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European Law 2021



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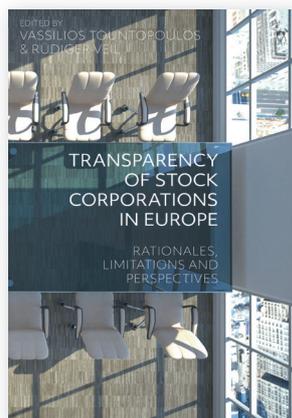
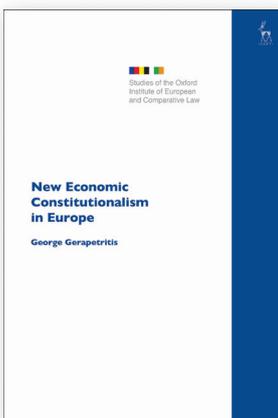
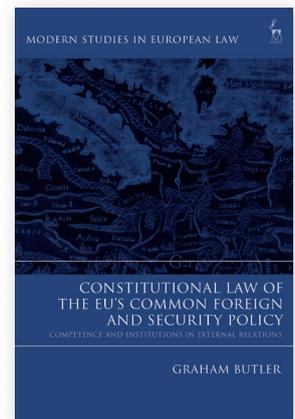
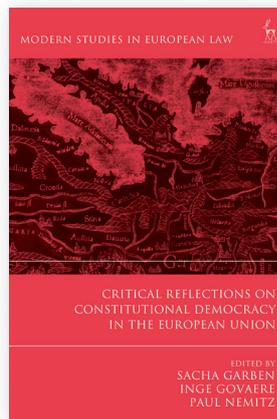
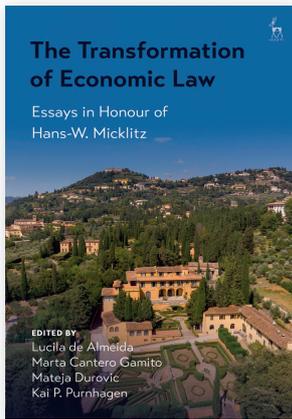
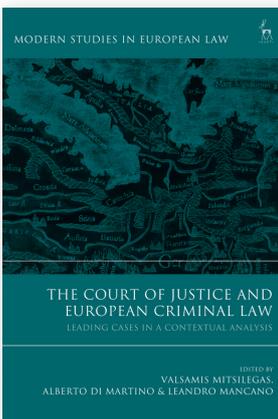
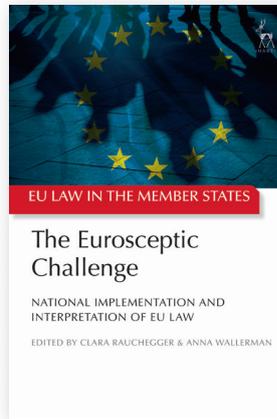
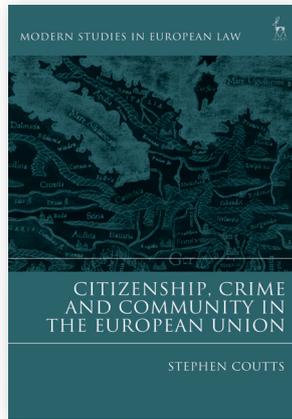
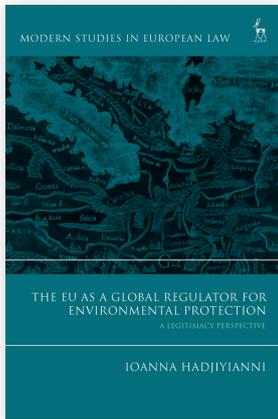
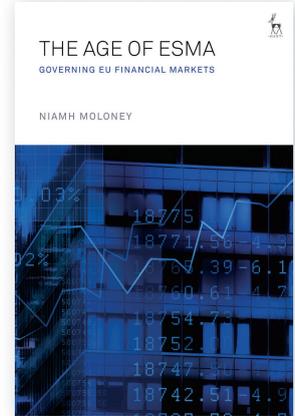
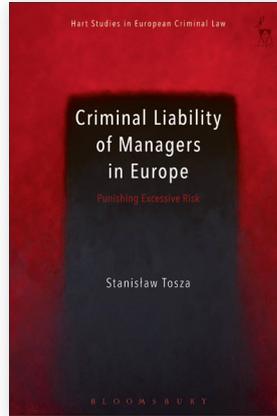
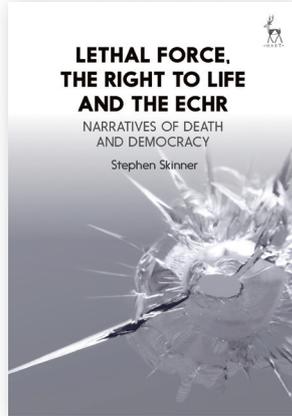
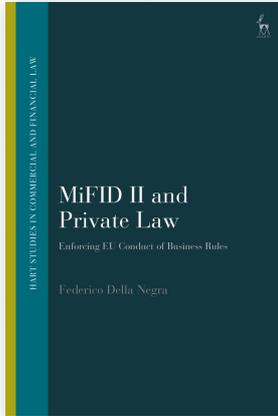
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Series Editor: Birke Häcker

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European Competition Law Annual

Current Editors: Philip Lowe, Mel Marquis and Giorgio Monti

This is a series of volumes following the annual workshops on EU Competition Law and Policy held at the Robert Schuman Centre of the European University in Florence. Each volume contains papers by the EU's leading experts on competition law.



Ius Commune Casebooks for the Common Law of Europe

Series Managing Editor: Dimitri Droshout

This project fosters cooperation among legal scholars from across Europe. The casebooks combine extracts from national case law and other sources from the European level, providing a 'bottom-up approach' to the study of the law. Introductions, explanatory and comparative notes and questions tie the materials together, putting it in context.



Parliamentary Democracy in Europe

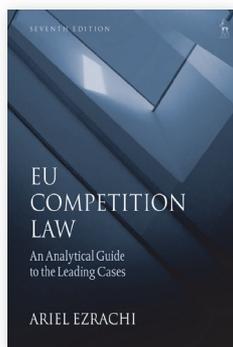
Editors: Nicola Lupo and Robert Schütze

Encompassing monographs and edited collections, this series offers insights into rules and conventions shaping parliaments and parliamentary democracy in Europe.



Swedish Studies in European Law

This series, from the Swedish Network for European Legal Studies, acts as a forum for studies on European law by Swedish scholars. Each volume consists of articles aimed at spreading Swedish European law research to an international audience. The series provides analytical contributions on European law and its development.



