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Federica Giovanella

EU Pensions Law Philip Bennett, Hans van Meerten, 2024-12-09 This judicious Commentary identifies how EU law directly and indirectly affects pension rights and provides a detailed article-by-article analysis of the IORP II Directive, in comparison to the relevant articles of the IORP I Directive. It also considers the extent to which EU pensions law has been retained in the UK post-Brexit and the effect of the UK Retained EU Law (Revocation and Reform) Act 2023.

International Disaster Response Law Andrea de Guttry, Marco Gestri, Gabriella Venturini, 2012-08-31 With a Foreword by Kristalina Georgieva, European Commissioner for International Cooperation, Humanitarian Aid and Crisis Response Over the last decades natural and man-made disasters have been increasing in terms of frequency, size, number of people affected and material damage caused. There is growing awareness of the importance of adequate national and international legal frameworks for disaster prevention, mitigation and response. The implementation of these frameworks, however, poses serious challenges. This book analyses International Disaster Response Law as developed in recent times and identifies the main existing normative gaps. The authors address the rights and duties of States in preventing and mitigating disasters, in facilitating access to their territory for humanitarian relief actors, as well as issues related to liability and compensation. Due attention is paid to European Union law governing disaster response (and to its reform in the light of the Lisbon Treaty) and to the main trends in domestic legislation. Human rights obligations are thoroughly examined and the potential relevance of international criminal law is assessed. Additional topics such as the status of relief personnel, the hindrances to the delivery of relief consignments by customs and excise administration, the use of civilian and military defence assets in emergency situations, the mechanisms and procedures available to offer financial support for recovery and rehabilitation, risk insurance, and the issue of corruption during disaster-related activities are specifically addressed. By drawing on the expertise of lawyers, political scientists, economists and humanitarian practitioners, the book promotes much-needed interdisciplinary dialog and sheds light on a largely uncharted field of research. It is therefore essential reading for academics and practitioners in international and EU law, policy makers, civil protection and humanitarian operators and for anyone interested in exploring the legal facets of the international community's response to large-scale calamitous events. Over the last decades natural and man-made disasters have been increasing in terms of frequency, size, number of people affected and material damage caused. There is growing awareness of the importance of adequate national and international legal

frameworks for disaster prevention, mitigation and response. The implementation of these frameworks, however, poses serious challenges. This book analyses International Disaster Response Law as developed in recent times and identifies the main existing normative gaps. The authors address the rights and duties of States in preventing and mitigating disasters, in facilitating access to their territory for humanitarian relief actors, as well as issues related to liability and compensation. Due attention is paid to European Union law governing disaster response (and to its reform in the light of the Lisbon Treaty) and to the main trends in domestic legislation. Human rights obligations are thoroughly examined and the potential relevance of international criminal law is assessed. Additional topics such as the status of relief personnel, the hindrances to the delivery of relief consignments by customs and excise administration, the use of civilian and military defence assets in emergency situations, the mechanisms and procedures available to offer financial support for recovery and rehabilitation, risk insurance, and the issue of corruption during disaster-related activities are specifically addressed. By drawing on the expertise of lawyers, political scientists, economists and humanitarian practitioners, the book promotes much-needed interdisciplinary dialog and sheds light on a largely uncharted field of research. It is therefore essential reading for academics and practitioners in international and EU law, policy makers, civil protection and humanitarian operators and for anyone interested in exploring the legal facets of the international community's response to large-scale calamitous events.

The Principle of Equality in EU Law Lucia Serena Rossi, Federico Casolari, 2017-11-23 This book provides a comprehensive and updated legal analysis of the equality principle in EU law. To this end, it argues for a broad definition of the principle, which includes not only its inter-individual dimension, but also the equality of the Member States before the EU Treaties. The book presents a collection of high-quality academic and expert contributions, which, in light of the most recent developments in implementing the post-Lisbon legal framework, reflect the current interpretation of the equality principle, examining its performance in practice with a view to suggesting possible solutions in order to overcome recurring problems. To this end the volume is divided into three Parts, the first of which addresses a peculiar aspect of the EU equality that is mostly overlooked in the investigations devoted to this topic, namely, equality among States. Part II shifts to the inter-individual dimension of equality and explores some major developments contributing to (re)shaping the global framework of EU anti-discrimination law, while Part III undertakes a more practical investigation devoted to the substantive strands of that area of EU law.

