaustion of local remedies and the prior involvement of the Luxembourg Court in EU related cases The analysis presented in this book comes at a crucial point in the history of European human rights law offering a holistic and detailed enquiry into the EU s accession to the ECHR and how this move can be reconciled with the autonomy of EU law

**EU Human Rights and Democratization Policies** Felipe Gómez Isa, Cristina Churrua Muguruza, Jan Wouters, 2018-05-15 Though the EU has tried to place human rights and democracy at the heart of its external action there are serious concerns about its capacity to have a significant impact on the situation of human rights and human rights defenders as well as on the democratization processes taking place in different regions of the world This edited volume sheds light on the achievements of EU policies and programmes in the field of human rights and democracy also taking into account the challenges ahead Analysing the changing global context s effect on the ability of the EU to have a meaningful impact in the field of human rights and democratization it examines relevant policies and programmes of the EU to see their impact on the ground Combining various methodologies the authors examine primary agreements and other EU documents secondary sources such as evaluations of EU s policies and programmes in the field of human rights and democracy promotion and have interviewed EU officials academics and other key stakeholders From these the book sheds light on specific programmes such as the EIDHR the EOM and the EU Guidelines on Human Rights Defenders illuminating the increasingly hostile environment to work for human rights and democracy in a number of countries This text will be of key interest to scholars and students of EU human rights and law to practitioners in Europe and beyond and more broadly to EU studies democracy studies and international relations

**EU Human Rights, International Investment Law and Participation** Vivian Kube, 2019-08-02 This book demonstrates how human rights obligations of the EU foreign constitution can be operationalized in the realm of international economic regulation The content is divided into three major parts The first outlines the legal foundations needed for the EU to become a shaper of international investment law which include the general principles and objectives of EU external policies the Charter of Fundamental Rights international human rights and the international investment competences of the EU The second part demonstrates the current international investment regime s incompatibility with human rights interests while the third analyzes two mechanisms stemming from trade Law ex ante human rights impact assessments and civil society monitoring bodies and explores whether they could mitigate the current inequalities in the protection of rights The potential of these mechanisms the book argues lies in their capacity to ensure a comprehensive assessment of all interests at stake and to empower traditionally marginalized rights holders to make shape and contest the international investment regime

**The European Community and Human Rights**

Christiane Duparc, Commission of the European Communities, 1993 Conclusion Towards the 21st century The European Union and Human Rights Nanette A. Neuwahl, Allan Rosas, 2021-09-27 The European Union and Human Rights Jan Wouters, Manfred Nowak, Anna-Luise Chané, Nicolas Hachez, 2020-12-17 With the adoption of the Lisbon Treaty the profile of human rights issues has greatly risen in relation to EU policies whether internal or external The EU has thereby made the commitment to ensure that all its actions are compliant with human rights and seek to promote them Yet the EU's commitment has come under scrutiny not only for its ground breaking character but also because recent events have put it to the test This volume has been designed to take stock of these developments to comprehensively discuss the conceptualization and operationalization of the EU's commitment to human rights throughout the EU's relationships policies actions and legislative activity and to critically assess its outcome This title is divided into four parts Framework presents the issues related to human rights promotion by the EU Actors delves into the relationships that play a part at home or abroad in regards to human rights policies and judgements Policies takes a case study approach and systematically reviews a range of EU internal and external policies to assess their human rights impact and implementation and finally Strategies provides an integrated assessment of the design and implementation of the EU's commitment to human rights This book brings together essays from around the world each discussing different aspects of EU commitment and evaluating the extent to which the EU is delivering on it Each chapter provides an introduction to the state of affairs discusses opportunities and challenges and provides recommendations As such it is an essential reference book on human rights policies throughout the EU and their impact throughout the world The European Union as a Diplomatic Actor J. Koops, G. Macaj, 2014-11-11 This collection brings together leading scholars and practitioners to assess the processes institutions and outcomes of the EU's collective diplomatic engagement in the fields of security human rights trade and finance and environmental politics It analyzes successes and failures in the EU's search for global influence in the post Lisbon era *The European Union and Global Engagement* Normann Witzleb, Alfonso Martínez Arranz, Pascaline Winand, 2015-02-27 Written by a broad range of international experts The European Union and Global Engagement discusses the role of the European Union after the Lisbon Treaty and the economic crisis **Research Handbook on the European Union and International Organizations** Ramses A. Wessel, Jed Odermatt, Over the years the European Union has developed relationships with other international institutions mainly as a result of its increasingly active role as a global actor and the transfer of competences from the Member States to the EU This book presents a comprehensive and critical assessment of the EU's engagement with other international institutions examining both the EU's representation and cooperation as well as the influence of these bodies on the development of EU law and policy The European Union in International Organisations and Global Governance Christine Kaddous, 2015-09-24 The European Union is a key participant in international organisations with its involvement taking different forms ranging from full membership to mere observer Moreover there is also not only one status of observer

but different ones depending on the constituent charters of the organisations This book provides a comprehensive overview of the participation of the EU in five international organisations the UN the ILO the WTO the WHO and the WIPO It identifies its role and influence in diverse areas of global governance such as foreign policy peace human rights social rights trade health and intellectual property EU and international experts diplomats and scholars have contributed to this book to give an overview of the different aspects linked to the participation of the EU in these organisations and to the coordination that takes place internally with its Member States They also examine the EU s actual influence in the various areas and its contribution to global governance The combination of these two dimensions allows the work to identify the strengths and weaknesses of the participation of the EU in these five international organisations The book provides valuable insights for scholars policymakers and is useful for representatives of other international organisations and civil society actors



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