SEVENTH EDITION

EU Competition Law

An Analytical Guide to the Leading Cases

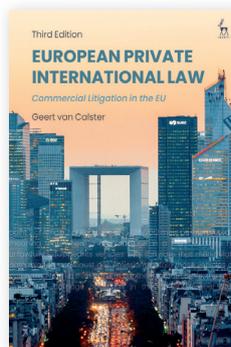
Ariel Ezrachi

This unique textbook offers the competition law student an insightful guide to EU competition law cases. The new edition updates include judgments on the scope of object and effects based analysis (including *Generics* and *Budapest Bank*), as well as those

on abuse of dominance. It examines developments in parallel trade, online sales restrictions, advertising bans, enforcement powers and procedure. Expanding its coverage of merger decisions, it explores non-collusive oligopoly (including *CK Telecoms*) and the treatment of innovation and data under the EU Merger Regulation. Rigorous, comprehensive and authoritative, this is a must read for all students.

Ariel Ezrachi is the Slaughter and May Professor of Competition Law at the University of Oxford and the Director of the Oxford Centre for Competition Law and Policy. He is a Fellow and Tutor in Law at Pembroke College, Oxford.

Aug 2021 | 9781509933396 | 944pp | Pbk | RRP: £49.99



THIRD EDITION

European Private International Law

Commercial Litigation in the EU

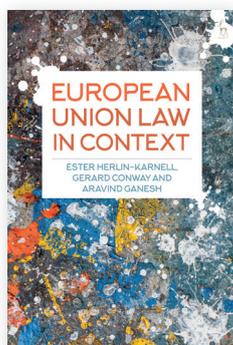
Geert van Calster

Opening with foundational questions, this book explains the subject's central tenets: the Brussels I, Rome I and Rome II Regulations (jurisdiction, applicable law for contracts and tort). Additional chapters explore the Succession Regulation, private international

law and insolvency, freedom of establishment, and the impact of PIL on corporate social responsibility. The new edition includes a new chapter on the Hague instruments and an opening discussion on the impact of Brexit. Drawing on the author's rich experience, it retains the book's hallmarks of insight and clarity of expression ensuring it maintains its position as the leading textbook in the field.

Geert van Calster is Professor Ordinarius and Head of the Department of International and European Law at KU Leuven.

Jan 2021 | 9781509942077 | 536pp | Pbk | RRP: £39.99



European Union Law in Context

Ester Herlin-Karnell and Gerard Conway

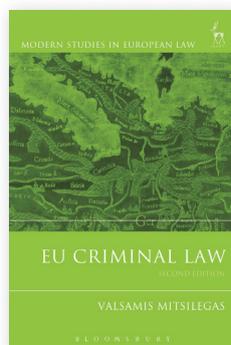
This new textbook offers an explanatory and contextual view of EU law and its impact. Beginning by setting the scene of EU integration. It goes on to explore the constitutional framework, and looks at specific questions of competences, accountability, legitimacy, enforcement, human rights, as well as the general principles of EU law

and citizenship rights. It looks at sectors such as competition law, free movement and the growing area of freedom, security and justice. Finally, it looks at the external dimension of EU law and the role of the EU in the world today

Ester Herlin-Karnell is Professor in EU Law, University Research Chair of EU Constitutional Law and Justice and the Director of the VU Centre for European Legal Studies at the Free University of Amsterdam, the Netherlands.

Gerard Conway is Lecturer in Law at Brunel University, UK.

Dec 2021 | 9781849467018 | 320pp | Pbk | RRP: £24.99



SECOND EDITION

EU Criminal Law

Valsamis Mitsilegas

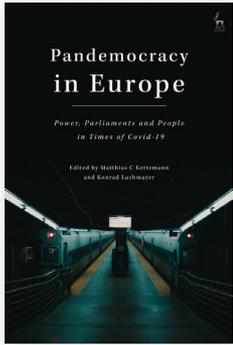
The book provides in-depth analysis of the key elements of the EU's role in criminal matters. The new edition's comprehensive coverage includes questions of EU competence; judicial co-operation; mutual recognition; rights of the defendant/victim; European bodies and agencies and the development of surveillance, data gathering,

and exchange mechanisms. In addition the external dimension in criminal matters (including transatlantic counter-terrorism cooperation) is given detailed treatment and the constitutional and fundamental rights implications are highlighted throughout.

Covering all key principles, with clear explanation and rigorous analysis, it gives all students of the subject a strong understanding of this fascinating but complex field.

Valsamis Mitsilegas is Professor of European Criminal Law and Global Security at Queen Mary, University of London, UK.

Dec 2021 | 9781849464581 | 400pp | Pbk | RRP: £35



Pandemocracy in Europe

Power, Parliaments and People in Times of Covid-19

Edited by Matthias C Kettmann and Konrad Lachmayer

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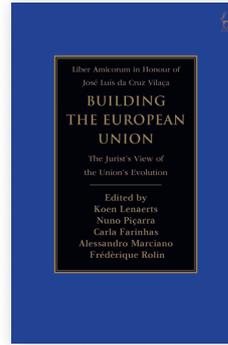
Pandemocracy in Europe situates the dramatic impact of Covid-19, and the fight against the

virus, on Europe's democracies. Throughout its 20 contributions the book sets the theoretical stage and answers the democratic questions engaged by health emergencies. 8 national case studies – the UK, Germany, Italy, Sweden, Hungary, Switzerland, France and Estonia – show, each time with a pronounced focus on a particular element of democracy, how different states reacted to the pandemic.

Matthias C Kettmann is Senior Researcher at the Leibniz Institute for Media Research, Hans-Bredow-Institut (HBI), Germany.

Konrad Lachmayer is Vice Dean for Research and Professor of Public Law, European Law and Foundations of Law at the Sigmund Freud University, Vienna, Austria.

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Building the European Union

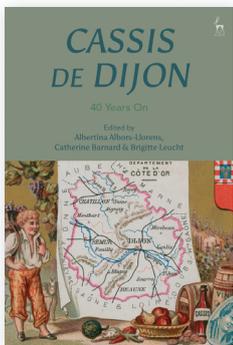
The Jurist's View of the Union's Evolution

Edited by Koen Lenaerts, Nuno Piçarra, Carla Farinhas, Alessandro Marciano and Frédérique Rolin

This collection assesses the momentous contribution to European Union law made by José Luis da Cruz Vilaça. Taking those areas of law which were directly shaped by his judgments (institutional law/internal market/free movement of persons and judicial review), leading scholars assess his legacy.

Koen Lenaerts is President, *Nuno Piçarra* is a Judge, *Carla Farinhas* is a référendaire, *Alessandro Marciano* is a référendaire, and *Frédérique Rolin* is a référendaire, all at the European Court of Justice, Luxembourg.