The EU Law of Economic and Monetary Union Fabian Amttenbrink, Christoph Herrmann, René Repasi, 2020 An authoritative reference work on the legal framework of European economic and monetary union, this book comprehensively analyses the legal foundations, institutions, and substantive legal issues in EU monetary integration.

Copyright and Information Privacy Federica Giovanella, 2017-12-29 Federica Giovanella examines the on-going conflict between copyright and informational privacy rights within the judicial system in this timely and intriguing book.

Per un'Unione Europea coesa, forte e sicura AA. VV., 2024-10-28T00:00:00+01:00 2000.1602

Principles of European Constitutional Law Armin von Bogdandy, Jürgen Bast, 2009-12-03 For the time being, the political project of basing the European Union on a document entitled 'Constitution' has failed. The second, revised and enlarged edition of this volume retains its title nonetheless. Building on a scholarly rather than black-letter law account, it shows European constitutional law as it looks following the Treaty of Lisbon, with the EU's foundational treaties mandating the exercise of public authority, establishing a hierarchy of norms and legitimising legal acts, providing for citizenship, and granting fundamental rights. In this way the treaties shape the relations between legal orders, between public interest regulation and market economy, and between law and politics. The contributions demonstrate in detail how a constitutional approach furthers understanding of the core issues of EU law, how it offers theoretical and doctrinal insights, and how it adds critical perspective. From Reviews of the First Edition: ...should be mandatory reading for anyone who wants to get a holistic perspective of the academic debate on Europe's constitutional foundations...It is impossible to present the richness of thought contained in the 833 pages of the book in a short review. Common Market Law Review an enduring scholarly work, which gives an English-speaking audience important, and overdue, access to the long-standing and forever-vigorous traditions of (European) constitutional law... unhesitatingly recommend[ed]. European Law Journal ...real scholarship in the profound sense of the word... K Lenaerts, Professor of European Law, Leuven

The EU Charter of Fundamental Rights in the Member States Michal Bobek, Jeremias Adams-Prassl, 2020-12-24 Ten years after the Charter of Fundamental Rights of the European Union became part of binding primary law, and twenty years since its adoption, this volume assess the application of the EU Charter in the Member States. How often, and in particular by which actors, is the EU Charter invoked at the national level? In what type of situations is it used? Has the approach of national courts in general, and of constitutional courts in particular, to EU law to EU fundamental rights law changed following the entry into force of the Charter? What sort of interplay does the Charter generate with the national bill of rights and the European Convention? Is the life with the Charter on the national level a harmonious 'praktische Konkordanz' or rather a messy 'ménage à trois'? These and other questions are discussed in the four parts that form the book. Part I is dedicated to the normative foundations. Part II sets out Member States' Perspectives, providing a structured, in-depth account of the Charter's operation in 16 different Member States. Part III provides a detailed evaluation of selected rights contained within the Charter. Part IV synthesises the materials presented up to that point to develop a series of broader perspectives, looking to discover underlying lessons about the relationship between EU fundamental rights law and national legal systems.

The Treaty on European Union (TEU) Hermann-Josef Blanke, Stelio Mangiameli, 2013-11-26 The major Commentary on the Treaty on European Union (TEU) is a European project that aims to contribute to the development of ever closer

conceptual and dogmatic standpoints with regard to the creation of a “Europeanised research on Union law”. This publication in English contains detailed explanations, article by article, on all the provisions of the TEU as well as on several Protocols and Declarations, including the Protocols No 1, 2 and 30 and Declaration No 17, having steady regard to the application of Union law in the national legal orders and its interpretation by the Court of Justice of the EU. The authors of the Commentary are academics from ten European states and different legal fields, some from a constitutional law background, others experts in the field of international law and EU law professionals. This should lead to more unity in European law notwithstanding all the legitimate diversity. The different traditions of constitutional law are reflected and mentioned by name thus striving for a common framework for European constitutional law.

