

The Evolving Eu Counter Terrorism Legal Framework

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Explore the dynamic landscape of the European Union's counter-terrorism legal framework, which is continually evolving to address new threats and challenges. This comprehensive EU security legislation encompasses a wide range of directives, regulations, and policies designed to enhance collective security and combat terrorism effectively across member states. Understanding these counter-terrorism legal developments is crucial for grasping the EU's proactive approach to anti-terror efforts.

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The Evolving EU Counter-terrorism Legal Framework

Since the coming into force of the Lisbon Treaty in 2009, and the contemporaneous publication of the Stockholm Programme, the area of freedom, security and justice has obtained a more secure legal basis within the EU treaty framework and now has a coherent policy programme set out for its development. A key aspect in the area of freedom, security and justice are the EU's provisions dealing with counter-terrorism. This book examines the rapidly emerging area of EU law and policy on counter-terrorism, addressing these twin disciplines from both a theoretical and practical perspective. The Evolving EU Counter-Terrorism Legal Framework is the first comprehensive exposition of EU anti-terrorism law, bringing together laws and policies on terrorism from across the three distinct EU pillars, as well as exploring the legal framework for EU external relations in counter-terrorism. In focusing on this challenging area of EU legal policy which is presently under construction, the book brings greater clarity and critical analysis to the existing legal framework currently in place. In addition to considering the current legal circumstances, Maria O'Neill goes on to highlight potential difficulties which may occur in the future and suggests possible avenues for development of counter-terrorism provisions.

The Impact, Legitimacy and Effectiveness of EU Counter-Terrorism

Counter-terrorism law and policy has been prominent and widespread in the years following 9/11, touching on many areas of everyday life from policing and border control to financial transactions and internet governance. The European Union is a major actor in contemporary counter-terrorism, including through its development of counter-terrorism laws for application within the Union. This book undertakes a multi-disciplinary and empirically informed analysis of the impact, legitimacy and effectiveness of EU counter-terrorism. Taking into account legal, societal, operational and democratic perspectives, this collection connects theoretical and practical perspectives to produce an interdisciplinary and mul-

ti-stakeholder study of how we might measure and understand the impact, legitimacy and effectiveness of EU counter-terrorism. Bringing together a select group of experts in the field, particular emphasis is placed on understanding the practical experience of implementing and assessing these measures gathered from and with end users, including law-makers, policy-makers, security services, industry partners and civil society. This edited collection will be of great relevance to scholars and policy makers with an interest in counter-terrorism law, EU law and security studies.

EU Counter-Terrorism Law

EU Counter-Terrorism Law: Pre-emption and the Rule of Law is a detailed study of EU action to combat terrorism since 11 September 2001 and the implications that action has had for the EU legal order. It critically examines EU counter-terrorism measures to ascertain how rule of law principles have been affected in the 'war on terror'. The book opens with a critical examination of the rule of law in the EU legal order. It then provides an overview of the "war on terror" before analysing five key facets of EU counter-terrorism: the common European definition of terrorism along with related offences contained in the Framework Decision on Combating Terrorism; the EU's anti-money laundering and counter-terrorist finance laws; UN and EU targeted asset-freezing sanctions; EU data retention measures such as the Data Retention Directive and the Passenger Name Records agreements; and the European Arrest Warrant and European Evidence Warrant. The book argues that EU counter-terrorism is weakening the rule of law and bypassing safeguards in favour of a system emphasising coercive control over individual autonomy. It concludes by examining the prospects for the future as the EU becomes a more powerful security actor following the Lisbon Treaty and the adoption of the Stockholm Programme. 'an impressively accurate and alarming analysis' Ms Sophia In 't Veld MEP and Vice-Chair of the European Parliament Committee on Civil Liberties, Justice and Home Affairs 2ND Prize winner of the Society of Legal Scholars Peter Birks Prize for Outstanding Legal Scholarship 2013

U. S. -EU Cooperation Against Terrorism

Examines the evolution of U.S.-European Union (EU) counter-terrorism cooperation. Contents: (1) Background on EU Efforts Against Terrorism; (2) U.S.-EU Counter-terrorism Cooperation: Progress to Date; New Law Enforce. and Intell. Cooperation Agree.; Stemming Terrorist Financing; Border Control and Transport Security: Container Security; Passenger Name Record Data; Aviation Security; (3) On-going Challenges: Data Privacy: Tracking Terrorist Financing; Sharing Airline Passenger Data; U.S.-EU Framework Agree. on Data Protection; Balancing Transatlantic Travel, Commerce, and Security: Visa Waiver Program; Cargo Screening; Detainee Issues and Civil Liberties; Differences in the U.S. and EU Terrorist Lists.