Oct 2021 | 9781509930845 | 352pp | Hbk | RRP: £100



Cassis de Dijon

40 Years On

Edited by Albertina Albers-Llorens, Catherine Barnard and Brigitte Leucht

In 1979 the Court of Justice gave judgment on the famous decision in *Cassis de Dijon*. This book revisits this decision with the benefit of hindsight: why did the Court of Justice decide *Cassis de Dijon* as it did? How has the decision been developed by the EU? And how has it been used to develop international trade? This book brings together some leading writers

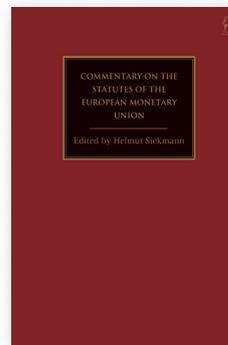
in the field of EU trade law, constitutional law and European history for a fresh examination of this ground-breaking judgment, looking at it from the perspective of its past, its present, and its future.

Albertina Albers-Llorens is Professor of EU Law at the University of Cambridge, UK.

Catherine Barnard is Professor of European Union and Labour Law at the University of Cambridge, UK.

Brigitte Leucht is Senior Lecturer in European Studies at the University of Portsmouth, UK.

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The European Monetary Union

A Commentary on the Legal Foundations

Edited by Helmut Siekmann

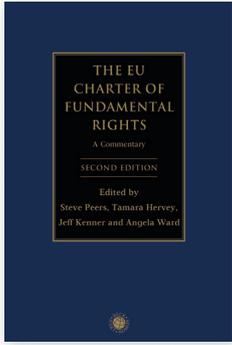
This book provides a comprehensive analysis of all provisions of the Statute of the European System of Central Banks (ESCB) and the European Central Bank (ECB). In addition, it analyses all provisions of the Treaties regulating the ESCB and the ECB. The analysis is supplemented by commentaries on other Protocols which contain relevant rules for the

Monetary Union. All relevant statutory rules governing the euro and its key monetary authority, the European Central Bank, are unfolded and explained in one volume.

The book is an invaluable resource for practitioners and academics with an interest in European banking and monetary law.

Helmut Siekmann holds the Endowed Chair of Money, Currency and Central Bank Law at the Institute for Monetary and Financial Stability at Goethe University Frankfurt, Germany.

Oct 2021 | 9781509918966 | 1136pp | Hbk | RRP: £375



SECOND EDITION

The EU Charter of Fundamental Rights

A Commentary

Edited by Steve Peers, Tamara Hervey, Jeff Kenner and Angela Ward

This 2nd edition of the first commentary of the Charter in English, written by experts from several EU Member States, provides an authoritative but succinct statement of how the Charter impacts upon EU, domestic and international law.

Following the conventional article-by-article approach, each commentator offers an expert view of how each article is either already being interpreted in the courts, or is likely to be interpreted. Each commentary references the case law and is augmented with extensive suggestions for further reading.

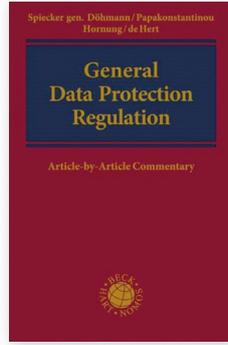
Steve Peers is Professor of EU Law at the University of Essex.

Tamara Hervey is Professor of European Law at Sheffield University.

Jeff Kenner is Professor of EU Law at the University of Nottingham.

Angela Ward is a Référendaire in the Chambers of Advocate General Niilo Jääskinen at the Court of Justice of the European Union, and a Visiting Professor in the Law Faculty of Birkbeck College University of London.

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General Data Protection Regulation

Article-by-Article Commentary

Edited by Indra Spiecker gen. Döhmman, Vagelis Papakonstantinou, Gerrit Hornung and Paul de Hert

This commentary covers all topics elicited by the new European General Data Protection Regulation and its interpretation. Taking an article-by-article approach, the book classifies the purpose of a provision, analyses its

background, function and structure and interprets its content. The editors and authors are outstanding experts in the field of data protection law well known for their practical as well as structured and thorough approach to data protection issues.

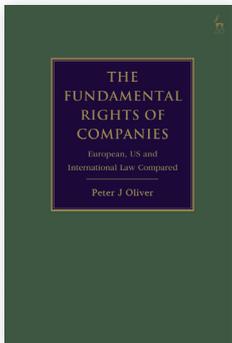
Indra Spiecker gen. Döhmman is Professor of Public Law, Information Law, Environmental Law and Legal Theory at Goethe University, Frankfurt.

Vagelis Papakonstantinou is Senior Researcher at the Faculty of Law & Criminology, Vrije Universiteit Brussel.

Gerrit Hornung is Professor of Public Law, IT Law and Environmental Law at the University of Kassel and Director of its Interdisciplinary Research Center for Information System Design.

Paul de Hert is Professor of Law at Vrije Universiteit Brussel.

Jul 2021 | 9781509932528 | 1200pp | Hbk | RRP: £250



The Fundamental Rights of Companies

EU, US and International Law Compared

Peter J Oliver

This is the first comprehensive examination of the fundamental rights of companies under EU law and the ECHR. It also contains a detailed comparison with the case law of the US Supreme Court and a chapter devoted to international law. Case law covering all the

principle substantive rights (eg speech, property, privacy, procedural rights in competition cases) is examined in great depth. The author contends that companies must enjoy some fundamental rights, but highlights the grave consequences of granting them excessive rights. On this pressing but overlooked issue, he proposes a middle course.

Peter J Oliver is a Visiting Professor at Université Libre de Bruxelles and a Barrister.

Dec 2021 | 9781841136899 | 208pp | Hbk | RRP: £85



The Architecture of Fundamental Rights in the European Union

Šejla Imamovic

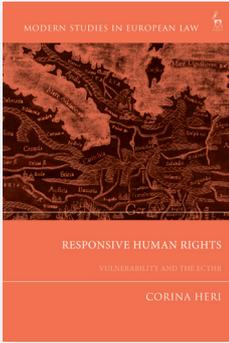
Much has been written on the protection of fundamental rights in the EU and the ECHR systems from the national perspective. This book is the first to do so while also providing the European perspective.

With great analytical precision, the book sets out all the central aspects of the new EU rights

landscape. Its case law analysis allows for a deep understanding of what the courts do and why. This is a welcome addition to EU fundamental rights literature.

Šejla Imamovic is Assistant Professor of European Human Rights Law at Maastricht University, Netherlands.

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Responsive Human Rights

Vulnerability and the ECtHR

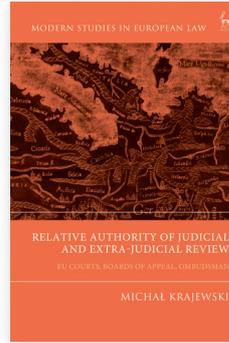
Corina Heri

This important book assesses the treatment of vulnerability by the European Court of Human Rights, an area that has been surprisingly under explored by European human rights law to date. It explores legal-philosophical understandings of the topic, providing a theoretical framework that can be used when examining the question of vulnerability. Not confining itself to the abstract, however, it

provides a bridge from the theoretical to the practical by undertaking a comprehensive examination of the Court's approach under Art. 3 ECHR. It pays particular attention to the article's understanding of human dignity.