Human Rights and Risks in the Digital Era: Globalization and the Effects of Information Technologies Akrivopoulou, Christina M., Garipidis, Nicolaos, 2012-04-30 Globalization, along with its digital and information communication technology counterparts, including the Internet and cyberspace, may signify a whole new era for human rights, characterized by new tensions, challenges, and risks for human rights, as well as new opportunities. Human Rights and Risks in the Digital Era: Globalization and the Effects of Information Technologies explores the emergence and evolution of ‘digital’ rights that challenge and transform more traditional legal, political, and historical understandings of human rights. Academic and legal scholars will explore individual, national, and international democratic dilemmas--sparked by economic and environmental crises, media culture, data collection, privatization, surveillance, and security--that alter the way individuals and societies think about, regulate, and protect rights when faced with new challenges and threats. The book not only uncovers emerging changes in discussions of human rights, it proposes legal remedies and public policies to mitigate the challenges posed by new technologies and globalization.

The Rule of Law in Monetary Affairs Thomas Cottier, Rosa M. Lastra, Christian Tietje, Lucía Satragno, 2014-08-29 Addresses central monetary law and policy debates, especially the links between international investment law and trade regulation within the WTO.

Public Procurement and the EU Competition Rules Albert Sánchez Graells, 2011-01-29 Shortlisted for the 2012 Prix Vogel in Economic Law. Public procurement and competition law are both important fields of EU law and policy, intimately intertwined in the creation of the internal market. Hitherto their close connection has been noted, but not closely examined. This new work is the most comprehensive attempt to date to explain the many ways in which these fields, often considered independent of one another, interact and overlap in the creation of the internal market. In this process of convergence between competition and public procurement law, the need for this joint study is clearly apparent. As such the book asks whether competition law principles inform or condition public procurement rules, and whether they are adequate to ensure that competition is not distorted in markets where public procurement is particularly significant. The book moves away from

the classical focus of public procurement on the activities of private actors, developing instead an analytical framework for the appraisal of the market behaviour of the public buyer from a competition perspective. The analysis is both legal and economic. Proceeding through a careful assessment of the general rules of competition and public procurement, the book constantly tests the efficacy of the rules in competition and public procurement against a standard of the proper functioning of undistorted competition in the market for public procurement.

Law and International Religious Freedom Pasquale Annicchino, 2017-12-01 This book analyzes the promotion and protection of freedom of religion in the international arena with a particular focus on the role and influence of the US International Religious Freedom Act, 1998. It also investigates the impact of the IRFA on the legislation and policies of third countries and the EU. The book develops the story of the protection of religious freedom through foreign policy by showing how religious laws affect and shape a more communitarian dimension of the notion of freedom of religion which stands in contrast with a traditionally Western individualistic understanding of the right. It is argued that it is still possible to defend the unstable category of freedom of religion or belief especially when major violations are at stake. The book presents a balanced contribution to the academic debate on the promotion and protection of religious freedom. The comparative approach and interdisciplinary methodology make it a valuable resource for academics, students and policy-makers in Law, International Relations and Strategic Studies.

Business and Human Rights Dalia Palombo, 2020-02-06 This book analyses the accountability of European home States for their failure to secure the human rights of victims from host States against transnational enterprises. It argues for a reconfiguration of the relationship between multinational enterprises and individuals, both of which have been profoundly changed by globalisation. Enterprises are now supranational entities with numerous affiliates all over the world. Likewise, individuals are increasingly part of a global community. Despite this, the relationship between the two is deregulated. Addressing this gap, this study proposes an innovative business and human rights litigation strategy. Human rights advocates could file a test case against a European home State, at the European Court of Human Rights, for its failure to secure the rights of victims vis-à-vis European multinational enterprises. The book illustrates why such a strategy is needed, and points to the lack of effective legal remedies against European multinationals. The goal is to empower victims from developing countries against European States which are failing to hold multinational enterprises accountable for human rights abuses.

EU Soft Law in the Member States Mariolina Eliantonio, Emilia Korkea-aho, Oana Stefan, 2021-03-25 This volume analyses, for the first time in European studies, 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. The national case studies highlight the points of convergence or divergence in the way in which judges and administrators approach soft law, while reflecting on the reasons for and consequences of various national practices. A series of horizontal studies connect this research to the rich literature on new modes of governance, by revisiting traditional theories on soft law, and by reflecting on the potential of such instruments to undermine or to foster rule of law values.