The External Dimension of the European Union's Area of Freedom, Security and Justice

During the last decade the rapid growth of justice and home affairs as an internal policy making domain of the European Union has led to the Union emerging as an increasingly important international actor in this field. This book covers the institutional and legal framework of the external dimension of EU justice and home affairs; issues of policy interaction as well as specific challenges; policy responses and results in the fields of migration policy; judicial cooperation; counter-terrorism; and cooperation with major international partners. Taking into account the changes introduced by the Treaty of Lisbon as well as the priorities set by the 2010-2014 Stockholm Programme the book provides an in-depth exploration of the political and legal dynamics of a major new dimension of the EU.

EU Security and Justice Law

The coming into force of the Lisbon Treaty has provided the EU with new powers in the fields of criminal law and security law while reinforcing existing powers in immigration and asylum law. The Stockholm Programme is the latest framework for EU action in the field of justice and home affairs. It includes a range of new legislation in the fields of immigration and asylum, substantive criminal law, criminal procedure and co-operation between national criminal justice systems. The combination of the new treaty and programme have made security and justice key areas of legislative growth in the EU. This volume brings together a range of leading scholars, as well as some of the most interesting new voices in the debate, to examine the state of EU security and justice law after the Lisbon Treaty and the Stockholm Programme. It provides a critical examination of EU law in the fields of immigration, asylum, counter-terrorism, citizenship, fundamental rights and external relations. The book also examines the

evolving roles of the EU institutions and criminal justice agencies. It provides a critical account of EU law in this field under the developing constitutional and institutional settlement.

The Evolution of EU Counter-terrorism

This book presents a detailed empirical account of the evolution of EU counterterrorism policy between 2001 and 2005, from 9/11 up to the 7/7 attacks in London.

EU Counter-Terrorism and Intelligence

The Treaty on the European Union stipulates that one of the key objectives of the Union is to provide citizens with a high level of safety within an Area of Freedom, Security and Justice. Given that the fight against terrorism is a prominent aspect of this general objective, it is remarkable that, in spite of its political relevance and decade-long history, it has only relatively recently received due attention in the academic community. Yet an analysis of the successes and failures of the EU's involvement in this field is imperative and this is a particularly pertinent moment to take stock of progress. The goal of this book is therefore to look back at the post-9/11 period and answer the question of whether, when it comes to the measures taken to combat terrorism following these attacks, the EU has lived up to the promise made in its founding treaties. In pursuing this goal, this volume presents the views of leading experts casting a critical eye over the EU's performance, recognising achievements but also being suitably critical when the realities did not match the European rhetoric. In doing this, the book makes a significant contribution not only to the scholarly investigation of European Union policies, but also to the study of counter-terrorism in general. This book was published as a special issue of *Intelligence and National Security*.

A War on Terror?

Marianne Wade and Almir Maljevi? Although the worries about terrorism paled in comparison to the economic crisis as a topic during the last US election, one can find plenty of grounds to assume that they remain issue number one in the minds of politicians in Europe. As the German houses of Parliament prepare to call in the mediation committee in the discussion of legislation which would provide the Federal Police – thus far mandated purely with the post-facto investigation of crime – with powers to act to prevent acts of terrorism, Spain's struggle with ETA and the British Government licks its wounds after a resounding defeat of its latest anti-terrorist proposals by the House of Lords, one cannot but wonder whether post 9/11, the Europeans are not even more concerned with terrorism than their US counterparts. A look at media reports, legislative and judicial activities in either Britain or Germany clearly underlines that those two countries are deeply embroiled in anti-terrorist activity. Can it be that Europe is embroiled in the "War on Terror"; constantly providing for new arms in this conflict? Or is it a refusal to participate in the "War on Terror" that fuels a constant need for Parliaments to grapple with the subject; begrudgingly conceding one increasingly draconian measure after the other? The question as to where Europe stands in the "War on Terror" is a fascinating one, but one, which is difficult to answer.