Corina Heri is a post-doctoral researcher at the Amsterdam Centre for International Law at the University of Amsterdam, the Netherlands.

Nov 2021 | 9781509941230 | 304pp | Hbk | RRP: £85



Relative Authority of Judicial and Extra-Judicial Review

EU Courts, Boards of Appeal, Ombudsman

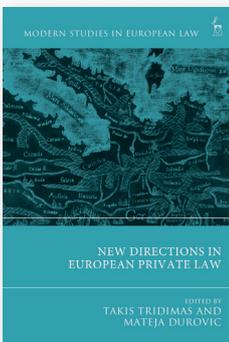
Michal Krajewski

This book examines the operation of EU judicial and extra-judicial review mechanisms. It covers detailed institutional arrangements, the standard of review, the types of cases and litigants, and the activity of the parties. It makes visible the diverse but complementary

ways in which the mechanisms enhance the authority of EU legal acts and processes. It also reveals that scarce resources and imprecise rules restrict the scope of review and hinder independent empirical investigations. Finally, it shows how a differentiated system of judicial and extra-judicial review can accommodate various kinds of technical and political discretion exercised by EU institutions and bodies.

Michal Krajewski is Postdoctoral Research Fellow at the University of Copenhagen, Denmark.

Aug 2021 | 9781509947294 | 272pp | Hbk | RRP: £80



New Directions in European Private Law

Edited by Takis Tridimas and Mateja Durovic

This book looks at the challenges faced by European private law, from both a theoretical and practical/regulatory perspectives and suggests how they might be addressed.

5 sections analyse:

-existing theoretical framework and traditional legal scholarship on which European private law has developed

-important and actual topics of geo-blocking and standardisation in the context of recent legislative developments and the CJEU case law

-regulation of online platforms and sharing economy

-regulatory challenges brought by an increasing development of artificial intelligence and blockchain technology and the question of liability

-recent European legislative developments in the area of digital goods and digital content

Takis Tridimas is Professor of European Law and Director of the Centre of European Law at King's College London, UK.

Mateja Durovic is Reader in Contract and Commercial Law and Deputy Director of the Centre for Technology, Ethics, Law and Society at King's College London, UK.

Jun 2021 | 9781509935611 | 264pp | Hbk | RRP: £85



Standing to Enforce European Union Law before National Courts

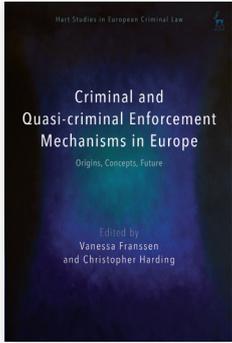
Hilde K Ellingsen

The right to access to court is long recognised as an essential element of a Union based on the rule of law. This book asks how can member states ensure that their individual rules on standing guarantee that right? It analyses the EU law's requirements from two angles: the effective protection of Union rights

and the effectiveness of Union law. It formulates an autonomous Union law doctrine of standing, then sets out an effectiveness test of member states' enforcement mechanism, preventing practical impediments to the right to access to court.

Hilde K Ellingsen is a Lawyer and Partner at Lund & Co, Norway.

Apr 2021 | 9781509937141 | 296pp | Hbk | RRP: £90



Criminal and Quasi-criminal Enforcement Mechanisms in Europe

Origins, Concepts, Future

Edited by Vanessa Franssen and Christopher Harding

This book looks at the interplay between criminal and public law. The need for clarifying the concepts and the interlink between administrative and criminal enforcement is a topic attracting a lot of discussion and debate

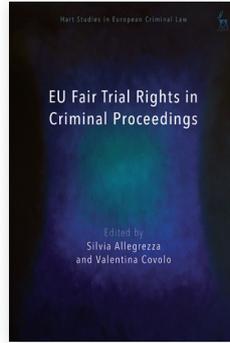
both in academia and practice. The book adds to this debate by bringing to light the substantive and procedural problems stemming from the current parallel or dual use of the different enforcement systems.

The collection draws on expertise from academia, practice and policy and the high quality analysis will appeal to both scholars and policymakers alike.

Vanessa Franssen is an Associate Professor at the University of Liège.

Christopher Harding is Professor of Law in the Department of Law and Criminology at Aberystwyth University.

Dec 2021 | 9781509932863 | 384pp | Hbk | RRP: £95



EU Fair Trial Rights in Criminal Proceedings

Edited by Silvia Allegrezza and Valentina Covolo

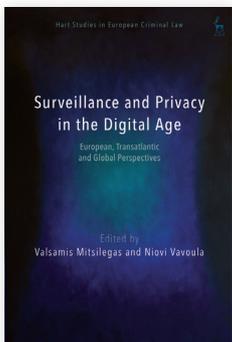
The harmonisation of the rights of defendants in EU criminal and quasi criminal proceedings has been long overlooked in legal research. Yet it forms the bedrock of the EU Criminal Justice Area. This collection addresses that imbalance by offering a thoughtful and compelling examination of the effective implementation of defendants' rights. It looks particularly at

the required consistency between the common standards of protection stemming from EU law, the ECHR and constitutional traditions. It goes on to explore how judicial dialogue between national and European courts impacts on the field.

Silvia Allegrezza is a Professor in Law at the University of Luxembourg.

Valentina Covolo is a post-doctoral researcher at the University of Luxembourg.

Dec 2021 | 9781509938643 | 512pp | Hbk | RRP: £100



Surveillance and Privacy in the Digital Age

European, Transatlantic and Global Perspectives

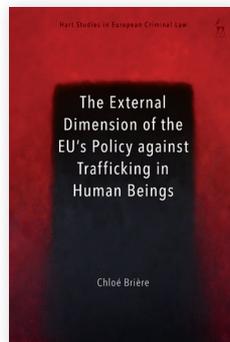
Edited by Valsamis Mitsilegas and Niovi Vavoula

This book explores one of the most pressing questions in comparative/European criminal law today: how is privacy protected in the surveillance era. Drawing on discussions of the ECLAN annual conference, it brings together

leading scholars from Europe and the United States to examine the key issues at play.

Valsamis Mitsilegas is Professor of European Criminal Law and Global Security and Niovi Vavoula is Lecturer in Migration and Security, both at the School of Law, Queen Mary, University of London, UK.

May 2021 | 9781509925179 | 328pp | Hbk | RRP: £85



The External Dimension of the EU's Policy against Trafficking in Human Beings

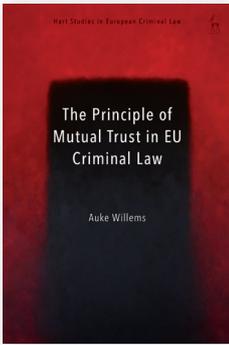
Chloé Brière

Analysing the unilateral and multilateral mechanisms the EU uses to achieve the aim of the eradication of human trafficking, this book questions whether the EU's external response to human trafficking addresses it in all its dimensions, and whether it does so in a coherent way. As a case study, the

book explores the cooperation of the EU with countries of the Western Balkans, which constitutes a specific unilateral mechanism. The analysis of the multilateral mechanisms covers the cooperation of the EU with key international and regional organisations combating human trafficking, including the Council of Europe or the United Nations Office on Drugs and Crime.