Framing Convergence with the Global Legal Order Elaine Fahey, 2020-10-15 This interdisciplinary book explores the concept of convergence of the EU with the global legal order. It captures the actions, law-making and practice of the EU as a cutting-edge actor in the world promoting convergence 'against the grain'. In a dynamic 'twist' the book uses methodology to reflect upon some of the most dramatically changing dimensions of current global affairs. Questions explored include: who and what are the subjects and objects of convergence as to the EU and the world? How do 'court-centric' and less 'court-centric' approaches differ? Can we use political science and international relations as 'service tools'? Four key themes are probed: - framing EU convergence; - global trade against convergence; - the EU as the exceptional internationalist; and - positioning convergence through methodology.

Foreign Direct Investment and Competition Policy after the Franco-German Manifesto. Embedding Political Dissent in Law Cosimo Marcantuono, 2023-01-30 Master's Thesis from the year 2022 in the subject Law - European and International Law, Intellectual Properties, grade: 16/20, Leuven Catholic University, language: English, abstract: This thesis examines the European paradigm shift (i.e., from unconditional openness to foreign direct investment to the statement "we are not naive free traders" pronounced by the former President of the European Commission Jean-Claude Juncker) toward the concerns raised by the Franco-German Manifesto and the subsequent interventions of European legislator. The research will focus on the new Foreign Direct Investments Screening Regulation and Cybersecurity Regulation. Furthermore, this thesis addresses a final proposal for a regulation to address state aid from non-European countries, as well as prospects for amending European competition law to meet Member States' desire to create national and European champions. Globalization, the development of new technologies and the recent COVID-19 pandemic crisis prompted the reopening of old issues in the European Union concerning the demand for protection and the interplay between industrial policy and European competition law. To preserve the internal market, sovereignty and the future economic independence of Europe, unified and strategic European thinking is required. In this vein, Germany and France formulated an industrial policy proposal to induce the European Union to amend its rules on the subject, now perceived as 'outdated' when confronted with increasingly fierce industrial competition from the Asian powers and the United States. This understanding, labelled as the Franco-German Manifesto, illustrates Member States' concerns on the need for new European defence tools for technologies, companies and the European market, along with the reform of the current regulatory framework to enable European

companies to compete globally. The analysis performed in this thesis thus investigates the rationale underpinning the new regulations and their approach to the critical issues highlighted by the Member States. The scrutiny of the mentioned regulations will concentrate on their effectiveness in countering risks related to (i) foreign acquisition of strategic assets, (ii) new technologies, and (iii) distortions of the internal market due to the lack of a global level playing field, will lead this thesis to argue in favour of further action by the legislator.

EU Constitutional Law Allan Rosas, Lorna Armati, 2012-08-03 The second revised edition of this acclaimed book brings the story of the EU's constitutional journey up to date. The EU's constitution, composed of a myriad of legal texts, case law and practice, is a moving target subject to continuous change, and the past two years have seen no slacking in the pace of that change. With a wider geographical ambit than ever, the EU faces unprecedented political, economic and cultural challenges, all of which impact upon the evolution of its constitution. Moreover, the crisis in the Eurozone has given rise to the need for a whole new chapter focussing on the institutional reforms embarked upon in the quest to restore financial order. The book succeeds, where others have struggled, in making sense of the EU's complex constitutional order, focussing on its essential features but taking into account the profound changes that have taken place over the past 20 years. The EU has become much more than an internal economic market and has recently become active in areas such as immigration and third-country nationals, security and defence policy, and penal law and procedure, while the crisis in the Eurozone has triggered an increasing focus on economic and fiscal policy. Eschewing too much detail the authors underline the essential values, principles and objectives of the integration regime as well as its basic normative structure and hierarchy. In this context, the decentralised nature of the EU is highlighted as an integral part of its constitutional make-up. Recurring themes include European citizenship, fundamental rights and the rule of law. The book also confronts head-on the problems and challenges facing the Union and the gap which is often perceived between lofty ideals and harsh realities. The book will be useful to students of EU law and European integration but will also appeal to a broader audience of researchers and practitioners, including political scientists.