EU Criminal Law

EU Criminal Law is perhaps the fastest-growing area of EU law. It is also one of the most contested fields of EU action, covering measures which have a significant impact on the protection of fundamental rights and the relationship between the individual and the State, while at the same time presenting a challenge to State sovereignty in the field and potentially reconfiguring significantly the relationship between Member States and the EU. The book will examine in detail the main aspects of EU criminal law, in the light of these constitutional challenges. These include: the history and institutions of EU criminal law (including the evolution of the third pillar and its relationship with EC law); harmonisation in criminal law and procedure (with emphasis on competence questions); mutual recognition in criminal matters (including the operation of the European Arrest Warrant) and accompanying measures; action by EU bodies facilitating police and judicial co-operation in criminal matters (such as Europol, Eurojust and OLAF); the collection and exchange of personal data, in particular via EU databases and co-operation between law enforcement authorities; and the external dimension of EU action in criminal matters, including EU-US counter-terrorism co-operation. The analysis is forward-looking, taking into account the potential impact of the Lisbon Treaty on EU criminal law.

The European Union's Fight Against Terrorism

This book contributes to the understanding of the counter-terrorism (CT) policy of the European Union (EU) by offering a set of analyses focusing on its external dimension. Whilst calling for the combination of internal and external policies as well as cooperation with third countries and international institutions, the external dimension of EUCT challenges previous assumptions on the functioning of the EU and offers new testing ground for the latest theoretical and methodological approaches. This volume provides the first systematic assessment of the external dimension of EUCT. It covers transatlantic counter-terrorism cooperation, the interaction between EU institutions and policies, theoretical debates on EU actorness in counter-terrorism and the role of judicial institutions in international counter-terrorism. Furthermore, it draws attention to the need for engaging in new discussions over the post-Lisbon Treaty Common Foreign and Security Policy (CFSP), the international fight against terrorism, and the way international actors cooperate and compete on the security arena. It will be of interest for both academics and practitioners working on EU foreign policy, transatlantic relations and international counter-terrorism. It will also be of interest for students and journalists specialized on European and international affairs. This book was published as a special issue of European Security.

West European Terrorism and Counter-terrorism

The book examines the dynamic of West European terrorism and counter-terrorism as it has evolved since the late 1960s. It assesses past, present and future terrorist trends and analyzes the internal security policies that have been initiated by the member states of the European Union (EU), both singularly and collectively, to combat terrorism in Western Europe. Throughout the book the theme of liberal democratic legitimacy and accountability is stressed, something that is brought particularly to bear on the latest EU internal security provision - the Maastricht Third Pillar. Police and security forces throughout the EU have strongly endorsed the third pillar as providing an efficient response to serious criminality in the region. However, from a liberal democratic point of view, the Maastricht provisions raise critical questions concerning the underlying ideological rationale that appears to be guiding the EU's evolving internal security cooperation, the lack of critical public debate surrounding this coordination and the absence of any effective means to more closely control EU judicial and law enforcement action.

Counter-Terrorism

Government responses to terrorism can conflict with the protection of human rights and the rule of law. By comprehensively looking at all aspects of counter-terrorism measures from a comparative perspective, this book identifies best practices and makes clear recommendations for the future.

EU Law in Populist Times

A state-of-the-art analysis of the contentious areas of EU law that have been put in the spotlight by populism.

Prevent strategy

The Prevent strategy, launched in 2007 seeks to stop people becoming terrorists or supporting terrorism both in the UK and overseas. It is the preventative strand of the government's counter-terrorism strategy, CONTEST. Over the past few years Prevent has not been fully effective and it needs to change. This review evaluates work to date and sets out how Prevent will be implemented in the future. Specifically Prevent will aim to: respond to the ideological challenge of terrorism and the threat we face from those who promote it; prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support; and work with sectors and institutions where there are risks of radicalization which need to be addressed

Comparative Counter-Terrorism Law

This book provides a systematic overview of counter-terrorism laws in twenty-two jurisdictions representing the Americas, Asia, Africa, Europe, and Australia.