Chloé Brière is a Post-doctoral Research Fellow funded by the Belgian National Research Fund (FNRS) and a professor of EU law at the Centre for European Law of the Université libre de Bruxelles.

Apr 2021 | 9781509932825 | 328pp | Hbk | RRP: £85



The Principle of Mutual Trust in EU Criminal Law

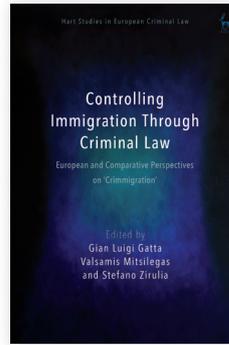
Auke Willems

This book develops a conceptual framework of the principle of mutual trust in EU criminal law. The book demonstrates that mutual trust is multi-faceted: combining the elements essential to a successful EU criminal law, as part of the Area of Freedom, Security and Justice.

The book approaches trust from multiple angles: a study of social science literature, a meticulous assessment of mutual trust in EU criminal law, a study of trust in US interstate criminal justice cooperation, finally identifying a comprehensive approach to tackle trust related difficulties in EU criminal law.

Auke Willems is Lecturer in EU Law at the University of Liverpool and a Visiting Fellow at the London School of Economics and Political Sciences.

Feb 2021 | 9781509924547 | 352pp | Hbk | RRP: £80



Controlling Immigration Through Criminal Law

European and Comparative Perspectives on "Crimmigration"

Edited by Gian Luigi Gatta, Valsamis Mitsilegas, and Stefano Zirulia

This book provides a critical analysis of the current trends leading to the criminalisation of irregular migrants, asylum seekers and those who engage in "humanitarian smuggling" and the national and common policies calling for

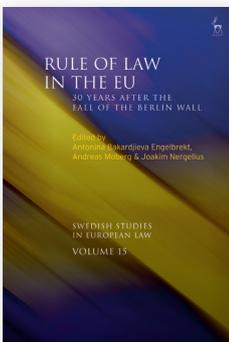
a broader use of criminal law measures and measures alike. It explores the measures used to protect borders and their impact in terms of effectivity and their ability to strike a fair balance between security and the protection of human rights. It draws on the perspective of lawyers and criminologists to give the broadest possible understanding of the issues at play.

Gian Luigi Gatta is Professor of Criminal Law, Università degli Studi di Milano.

Valsamis Mitsilegas is Professor of European Criminal Law and Global Security, Queen Mary University of London.

Stefano Zirulia is Assistant Professor of Criminal Law, Università degli Studi di Milano.

Jan 2021 | 9781509933921 | 312pp | Hbk | RRP: £85



Rule of Law in the EU

30 Years After the Fall of the Berlin Wall

Edited by Antonina Bakardjieva Engelbrekt, Andreas Moberg and Joakim Nergelius

This collection looks at the key changes in the last 30 years in the European Union since the fall of the Berlin Wall and assesses its success at responding to them. Given how the world has evolved since then, now marks a natural

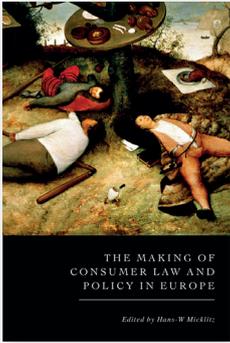
moment of stock-taking and assessing. The European Union, as much as any institution, could benefit from such introspection. The book brings together a team of experts to give a reasoned verdict on topics such as accession, the enlarged Union, enforcement and uncertainty in the European project.

Antonina Bakardjieva Engelbrekt is Professor of European Law at the Faculty of Law, Stockholm University and Chair of the Swedish Network for European Legal Studies, Sweden.

Andreas Moberg is Senior Lecturer at the University of Gothenburg, Sweden.

Joakim Nergelius is Professor of Constitutional Law, University of Örebro, Sweden.

Dec 2021 | 9781509941599 | 240pp | Hbk | RRP: £80



The Making of Consumer Law and Policy in Europe

Edited by *Hans-W Micklitz*

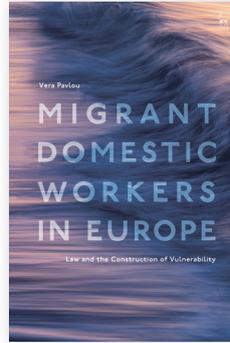
This book analyses the founding years of consumer law and consumer policy in Europe. It reunites the early European protagonists: Guido Alpa, Ludwig Krämer, Ewa Letowska, Hans-W Micklitz, Klaus Tonner, Iain Ramsay, and Thomas Wilhelmsson, supported by the younger generation Aneta Wiewiórska Domagalska, Mateusz Grochowski, and Koen Docter, who reconstruct the history of BEUC.

Niklas Olsen and Thomas Roethe analyse the construction of this policy field in a historical and sociological perspective.

The book offers a unique opportunity to understand a legal and political field which plays a fundamental role in contemporary societies.

Hans-W Micklitz is Professor of Economic Law at the European University Institute, Florence, Italy.

Dec 2021 | 9781509944835 | 432pp | Hbk | RRP: £90



Migrant Domestic Workers in Europe

Law and the Construction of Vulnerability

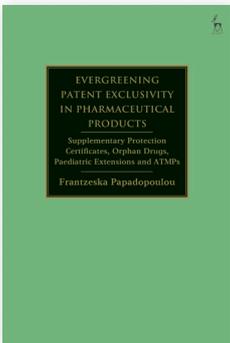
Vera Pavlou

This book explores the often neglected, but overwhelmingly common, everyday vulnerability of paid domestic workers in Europe and beyond. It investigates the role of law in producing, reinforcing – or, alternatively, attenuating – vulnerability to exploitation.

Unlike more traditional human rights approaches that focus on extreme abuse such as trafficking, the book considers the much more widespread day-to-day vulnerabilities created at the intersection of different legal regimes, such as low wages, unregulated working time, dismissals and the impact of migration status on enforcing rights at work.

Vera Pavlou is Lecturer in Labour Law at the University of Glasgow, UK.

Nov 2021 | 9781509942374 | 160pp | Hbk | RRP: £85



Evergreening Patent Exclusivity in Pharmaceutical Products

Supplementary Protection Certificates, Orphan Drugs, Paediatric Extensions and ATMPs

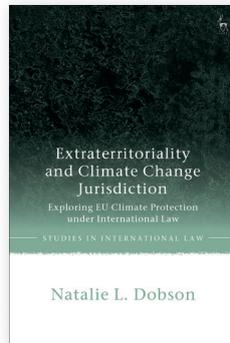
Frantzeska Papadopoulou

This book analyses 4 central pieces of EU pharmaceutical regulation: the Orphan Drugs Regulation, the Paediatric Regulation, the Supplementary Protection Certificate Regulation, and the ATMP Regulation.