The EU Charter of Fundamental Rights Giacomo Di Federico, 2010-12-02 The first part of the book reviews the multi-level system of protection currently operating in Europe and its constitutional implications. The Charter is analysed from a legal, political and practical standpoint. The activity of the European Parliament as a fundamental rights actor will also be examined, as well as the right to a fair trial and to effective judicial protection before and by the EU Courts. The second part of the volume addresses the impact of a binding Charter on specific areas of EU Law. The order in which the contributions have been set out reflects the structure of the Treaty on the functioning of the European Union: free circulation of persons; the internal market; the area of freedom security and justice (civil and criminal aspects); social rights protection; environmental policy; enlargement; international trade and the Common Foreign and Security Policy.

Il caso giudiziario dell'ENRICA LEXIE e DEL ST. ANTONY Diego Abbo, 2024-07-29 Il dramma dell'Enrica Lexie e del peschereccio St. Antony si dipana come un thriller avvincente, intrecciando diplomazia, giustizia e tragedia marittima. L'incidente, che è costato la vita ai pescatori indiani Ajesh PINK e Jelestine VALENTINE, ha scatenato una delle crisi diplomatiche più serie legate a un sinistro marittimo in un'operazione antipirateria. Dopo dieci anni di indagini e tensioni, il 31 gennaio 2022, il giudice per le indagini preliminari Dottor Alfonso SABELLA del Tribunale di Roma ha emesso una sentenza senza precedenti: l'archiviazione definitiva dell'inchiesta contro i marò Massimiliano LATORRE e Salvatore GIRONE, accusati di omicidio volontario. Questo verdetto, giunto dopo la pronuncia del Tribunale dell'Aia che ha condannato l'Italia per violazione della libertà di navigazione, ha scatenato un turbine di domande riguardo alla verità celata dietro gli eventi e i poteri in gioco. La condanna dell'Italia ha sollevato interrogativi sulle motivazioni e sulle dinamiche che hanno portato a tale decisione, alimentando sospetti sulla possibile esistenza di una verità nascosta e sulla reale influenza dei vari attori coinvolti nella controversia. L'analisi di questo intricato caso giudiziario si sviluppa attraverso una ricerca strutturata su quattro distinti piani metodologici. Da un approccio descrittivo-documentale che delinea i fatti utilizzando documenti provenienti da fonti aperte, si procede al dominio correlativo, mettendo in luce le interconnessioni tra i vari documenti. Il terzo stadio, di natura ermeneutica, interpreta in profondità i fatti, cercando di svelare i contesti, le intenzioni nascoste e le "dietrologie contaminate". Infine, il quarto livello, di natura esplicativa, elabora schemi di spiegazione che puntano a garantire l'indiscutibile veridicità dei risultati ottenuti. Intrigante e avvolto dal mistero, questo racconto svela l'intreccio delle responsabilità istituzionali dietro la drammatica crisi del caso Enrica Lexie. Come le pagine di un antico manoscritto che si aprono lentamente, il libro svela i segreti celati dietro la tragedia marittima. Nel sottile gioco delle ombre, le figure istituzionali emergono come tessere di un intricato puzzle, ognuna con il suo ruolo nel tessuto della vicenda. Con passo furtivo, il lettore viene condotto attraverso i meandri della diplomazia, della giustizia e delle forze oscure che hanno plasmato il destino dei protagonisti. Nelle stanze del potere, dietro porte chiuse e nelle stanze più remote della burocrazia, si nascondono le verità sepolte che hanno alimentato il caos e la confusione. Chi ha tenuto le redini di questo enigma? Quali forze hanno plasmato il destino della controversia marittima? Questo libro, come un investigatore in cerca della verità, svela con pazienza e determinazione tutte le responsabilità istituzionali che hanno contribuito alla crisi, gettando luce sulle tenebre e portando alla luce la verità nascosta. Con ogni pagina girata, il mistero si fa sempre più fitto, fino a quando, alla fine, il velo del segreto viene finalmente squarciato, rivelando la verità che giaceva nell'ombra. Esplorando le intricanti trame della crisi dell'Enrica Lexie, questo libro offre non solo un'analisi avvincente dei fatti, ma anche una guida preziosa per combattere la corruzione sistemica e migliorare l'efficienza della giustizia italiana. Con uno stile coinvolgente, fornisce soluzioni pratiche e concrete per affrontare le sfide della corruzione e promuovere un sistema giudiziario più equo e trasparente. È un manifesto per il cambiamento, invitando i lettori a essere agenti attivi di riforma e a contribuire alla costruzione di un futuro migliore.

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