EU Law Enforcement

The existence of a structured enforcement system is an inherent feature of national legal orders and one of the core elements of State sovereignty. The very limited power to issue sanctions has often been deemed a gap in the EC legal order. Over the years, the situation has progressively changed. The Union's institutional setting is growing in complexity and a variety of agencies has been or is expected

to be endowed with law enforcement responsibilities. In addition, the so-called competence creep has led the EU to play an increasingly prominent role in several areas of EU law enforcement, including the issuing of sanctions. This book examines these developments, focusing on both the general features of the EU legal order and the analysis of key-substantive areas, such as banking and monetary union, environmental law, and data protection. The work thus presents a general framework for understanding EU sanctioning based on structural features and general legal principles. Part I develops an analytical framework, tracking the most significant evolutive patterns of EU sanctioning powers. Part II adopts a more practical approach focusing on specific issues and policy areas. The book bridges a gap in existing literature and sheds new light on the relationship between the exercise of *jus puniendi* and the evolution of EU integration.

The Evolution of Information-sharing in EU Counter-terrorism

Through a pioneering analysis of two critical junctures in EU counter-terrorism brought about by significant terrorist attacks, this topical book examines the drivers, conditions and impediments for policy integration and information-exchange institutionalisation in EU counter-terrorism.

The Law Relating to Financial Crime in the United Kingdom

Outlining the different types of financial crime and their impact, this book is a user-friendly, up-to-date guide to the regulatory processes, systems and legislation which exist in the UK. Each chapter has a similar structure and covers individual financial crimes including money laundering, terrorist financing, fraud, insider dealing, market abuse, bribery and corruption and finally tax avoidance and evasion. Offences are summarized and their extent is evaluated using national and international documents. Detailed assessments of financial institutions and regulatory bodies are made and the achievements of these institutions are analysed. Sentencing and policy options for different financial crimes are included and suggestions are made as to how criminal proceeds might be recovered. This second edition has been fully updated and includes a section on cybercrime and a new chapter on tax evasion. Case summaries have also been included in those chapters where a criminal justice route is used by the prosecuting authorities.

Counter-Terrorism Networks in the European Union

Counter-Terrorism Networks in the European Union: Maintaining Democratic Legitimacy after 9/11 presents a model of democratic legitimacy for within international counter-terrorism co-operation. Exploring the current practices of European Union (EU) counter-terrorism policing, developed after 9/11, it highlights the current significant challenges to democratic legitimacy and seeks to present tools and solutions which ensure 'democratic' counter-terrorism actions and the protection of human rights. Counter-terrorism policing is now a global concern, with co-operation between security authorities of different countries a crucial feature in the fight to prevent terrorism and extremism. Yet, given the emphasis on pre-emption, this type of policing tends to interfere to a far greater extent with the rights of the individual than traditional policing. This book scrutinises the current focus of enhanced communication between counter-terrorist associates at member-state and EU levels within Europe, alongside analysis of just how far the traditional, protective mechanisms of accountability and oversight are managing to keep up with this development. It proposes that current forms of counter-terrorism policing within the EU should be understood as networks - sets of expert institutional nodes or individual agents, from at least two countries - that are interconnected in order to authorize and provide security with regard to counter-terrorism, using the European Police Office (Europol) as a key example.

The Financial War on Terrorism

On September 11, 2001, 19 terrorists committed the largest and deadliest terrorist attack in the United States of America. The response from the inter-national community, and in particular the US, was swift. President George Bush declared what has commonly been referred to as either the 'War on Terror' or the 'Global War on Terror' on September 20, 2001. Four days later, he instigated the 'Financial War on Terrorism'. This book defines and identifies the so-called 'Financial War on Terrorism'. It provides a critical review of the impact of counter-terrorist financing strategies enacted by both individual jurisdictions and international organisations. Taking a comparative approach, the book highlights the levels of compliance in each selected jurisdiction and organisation with the requirements of the 'Financial War on Terrorism'. The book analyses measures introduced by the United Nations, including the UN sanctions against terrorists and the operation of its anti-terrorist sanctions committees,

and the Recommendations of the Financial Action Task Force. It also reviews the counter-terrorist financing measures of the European Union and the Council of Europe, paying particular attention to the Framework Decisions on Combating Terrorism, the Council Common Positions on Combating Terrorism and the EU Anti-Terrorism Sanctions Regime. The book goes on to review the measures put in place in the US following September 11, 2001. Offering a much-needed legal analysis of the measures enacted under the 'Financial War on Terrorism', this book is a valuable resource for those researching in law, terrorism studies, criminal justice, and finance.