The book guides the reader through the latest case law and legislative developments and discusses how these influence strategic legal and business choices in the pharmaceutical industry. It brings to the forefront the often-overlooked significance of the legislative architecture of the EU pharmaceutical regulatory framework, and evaluates its results through the lens of the efficiency test.

Frantzeska Papadopoulou is Associate Professor in Intellectual Property Rights and the Head of the IP Group at the Law Faculty of Stockholm University, Sweden.

Oct 2021 | 9781509950287 | 368pp | Hbk | RRP: £90



Extraterritoriality and Climate Change Jurisdiction

Exploring EU Climate Protection under International Law

Natalie L Dobson

This book builds on the scholarship of the law of state jurisdiction, engaging with fundamental questions about states' legislative competence, to respond to climate change. Considering general theory, the author advocates for a systemic analytical framework for the contested issue of 'extraterritoriality' in international law.

Natalie L Dobson is Assistant Professor at Utrecht University School of Law, Department of International and European Law, The Netherlands.

Sep 2021 | 9781509935826 | 384pp | Hbk | RRP: £80



The Interplay of Global Standards and EU Pharmaceutical Regulation

The International Council for Harmonisation

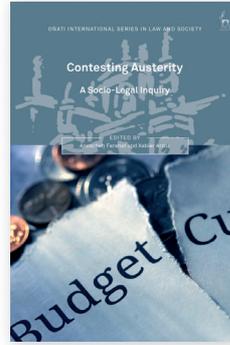
Sabrina Roettger-Wirtz

This book analyses the implementation of global pharmaceutical impact standards in the European risk regulation framework for pharmaceuticals and questions its legitimacy. Global standards increasingly shape the

risk regulation law and policy in the European Union and the area of pharmaceuticals is no exception to this tendency. As this book shows, global pharmaceutical standards set by the International Council for Harmonisation of Technical Requirements for the Registration of Pharmaceuticals for Human Use (ICH), after they are adopted through the European Medicines Agency (EMA), are an important feature of the regulatory framework for pharmaceuticals in the EU.

Sabrina Röttger-Wirtz is Lecturer in Law at Maastricht University, Netherlands.

Sep 2021 | 9781509942992 | 288pp | Hbk | RRP: £85



Contesting Austerity

A Socio-Legal Inquiry

Edited by Anuscheh Farahat and Xabier Arzoz

This book addresses the different forms of austerity, contestation and resistance. It seeks to understand the impact they have on the democratic quality of public debates, the trust in public institutions and the legitimacy of law.

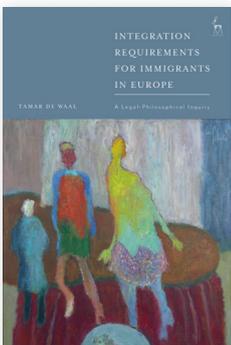
With 16 chapters written by contributors from Spain, Germany, Greece, Portugal and the UK,

the book approaches 3 crucial areas of austerity policies: cuts in payment and pensions, labour law reform, and old and new poverty. In each field, the contributors analyse the processes of decision-making and contestation from 3 perspectives: institutions, democratic theory and societal responses.

Anuscheh Farahat is Professor of Public Law, Migration Law and Human Rights Law at the University of Erlangen-Nürnberg, Germany.

Xabier Arzoz is Professor of Administrative Law at the National University of Distance Education (UNED) in Madrid, Spain.

Jul 2021 | 9781509942817 | 416pp | Hbk | RRP: £75



Integration Requirements for Immigrants in Europe

A Legal-Philosophical Inquiry

Tamar de Waal

This book considers three claims about integration requirements as conditions for attaining increased rights (ie family migration, permanent residency and citizenship) in Europe:

(1) That the recent proliferation of these integration requirements is rooted in a shift

towards 'individualised' conceptions of integration.

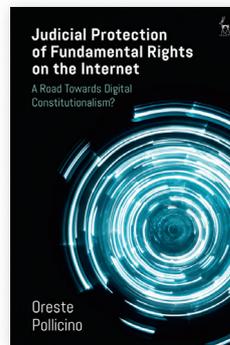
(2) That this shift puts up barriers to participation and inclusion of newcomers and yet also produces status hierarchies between native-born and immigrant citizens.

(3) That the remedy is a firewall that disconnects integration policy from access to rights.

Drawing on perspectives on immigrant integration in multiple EU Member States the book includes legal and political reactions to the refugee/migrant crisis.

Tamar de Waal is Assistant Professor of Legal Theory at the Amsterdam Law School, University of Amsterdam.

Jul 2021 | 9781509931651 | 224pp | Hbk | RRP: £65



Judicial Protection of Fundamental Rights on the Internet

A Road Towards Digital Constitutionalism?

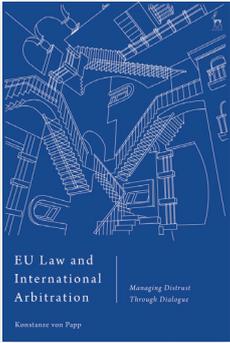
Oreste Pollicino

This innovative book analyses the forms, models and styles of judicial protection of fundamental rights in the digital era and compares the European vision to that of the United States, particularly with regard

to freedom of speech and privacy. The book addresses the relationship between new technologies and the protection of fundamental rights within the theoretical debate surrounding the process of European integration, with particular emphasis on judicial dialogue. It offers the first comparative analysis in which the notion of (judicial) frame, borrowed from linguistic and cognitive studies, is systematically applied to the theories of interpretation and argumentation.

Oreste Pollicino is Professor of Constitutional Law at Bocconi University and Member of the Executive Board, EU Agency for Fundamental Rights, Vienna.

May 2021 | 9781849468053 | 264pp | Hbk | RRP: £85



EU Law and International Arbitration

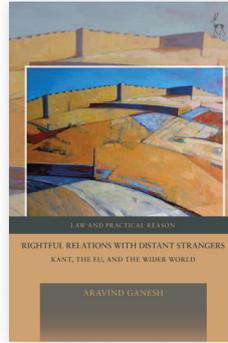
Managing Distrust Through Dialogue
Konstanze von Papp

This book addresses the tension between EU law and international arbitration, exploring both commercial and investment treaty arbitration. It opens pathways for practical solutions based on communication between regimes and addresses the normative conflict between legitimate public interests and the 'privatisation of justice'.

The book sets out the theoretical framework that understands EU law, international commercial arbitration and investment treaty arbitration as closed regimes. It then addresses the issue of contracting out of the EU legal regime, both on a jurisdictional and substantive level. This is linked to the question of trust-building in legal outcomes of the relevant regimes.

