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EUROPEAN UNION LAW AND ARBITRATION

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EU Citizenship and Direct Taxation Erik Ros, 2016-04-24

Freedom of movement is a key principle of the European Union EU resulting in the right of every EU citizen to move and reside freely within the EU Many EU citizens work in other Member States than their Member State of origin Direct taxes are not as such covered in the treaties and therefore have much smaller bases for harmonization at EU level than indirect taxes As a result decisions of European Court of Justice ECJ on the clash between the EU principle of free movement and Member States direct tax rules have a significant effect on national direct tax systems This book focuses on the relation between free movement rights of EU citizens and the legal autonomy of Member States in the area of direct taxation and will immediately engage tax practitioners and scholars The author asks and answers the question Has the willingness at EU level to make EU citizenship a key driver behind the integration process come at the expense of national direct tax autonomy The book's incomparably thorough analysis of the distinctive evolution mainly via ECJ case law of the relation between the EU principle of free movement of persons and Member States direct tax rules includes in depth discussion of the following elements and more the concept of EU citizenship in the EU's constitutional and institutional development how the ECJ has interpreted the concept of free movement with regard to economically inactive persons how the notion of EU citizenship has widened the ECJ's view on treaty access how the ECJ has addressed the clash between free movement of persons and direct taxation in the EU's constitutional context and numerous tax policy initiatives with regard to EU citizens before and after the Treaty of Lisbon This is the first book to investigate in such detail how the ECJ has tried to reconcile specific national direct tax rules with the general EU principle of free movement of persons from the perspective of EU citizenship This book

explains that the ECJ is in the process of reconceptualizing the market freedoms relating to the free movement of persons also in the area of direct taxation as part of a broader EU citizenship right for all economically active EU citizens to pursue an economic activity in a cross border context a right beyond the aim of realization of the internal market As an extremely important analysis of the influence of EU law on the direct tax autonomy of Member States this book is sure to be itself of great influence in the practice and study of taxation in the EU Europe Today Ronald Tiersky,Erik Jones,2007 This book offers a set of both country case studies and analysis of the European Union The contributors an authoritative group of Americans and Europeans explore the new Europe West and East using intertwining themes of domestic politics European integration and European security Each chapter provides a foundation of basic political information and explanation enhanced by distinctive and informed perspectives on current issues Now in its third edition it presents an up to date and thoughtful treatment on the war in Iraq debates over NATO s evolving role U S European relations enlargement issues and the challenges of terrorism in a European context All chapters have been thoroughly revised and completely new chapters have been added on France Great Britain Russia Central and Eastern Europe EU law and terrorism With its strong international emphasis and focus on Europe before and after Iraq this book leads readers toward a coherent view of intra European conflicts Europe and the United States and Europe s international responsibilities *European Union Law* Margot Horspool,Matthew Humphreys,2012-08-09 European Union Law provides students with a clear understanding of the law of the EU and the fundamental principles that support it Essential information is provided in a user friendly format to facilitate learning and understanding of this key discipline **European Union Law** Robert Schütze,2021 A comprehensive and critical textbook Sch tze s European Union Law uses a distinctive three part structure to examine the constitutional foundations legal powers and substantive law of the European Union Written in a uniquely engaging style and full of illuminating analyses this book provides a thorough and modern guide to the study of the European law Visual and pedagogical support is offered by the book s numerous diagrams and tables that clarify key concepts and processes and a practical appendix helps students to find and read primary and secondary legal sources This third edition includes an updated dedicated chapter on the past present and future of Brexit Digital formats and resources The third edition is available for students and institutions to purchase in a variety of formats The e book offers a mobile experience and convenient access along with functionality tools navigation features and links that offer extra learning support www.oxfordtextbooks.co.uk/ebooks Steiner & Woods EU Law Josephine Steiner,Lorna Woods,Philippa Watson,2012-08-30 EU Law covers both the institutions of the EU and the substantive law they produce The new constitution is introduced its aims and the reasons for its negotiation Pedagogical features have been incorporated into this edition making the text easier to navigate *International Investment Protection within Europe* Julien Berger,2020-11-24 The steadily rising number of investor State arbitration proceedings within the EU has triggered an extensive backlash and an increased questioning of the

international investment law regime by different Member States as well as the EU Commission This has resulted in the EU's assertion of control over the intra EU investment regime by promoting the termination of bilateral intra EU investment treaties intra EU BITs and by opposing the jurisdiction of arbitral tribunals in intra EU investor State arbitration proceedings Against the backdrop of the landmark Achmea decision of the European Court of Justice the book offers an in depth analysis of the interplay of international investment law and the law of the European Union with regard to intra EU investments i e investments undertaken by an investor from one EU Member State within the territory of another EU Member State It specifically analyses the conflict between the two investment protection regimes applicable within the EU with a particular emphasis on the compatibility of the international legal instruments with the law of the European Union The book thereby addresses the more general question of the relationship between EU law and international law and offers a conceptual framework of intra European investment protection based on the analysis of all intra EU BITs the Energy Charter Treaty and EU law as well as the arbitral practice in over 180 intra EU investor State arbitration proceedings Finally the book develops possible solutions to reconcile the international legal standards of protection with the regionalized transnational law of the European Union

The European Union and Human Rights Jan Wouters, Michal Ovádek, 2021-03-25 The European Union and Human Rights Analysis Cases and Materials maps and critiques the EU's commitment to human rights in both internal and external affairs The book covers the evolution as well as the current state of the EU's engagement with human rights focusing on the internal side on the role of the EU law in the multi faceted system of human rights protection and on the external side on the EU's efforts to bind its foreign policy to promoting human rights This book combines analysis of key developments with a wide range of sources including extracts from legislation case law policy documents and research of other scholars The inclusion of both primary and secondary materials is intended to guide readers to acquire a deep understanding of EU human rights law and policy This title devotes significant attention to explicating the fundamental concepts and systemic features of the EU's human rights protection and promotion In addition chapters devoted to individual topics provide more depth on a range of policy areas in both the internal and external dimension of EU affairs Topics covered by these individual chapters include non discrimination and competition law migration trade policy and development cooperation

EU External Relations Law Ramses A Wessel, Joris Larik, 2020-04-02 The first edition of this seminal textbook made a significant impact on the teaching of EU external relations law This new edition retains the hallmarks of that success while providing a fully revised and updated account of this burgeoning field It offers a dual perspective looking at questions from both the EU constitutional law perspective the principles underpinning EU external action the EU's powers and the role of the Court of Justice of the EU and the international law perspective the effect of international law in the EU legal order and the position of the EU in international organisations such as the WTO A number of key substantive policy areas are explored including trade security and defence police and judicial cooperation the environment human rights and

development cooperation Taking a text cases and materials approach it allows students to gain a thorough understanding of milestones in the evolution of EU law in this area their judicial interpretation and scholarly appraisal Linking these pieces together through the authors commentary and analysis ensures that students are given the necessary guidance to properly position and digest these materials Lastly each chapter concludes with a section entitled The Big Picture of EU External Relations Law which weaves together the diverse and complex materials into a coherent whole and stimulates critical discussion of the topics covered

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