EU Counterterrorism Policy

Although there is a vast body of literature covering the ongoing debates concerning the novelty and gravity of the contemporary terrorist threat, as well as the most appropriate response to it, few authors have thus far analysed the complex set of counterterrorism measures that both the individual Member States and the European Union (EU) have attempted to develop. This volume offers a critical analysis of the measures the European Union has taken to combat terrorism and how, in a number of key areas, EU counterterrorism policy is more of a paper tiger than an effective counterterrorism device. Several legal EU counterterrorism instruments have not been properly implemented at the national level and questions have been raised regarding their effectiveness, appropriateness, and proportionality. The capabilities of EU agencies in the area of counterterrorism remain rather weak and the EU Counterterrorism Coordinator does not have any real powers apart from persuasion. However, this does not mean that EU level action cannot offer any value-added in the fight against terrorism. There are several areas where the EU can provide genuine value-added in the fight against terrorism due to the transnational nature of the contemporary terrorist threat and the nature of a "borderless" Europe.

European Perspectives on Environmental Law and Governance

This book provides a range of perspectives on some of the most pressing contemporary challenges in EU environmental law and governance from some of today's leading European environmental academics and practitioners. The book maintains a focus on three key cross-cutting issues, each of which is carefully analysed through the lens of governance. The first theme to be addressed is that of climate change and the problems it poses for EU governance. The second issue explored concerns the challenge of integrating environmental considerations into other policy areas, as is required by the Treaty on the Functioning of the European Union and the EU's Charter of Fundamental Rights. Finally, the third theme centres on the important challenge of improving environmental enforcement within the EU, and considers issues such as the Aarhus Convention and the evolution of the Commission's work on implementation and enforcement throughout the past twenty years. Each of these three themes is situated within the broader ongoing debate about the changing nature of European environmental governance post-Lisbon and the ways in which developments in this area fits within broader trends in European governance theory and policy generally. *European Perspectives on Environmental Law and Governance* contains contributions from experts in the field including; Mary Robinson, Alan Boyle, Ludwig Kramer and Liam Cashman, and will be of interest to academics, students and practitioners of EU environmental law.

The Legal Order of the European Union

The objective of European integration serves as an ideal of the legal order of the European Union and invites reconsideration of law's conceptual features. This book critically assesses the legal order of the European Union, focusing on the operative aspects of the Union constitution with particular reference to the institutional practices of the Court of Justice in expressing the values underlying this constitution. Drawing together positivist and non-positivist accounts within an institutional understanding of law, Timothy Moorhead breaks new ground in applying a range of analytic jurisprudential perspectives to the Union legal order, and in employing the theoretical resources provided by the Union to model a revised conceptual viewpoint concerning legal order generally. In offering this conceptual approach, Moorhead emphasises the flexibility inherent in law's institutional character as the basis for a theoretical rationalisation of the Union legal order. This book will be of great use and interest to scholars and students of European Union Law, Jurisprudence and European Constitutionalism.

Steiner & Woods EU Law

Now in its 12th edition, this leading textbook provides a thorough account of the institutions that govern the EU along with the most important areas of substantive law. The book focuses on giving a clear explanation of the law, as well as highlighting areas for further debate.

Towards a System of European Criminal Justice

With the developing landscape of a European criminal justice sphere comes an increasing imperative for scholars and practitioners to gain some insight into the diversity that exists in the criminal justice systems of European Union Member States. This book explores the mutual admissibility of evidence; a facet of EU criminal justice that is proving difficult to realise. While the Lisbon Treaty places the issue of mutual admissibility of evidence squarely on the agenda, the EU instruments to date have not succeeded in achieving this goal. Andrea Ryan argues that part of the reason for this failure is that while the mutual recognition instruments have focussed on the issue of gathering evidence and safeguarding suspects' rights, they have not addressed how evidence is to be presented and contested at trial. Drawing upon case studies from Ireland, France and Italy, and adopting a legal cultural perspective, and enriched by the author's observations of criminal trials, the book presents a detailed analysis of the developments to date in EU criminal justice and evidence law. By examining evidence practices the book asks whether the inquisitorial and accusatorial traditions within the EU systems are too irreconcilable to achieve a system of mutual admissibility of evidence. The book will be of great interest and use to academics and practitioners with an interest in European and comparative criminal justice, criminal procedure, human rights and socio-legal studies.