Konstanze von Papp is Professor of Public and European Union Law at Hamburg University of Applied Sciences.

May 2021 | 9781509931170 | 208pp | Hbk | RRP: £85



Rightful Relations with Distant Strangers

Kant, the EU, and the Wider World
Aravind Ganesh

This book provides a philosophical critique of legal relations between the EU and 'distant strangers' neither located within, nor citizens of, its Member States.

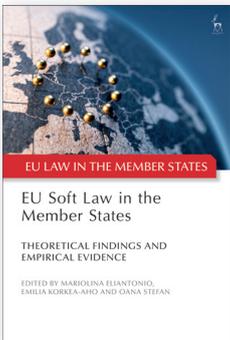
Ganesh considers the salient EU and international legal materials in the light of a theory of just global legal relations derived

from Kant's Philosophy of Right and in particular by engaging closely with Kant's *Doctrine of Right*.

The book sheds light on areas of EU law (EU external relations law, standing to bring judicial review), public international law (jurisdiction, global public goods), and human rights ('human rights jurisdiction'), and also critiques the widespread identification of the EU as a Kantian federation of peace.

Aravind Ganesh is Vice Chancellor's Research Fellow in Law at Oxford Brookes University, UK.

Mar 2021 | 9781509941315 | 296pp | Hbk | RRP: £70



EU Soft Law in the Member States

Theoretical Findings and Empirical Evidence

Edited by Mariolina Eliantonio, Emilia Korkea-aho and Oana Stefan

This volume analyses the impact that non-legally binding material (otherwise known as soft law) has on national courts and administration.

The study is founded on empirical work undertaken by the European Network of Soft Law Research (SoLaR), across ten EU Member States, in competition policy, financial regulation, environmental protection and social policy. The book demonstrates that soft law is taken into consideration at the national level and it clarifies the extent to which soft law can have legal and practical effects for individuals and national authorities.

Mariolina Eliantonio is Professor at the University of Maastricht.

Emilia Korkea-aho is Associate Professor at the University of Eastern Finland Law School.

Oana Stefan is Senior Lecturer in Law at King's College, London.

Mar 2021 | 9781509932030 | 392pp | Hbk | RRP: £90



Countering Tax Crime in the European Union

Benchmarking the OECD's Ten Global Principles

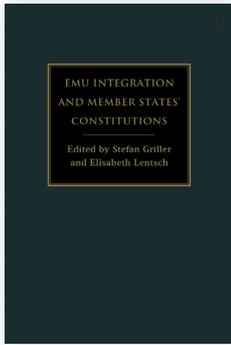
Umut Turksen

This book seeks durable solutions for tax crime, blending current practice with new approaches. With insights from the EU-funded project PROTAX, the book compares the EU's tax crime measures and the Ten Global Principles (TGPs) on fighting tax crime set out

by the Organisation for Economic Cooperation and Development. The book examines how the TGPs can serve as minimum standards for the EU to counter tax crime such as tax evasion and tax fraud. It also explores how the anti-tax avoidance package can be graduated to effectively fight tax crime in the EU.

Umut Turksen is Professor of Law at the Centre for Financial and Corporate Integrity, Coventry University, UK.

Mar 2021 | 9781509937950 | 344pp | Hbk | RRP: £85



EMU Integration and Member States' Constitutions

Edited by Stefan Griller and Elisabeth Lentsch

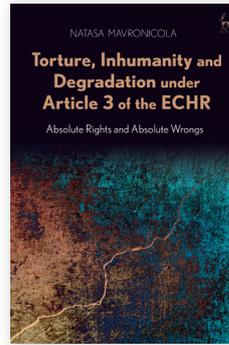
Offering a detailed assessment of the legal and constitutional developments concerning the Economic and Monetary Union (EMU) since the Treaty of Maastricht, this book provides not only a study of legal EMU-related measures and reforms at the EU level, but more importantly sheds light on their perception in the EU Member States.

Legal scholars from the EU Member States (with the addition of the UK) investigate the legal, and in particular the constitutional, pre-conditions for deeper fiscal and monetary integration that influenced the past and might impact on the future positions in the (now) 27 EU Member States.

Stefan Griller is Professor of European Law at the University of Salzburg, Austria.

Elisabeth Lentsch was formerly Post-Doc Researcher in the Horizon 2020 Project 'The choice for Europe since Maastricht', from 2015 to 2019.

Feb 2021 | 9781509935789 | 728pp | Hbk | RRP: £150



Torture, Inhumanity and Degradation under Article 3 of the ECHR

Absolute Rights and Absolute Wrongs
Natasa Mavronicola

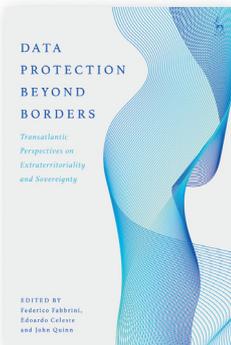
This book theorises and concretises the idea of 'absolute rights' in human rights law. It develops a theoretical framework for delimiting absolute rights and examines how the absolute character of the right enshrined in Article 3 of the European Convention on Human

Rights (ECHR), which provides that 'no one shall be subjected to torture or to inhuman or degrading treatment or punishment', informs the right's interpretation.

Few legal standards carry as much significance and contestation as this right. It is hoped that this book might contribute fruitfully towards countering attempts to dispute, undermine or circumvent the absolute character of the right, and offer the groundwork for transparently and coherently (re)interpreting the right's substantive contours in line with its absolute character.

Natasa Mavronicola is a Reader in Law and Deputy Head of Research at Birmingham Law School, University of Birmingham, UK.

Feb 2021 | 9781509902996 | 224pp | Hbk | RRP: £75



Data Protection Beyond Borders

Transatlantic Perspectives on Extraterritoriality and Sovereignty

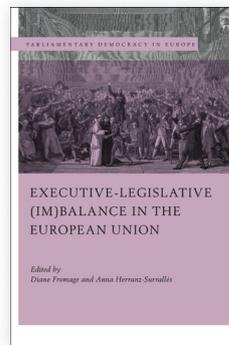
Edited by Federico Fabbrini, Edoardo Celeste and John Quinn

This book examines efforts by legal systems to impose their data protection standards beyond their borders and claims by states to assert sovereignty over data. It analyses key trends and prospects in the transatlantic

context, including tensions and cooperation between the EU and the US in data protection law. The chapters explore legal and policy developments in the private and law enforcement sectors, including rulings by the Court of Justice of the EU dealing with Google and Facebook; the CLOUD Act and the e-evidence proposal; and ongoing efforts to strike a transatlantic deal in the field of data sharing.

Federico Fabbrini is Full Professor of EU Law and Director of the Law Research Centre, Edoardo Celeste is Assistant Professor in Law, Technology and Innovation, and John Quinn is Assistant Professor in Commercial Law, all at Dublin City University, Ireland.

