Maastricht University

Europees en Nationaal Constitutioneel Recht

Samenvatting onderwijsbijeenkomsten, literatuur en Hoorcolleges

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Didier Musso

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Handbook EVRM: Algemene beginselen Johan Vande Lanotte,2004 Soft Law in European Community Law Linda Senden,2004-09-30 This book offers the first systematic investigation of the phenomenon of soft law within the framework of the EC the first pillar of the EU and its use by the European Commission and Council of Ministers It focusses upon how soft law fits into the Community legal system and how it is used and in particular how it relates to Community legislation Differentiation of the Community instruments including the instruments of soft law is often thought to enhance the effectiveness legitimacy and transparency of the Community This book asks whether soft law indeed provides a satisfactory alternative to legislation from this perspective and if so in what cases and under what conditions Furthermore the author asks to what extent the use of soft law implies good governance and throws fresh light on this very heterogenous

phenomenon by looking at frequently used instruments in many different areas of Community law such as competition law state aid environment social policy etc in the process identifying their different characteristics aims functions and legal effects What emerges is that the conditions under which soft law is used may be problematic in relation to increasing the legitimacy effectiveness and transparency of Community action This is a work which will interest legal practitioners confronted with the use of soft law and the question of its possible legal effect in an increasing number of sectors and academics interested in the vexed question of how the increased use of soft law can be justified in a Community legal order built upon the rule of law It is also critical of developments taking place within the framework of the European Convention and the proposed European Constitution and goes beyond the immediate problems of soft law to touch upon issues such as competence legal protection division of powers between the EC and the Member States institutional balance lawmaking by the Community Courts the scope of Community legal principles and the influence of soft law on the progressive development of both Community and national law Annuaire européen. 42.1994(1996) Tsimaratos, P. Leuprecht, J. Schwietzke,1996-11-19 The European Yearbook promotes the scientific study of European organisations and the Organisation for Economic Co operation and Development Each volume contains a detailed survey of the history structure and yearly activities of each organisation and an up to date chart providing a clear overview of the member states of each organisation In addition a number of articles on topics of general interest are included in each volume A general index by subject and name and a cumulative index of all the articles which have appeared in the Yearbook are included in every volume and provide direct access to the Yearbook's subject matter Each volume contains a comprehensive bibliography covering the year's relevant publications. This is an indispensable work of reference for anyone dealing with the European institutions It is bilingual English and French **Constitutional Law in the Netherlands** Paul Bovend Eert, Constantijn Kortmann, 2018-01-30 Derived from the renowned multi volume International Encyclopaedia of Laws this very useful analysis of constitutional law in the Netherlands provides essential information on the country's sources of constitutional law its form of government and its administrative structure Lawyers who handle transnational matters will appreciate the clarifications of particular terminology and its application Throughout the book the treatment emphasizes the specific points at which constitutional law affects the interpretation of legal rules and procedure Thorough coverage by a local expert fully describes the political system the historical background the role of treaties legislation jurisprudence and administrative regulations The discussion of the form and structure of government outlines its legal status the jurisdiction and workings of the central state organs the subdivisions of the state its decentralized authorities and concepts of citizenship Special issues include the legal position of aliens foreign relations taxing and spending powers emergency laws the power of the military and the constitutional relationship between church and state Details are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance Its succinct yet scholarly

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