Steiner and Woods EU Law

Trusted by students and lecturers for over thirty years, Steiner & Woods EU Law is the most comprehensive black letter guide to the subject, leading the reader through the subject in a straightforward way. The book includes a well-balanced range of topics for students taking an EU law course at any level. Offering a careful blend of institutional and substantive coverage, it focuses on explaining the law clearly for student readers. Case detail is clearly sign-posted throughout the text, with key cases highlighted and discussed in feature boxes, ensuring students are up to speed with the most important case law in the area. End of chapter reading suggestions, along with a detailed bibliography, provide a helpful starting point for essay preparation and independent research. Digital formats and resources: This edition is available for students and institutions to purchase in a variety of formats, and is supported by online resources. - 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 - The text is also supported by online resources including self-test questions and answers, and downloadable diagrams from the text. Visit the EU Law Analysis blog page and Steve Peers' Twitter page for additional insight into EU law.

The Legitimacy of The European Union through Legal Rationality

Third country nationals (TCNs) play an important part in the economy of the European Union, reflected in the rights granted to them under European Union Law. Political expediency is however shaped by world, regional and domestic influences that in turn determine policy towards third country nationals and their legal rights to freedom of movement. This book examines the concept of political legitimacy within the European Union through the principles of legal rationality, focusing in particular on the European Union's policy towards third country nationals. Richard Ball argues that for legal doctrine to be rational it must display the requirements of formal, instrumental and substantive rationality, each mutually exclusive and essential. In taking this position of legal rationality, the book focuses on free movement rights of TCNs within EU treaties and implementing legislation, the Area of Freedom Security and Justice, and Association Agreements. Ball concludes that the stance of European Union Law towards third country nationals lacks legitimacy, and suggests possible new directions that EU policy should take in the future.

The Greening of European Business under EU Law

The relationship between environmentally sustainable development and company and business law has emerged in recent years as a matter of major concern for many scholars, policy-makers, businesses and nongovernmental organisations. This book offers a conceptual analysis of the principles of sustainable development and environmental integration in the EU legal system. It particularly focuses on Article 11 of the Treaty on the Functioning of the European Union (TFEU), which states that

EU activities must integrate environmental protection requirements and emphasise the promotion of sustainable development. The book gives an overview of the role played by the environmental integration principle in EU law, both at the level of European legislation and at the level of Member State practice. Contributors to the volume identify and analyse the main legal issues related to the importance of Article 11 TFEU in various policy areas of EU law affecting European businesses, such as company law, insurance and state aid. In drawing together these strands the book sets out the requirements of environmental integration and examines its impact on the regulation of business in the EU. The book will be of great use and interest to students and researchers of business law, environment law, and EU law.

Legislative Approximation and Application of EU Law in the Eastern Neighbourhood of the European Union

This book explores the exportation and application of European Union legislation beyond EU borders. It clarifies the means and instruments of the voluntary application of the EU's norms by third countries and analyses in detail the process of legislative approximation between the EU and its East European neighbours. It also assesses the extent to which the EU is successful in promoting its legal standards abroad. The first part of the book addresses the EU's mechanisms and instruments promoting the export of its own laws and practices to other countries. Key issues include the post-Lisbon constitutional basis for the EU's engagement with its Eastern neighbours (Art. 8 TEU); the different methods of *acquis* export and the impact of a new generation of Association Agreements providing for the establishment of Deep and Comprehensive Free Trade Areas (DCFTAs) and, ultimately, a Neighbourhood Economic Community (NEC) between the EU and its Eastern partners. The second part of the book includes substantive country reports that analyse the process of legislative approximation and application of EU law in the Eastern Partnership countries and Russia, authored by leading academics from the countries concerned. While currently these countries are not working towards full EU membership, the EU encourages them to approximate and converge their legislation with the EU *acquis*. The book also offers a unique picture of current practice of the application of EU law by judiciaries in the countries of the Eastern Partnership and Russia. The book concludes with reflections on the multi-faceted character of legislative approximation and the challenges surrounding the application of EU law in the EU's Eastern neighbourhood. The conclusions reached are highly informative as to the effectiveness of present and future EU external regional policies aimed at the promotion of EU common values and EU legislation into the legal orders of third countries.