Feb 2021 | 9781509940660 | 280pp | Hbk | RRP: £75



Executive-legislative (Im)balance in the European Union

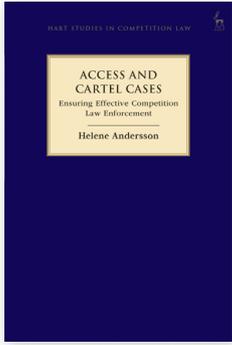
Edited by Diane Fromage and Anna Herranz-Surrallés

This book offers a (re-)assessment – from a multidisciplinary perspective – of the balance between executive and legislative powers at both national and European levels ten years after Lisbon. It asks whether parliaments were truly empowered, or whether this change

was, in reality, much curtailed in the wake of the Eurocrisis and other recent challenges. It firstly examines the imbalance that exists between executive and legislative powers in a multilevel perspective. Secondly, it considers Member States, from an individual and comparative perspective. Finally, it explores the executive-legislative relations in those policy areas which are particularly sensitive to governments.

Diane Fromage is Assistant Professor of EU Law and Anna Herranz-Surrallés is Associate Professor of International Relations, both at Maastricht University.

Feb 2021 | 9781509930005 | 360pp | Hbk | RRP: £95



Access and Cartel Cases

Ensuring Effective Competition Law Enforcement

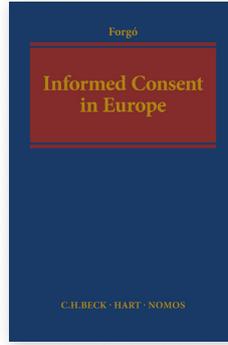
Helene Andersson

This book examines the legislative patchwork surrounding access to the European Commission's cartel case files. It provides a unique and comprehensive presentation of the EU legislation and case law surrounding access to the Commission's cartel case files. The author examines the question of accessibility from three different perspectives; that of

the parties under investigation, cartel victims, and national competition authorities. The author also considers the EU leniency system and whether any legislative changes could make the attractiveness of the system less dependent on the possibilities of cartel victims to access the evidence contained in the Commission's case files.

Helene Andersson is Lecturer in Law at the University of Stockholm.

Jan 2021 | 9781509942480 | 320pp | Hbk | RRP: £80



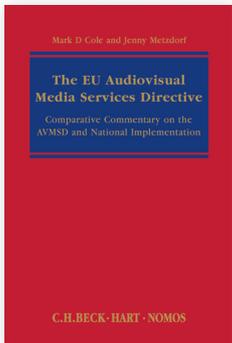
Informed Consent in Europe

Edited by Nikolaus Forgó

This book provides a comprehensive overview of the legal and ethical issues related to "informed consent". "Informed Consent" as a declaration of consent after previous medical education is a central component of human self-determination. For the patient, this means the right to make his decisions on the basis of comprehensive information. The information process must be as precise, clear and personalised as possible.

Nikolaus Forgó is Professor of Law at the University of Hannover, Germany.

Dec 2021 | 9781849464871 | 400pp | Hbk | RRP: £125



The EU Audiovisual Media Services Directive

Comparative Commentary on the AVMSD and National Implementation

Edited by Mark D Cole and Jenny Metzdorf

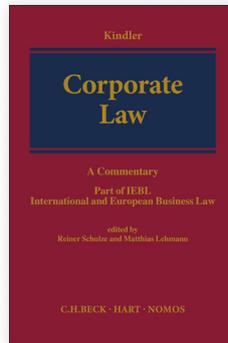
This commentary sets out, article-by-article, the original provisions contained in the Audiovisual Media Services Directive before analysing domestic transpositions. National measures are grouped in order to reveal similarities

and differences and examined for compliance with the Directive. This comparative perspective contributes to the discussions on reforms of the Directive or the EU's approach to new media services.

Mark D Cole is Associate Professor of Law (specialized in the law of the new information technologies, media and communications law) at the Faculty of Law, Economics and Finance of the University of Luxembourg.

Jenny Metzdorf is research assistant of Professor Cole at the Faculty of Law, Economics and Finance of the University of Luxembourg; she holds a Masters degree in European Law.

Nov 2021 | 9781849467858 | 1008pp | Hbk | RRP: £200



Corporate Law

A Commentary

Edited by Peter Kindler

The purpose of the European directives on corporate law is to enable businesses to be set up anywhere in the EU, to provide protection for shareholders and other parties with a particular interest in companies, to make business more efficient and competitive, and to encourage businesses based in different EU countries to co-operate with each other.

This new Commentary on Corporate Law provides an in-depth expert analysis of all legal issues concerning the setting up and several other main issues covered by EU corporate law.

Peter Kindler is a Professor and holds the Chair for Private and Business Law, Private International Law and Comparative Law at the Munich Law Faculty, Institute for International Law.

Oct 2021 | 9781509924066 | 1200pp | Hbk | RRP: £295



EU Civil Procedure Law and Third Countries

Which Way Forward?

Edited by Alexander Trunk and Nikitas Hatzimihail

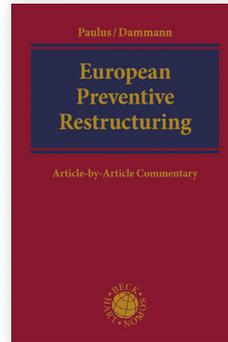
Based on comparative analyses and country-specific reports (featuring EU member countries as well as non-EU countries), this book develops a structured approach for future action, be it by modification of existing EU regulations, passing new regulations,

negotiating new multilateral or bilateral treaties (eg in the framework of the Hague Conference on Private International Law), developing soft law or passing national legislation, preferably on a uniform or coordinated basis together with third countries.

Alexander Trunk is Director of the Institute of East European Law and Chair of Civil Law and East European Law at Kiel University, Germany.

Nikitas Hatzimihail is Director of Laboratory for Commercial Transactions and Dispute Resolution at the Department of Law, University of Cyprus, Nicosia, Cyprus.

Apr 2021 | 9781509948765 | 336pp | Hbk | RRP: £100



European Preventive Restructuring

An Article-by-Article Commentary

Edited by Professor Christoph G. Paulus, Professor Reinhard Dammann and in cooperation with Tom Braegelmann

In this book a team of European-wide recognised, experienced insolvency law experts, some of whom were involved in the drafting process of the European Directive (Directive (EU) 2019/1023), analyse

the Directive. The authors focus not only on the officials tasked in the national surroundings with drafting the national statutes but also on the wider implications which, one way or the other, will be national law. The commentary, thus, serves the purposes of practitioners and judges in the field of restructuring.

Christoph G. Paulus is Of Counsel with White & Case, Berlin, Germany.

Reinhard Dammann is Professeur affilié à l'École de droit de Science Po and attorney in Paris, France.

Apr 2021 | 9781509938810 | 512pp | Hbk | RRP: £225

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