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Establishing the Supremacy of European Law The Making of an International Rule of Law in Europe KAREN J ALTER OXFORD UNIVERSITY PRESS
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The Supremacy of European Union Law: An ...

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The Revolutionary Doctrines of European Law and ...

938 EJIL 28 (2017), 935-957 2 The Fundamental Doctrines of European Law By far the most common approach to identifying the fundamental doctrines of the European legal order is to refer to the doctrines of 'direct effect' and 'supremacy'⁶ The doctrine of direct effect was first set out in the Van Gend en Loos judgment, on 5 February 1963, where the Court of Justice proclaimed that

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establishing the EEC, incorporated into Italian law by LawNo 1203 of 14 October 1957, and having regard to the allegation that Law 1643 No of 6 Decem ber 1962 and the presidential decrees issued in execution of that Law (No 1670 of 15 December 1962, No 36 of 4 February 1963, No 138 of 25 Febru ary 1963 and No 219 of 14 March 1963

The Changing Constitutional Role of the European ...

direct effect and supremacy In both, the Court approached the problem from a general perspective and gave a general answer The arguments were largely similar and referred to the special nature of the Treaty establishing the European Economic Community In Van Gend & Loos, the Court declared that:

TREATY ESTABLISHING A CONSTITUTION FOR ...

This publication contains the text of the Treaty establishing a Constitution for Europe signed in Rome on 29 October 2004 and published in the Official Journal of the European ...

Comparing Supremacy: Sovereign Immunity of ...

4 See generally KAREN J ALTER, ESTABLISHING THE SUPREMACY OF EUROPEAN LAW (2d ed 2001) 5 Case 106/77, Amministrazione delle Finanze dello Stato v Simmenthal SpA, 1978 ECR 629 6 For the sake of clarity, the terms "European Union" (EU), and "Europe" are used as synonyms

THE RIGHT TO LIBERTY AND SECURITY: A ...

European Scientific Journal April 2015 edition vol11, No11 ISSN: 1857 - 7881 (Print) e - ISSN 1857- 7431 170 THE RIGHT TO LIBERTY AND SECURITY: A PRECONDITION FOR ESTABLISHING AND GUARANTEEING THE HUMAN SECURITY Besim Kusari, PhD Candidate Tirana European ...

From Costa to Constitution: The Case Continues...

in Article I-10 thereby de jure establishing supremacy of Union law Seemingly, the Draft Constitution does not settle the question of limits of Union

competences and the issues of legislative and judicial Kompetenz-Kompetenz It is now up to the European leaders to address these questions during IGC

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The doctrine of supremacy in European Community law has evolved through the jurisprudence of the ECJ in a vast number of cases This paper aims to examine the evolution of the doctrine of supremacy by scrutinizing the most important cases In addition, it will examine how the EU Constitution addresses the question of supremacy of Community law

Supremacy and Direct Effect of European ...

t A review of Karen J Alter, *Establishing the Supremacy of European Law The Making of an International Rule of Law in Europe* (Oxford: Oxford University Press, 2001); references in brackets within the text are to page numbers