The Habitats Directive in its EU Environmental Law Context

This book analyses the Habitats Directive; one of the most prominent piece of EU environmental legislation of the past decades. Seen by some as the cornerstone of Europe's nature conservation policy, among other measures the Directive established the so-called "Natura 2000" ecological network, which covers more than 18% of the surface of the EU. However, despite the fact the Directive was adopted over twenty years ago only 17% of the protected habitats and species in Europe are being adequately protected while 10-60 % of animal species remain under threat. In light of the limited success and the contested nature of the Habitats Directive so far this book examines the successes and failures of the Habitats Directive from a legal and political angle. The book brings together international experts to consider the application, implementation and future of the Habitats Directive in order to assess whether the Habitats Directive is resilient enough to tackle biodiversity loss in the twenty-first century. Particular emphasis is put on the legal regime attached to the Natura 2000 network and its possible impact on land development and the relationship between the Habitats Directive and other topics including liability for ecological damage and transboundary nature conservation.

The New EU Counter-Terrorism Offences and the Complementary Mechanism of Controlling Terrorist Financing as Challenges for the Rule of Law

This study analyses the modern EU counter-terrorism trends, focusing on the new terrorist crimes of Directive (EU) 2017/541 and on preventive counter-terrorism measures aiming to deter terrorist financing. It concludes by noting a 'paradigm shift' between repression and prevention in the field of countering terrorism, while suggesting relevant proposals.

New Challenges for the EU Internal Security Strategy

In recent years, the EU and its member states have experienced a number of changes, as well as challenges, in the areas of politics, economics, security and law. As these areas are interconnected, changes and challenges to any of them have implications for the others, as well as implications for the populations and institutions of the EU or those coming into contact with its international power and influence. This edited collection focuses primarily on security and law, particularly the EU's internal security strategy. The EU's Internal Security Strategy, adopted by the Spanish presidency early in 2010, followed the Lisbon Treaty in 2009, building on previous developments within the EU in the Area of Freedom Security and Justice (AFSJ) policy. The focus of the EU Internal Security Strategy is to prevent and combat "serious and organised crime, terrorism and cybercrime, in strengthening the management of our external borders and in building resilience to natural and man-made disasters". The Internal Security strategy intersects and overlaps with the European Union's Counter-terrorism strategy, the Strategy for the External Dimension of JHA, and the EU's Security Strategy. The role of and interaction between these strategies, their supplementing documents, and their implications for crime, victims, the law, political relations, democracy and human rights, form the backdrop against which the chapters in this collection are written. Building on original research by its contributors, this collection comprises work by authors from a wide variety of academic and professional areas and perspectives, as well as different countries, on a variety of areas and issues related to or raised by the EU's Internal Security Strategy, from intelligence-led policing to human trafficking and port security. This book examines, from a wide variety of disciplinary perspectives including law, geography, politics and practice, both this further refinement of existing internal provisions on cross-border crime, and the increasing external relations of the EU in the AFSJ.

EU External Relations Law and the European Neighbourhood Policy

The European Neighbourhood Policy (ENP) is a recent example of an external EU policy drawn up explicitly with the objective of achieving coherence in the external policies of the EU and its Member States. Positioning the ENP in the legal-historical context of political union, this book explains why coherence has become a substantive issue in EU external relations, and why law is integral to attaining the ever-enigmatic single voice of the European Union. The text examines the role of EU external relations law in attaining a coherent neighbourhood policy and goes on to undertake an in depth analysis of the ENP, arguing that the innovative nature of the ENP in regard to coherence lies beyond the narrowly defined legal sphere, and stems primarily from its hybrid composition of hard legal, soft legal and non-legal policy instruments. Adopting an interdisciplinary approach by integrating elements of law, history and political science, EU External Relations Law and the European Neighbourhood Policy is unique in its approach to the subject. This book will be of particular interest to academics and students of EU Law, Political Science, History and International Relations as well as to practitioners engaged in the process of drafting coherent external policy.

Global Data Protection in the Field of Law Enforcement

This study examines a key aspect of regulatory policy in the field of data protection, namely the frameworks governing the sharing of data for law enforcement purposes, both within the EU and between the EU and the US and other third party countries. The work features a thorough analysis of the main data-sharing instruments that have been used by law enforcement agencies and the intelligence services in the EU and in the US between 2001 to 2015. The study also explores the challenges to data protection which the current frameworks create, and explores the possible responses to those challenges at both EU and global levels. In offering a full overview of the current EU data-sharing instruments and their data protection rules, this book will be of significant benefit to scholars and policymakers working in areas related to privacy, data protection, national security and EU external relations.

Local Government in Europe

This work considers the role of local government in 13 EU Member States (Austria, Belgium, Czech Republic, France, Germany, Greece, Hungary, Italy, Netherlands, Poland, Spain, Sweden and the United Kingdom). The book aims to provide an account of the system of local government in each of the countries studied along with a critical and contextual approach to the level of autonomy that local government enjoys. The approach is comparative, based on a questionnaire which all of the authors considered. There is then a detailed conclusion to the book which offers a detailed summary and comparative analysis of the responses in order to better consider the role of local authorities as the

'fourth level' of governance in the EU. The book aims to offer a detailed introduction to and account of each system of local government which may appeal to those seeking an overview of the area, but also a critical and contextual approach that will be of interest to those actively researching in the areas of local and regional government or EU-central-local government relations. The book contains details of reform in local government up to November 2012, including an analysis of the impact of austerity measures on local autonomy where these have become significant.

Kadi on Trial

The judgment of the European Court of Justice concerning the Kadi case has raised substantive and procedural issues that have caught the attention of scholars from many disciplines including EU law, constitutional law, international law and jurisprudence. This book offers a comprehensive view of the Kadi case, and explores specific issues that are anticipated to resonate beyond the immediate case from which they derive. The first part of the volume sets out an analysis of the new judgment of the Court, favouring a "contextual" reading of what is the latest link in a judicial chain. The following three parts offer interdisciplinary accounts of the decision of the European Court of Justice, including legal theory, constitutional law, and international law. The book closes with an epilogue by Ernst-Ulrich Petersmann, who studies the role of the Kadi case in the methodology of international law and its contribution to the concept of global justice. The book brings together legal scholars from a range of fields, and discusses pressing topics such as the European Union's objective of 'the strict observance and the development of international law', the EU as a site of global governance, constitutional pluralism and the protections of fundamental rights.

The Tangled Complexity of the EU Constitutional Process

Despite, or perhaps because of, the rejection of the EU Constitutional Treaty eventually leading to the adoption of the Lisbon Treaty, the debates concerning the European Union's constitutional framework continue. This book builds on the discourse in European Union constitutionalism in order to offer a novel analysis of the EU's constitutional developments. The book considers the constitutional trends of the process of EU integration before applying a transdisciplinary concept of complexity developed in the work of Edgar Morin to the EU. In doing this Giuseppe Martinico sets out a unique account of EU constitutionalism which argues that the EU legal order is a complex entity which shares some features with complex natural systems. The book then goes on to explore the methodological implications of such constitutional complexity for the study of EU law.

Comparative Counter-Terrorism Law

Terrorism law is as international as it is regionally distinct and as difficult to define as it is essential to address. Given recent pressures to harmonize terrorism laws from international organizations like the United Nations Security Council, the Financial Action Task Force, and the Council of Europe, this book presents readers with an up-to-date assessment of terrorism law across the globe. Covering twenty-two jurisdictions across six continents, the common framework used for each chapter facilitates national comparisons of a range of laws including relevant criminal, administrative, financial, secrecy, and military laws. Recognizing that similar laws may yield different outcomes when transplanted into new contexts, priority of place is given to examples of real-world application. Including a thematic introduction and conclusion, this book will help to establish comparative counter-terrorism law as an emerging discipline crossing the boundaries of domestic and international law.

Turkey's Accession to the European Union

Turkey's accession to the European Union is undoubtedly one of the Union's most contested potential enlargements. The narrative that dominates the debate surrounding this issue primarily relates to problems such as a lack of respect for fundamental human rights in Turkey, the Kurdish question and the continuing stalemate concerning northern Cyprus. This book looks at these issues, but also proposes that a review of Turkey's experience with the EU in its numerous incarnations suggests that these concerns may mask a deeper disquiet. Whilst there are several questions that Turkey must address, particularly in the area of human rights guarantees, the concerns which raise debates regarding Turkish membership are not issues that are unique to Turkey. Turkey's EU experience also raises fundamental questions about religion and the EU project that have greater implication than simply Turkish accession. Through the lens of the Turkish example, this book addresses these broader questions, such as the nature of European 'identity', Europe's Christian past, the limits of pluralism and the fundamental

question of religion in the European public sphere. This book will be of great interest to those engaged in research on European law and politics at undergraduate or postgraduate level. It is also aimed at academics with an interest in human rights and the European Union and with a regional interest in Turkey.