

ROUTLEDGE REVIVALS

A Legal and Political Interpretation of Articles 224 and 225 of the Treaty of Rome

**The Former Yugoslav Republic of
Macedonia Cases**

**Constantin Stefanou
Helen Xanthaki**



Book

Legal And Political Interpretation Of Articles 224 And 225

**Panos Koutrakos, Niamh Nic
Shuibhne, Phil Syrpis**



Legal And Political Interpretation Of Articles 224 And 225:

A Legal and Political Interpretation of Articles 224 and 225 of the Treaty of Rome Constantin Stefanou, Helen Xanthaki, 2019-01-15 First published in 1997 Article 224 is one of the most powerful Articles of the Treaty of Rome allowing a member state to take unilateral measures and to suspend some or all its Treaty based obligations in times of what can loosely be described as serious internal turmoil or external threat It is for this reason that the very next Article of the Treaty Article 225 allows the Commission or a member state to challenge invocation of Art 224 before the European Court of Justice ECJ on grounds of improper use In practice the use of Art 224 by a member state presents multiple problems The obvious connection with defence and security issues has inhibited the ECJ which still has not given an authentic interpretation of this Article As the recent former Yugoslav Republic of Macedonia FYROM cases Greek referral for the embargo on FYROM indicate unless the use of Art 224 is blatantly flippant the ECJ is not in a position to challenge a member state's unilateral measures **A**

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Trade, Foreign Policy and Defence in EU Constitutional Law Panos Koutrakos, 2001-03 This book examines how the increasing interdependence between trade and foreign policy can be managed within the legal framework of the European Union In the context of the legally distinct characteristics of the European Community and the Common Foreign and Security Policy it analyses the problems underpinning the regulation of three areas sanctions against third countries armaments and exports of dual use goods The focus is on whether the constitutional order of the European Union may address these problems while performing a variety of functions ensuring the consistency and coherence of its external relations preserving the *acquis communautaire* and respecting the right of the Member States to conduct their foreign policy as fully sovereign subjects of international law The book concludes that the interactions between trade and foreign policy may be regulated in a legally sensible and realistic way within the current structure of the European Union The recent developments regarding the defense and security identity of the European Union and the debate over the nature of an enlarged Union make this book all the more topical Reader's Guide to the Social Sciences Jonathan Michie, 2014-02-03 This 2 volume work includes

approximately 1 200 entries in A Z order critically reviewing the literature on specific topics from abortion to world systems theory In addition nine major entries cover each of the major disciplines political economy management and business human geography politics sociology law psychology organizational behavior and the history and development of the social sciences in a broader sense *Contents of Recent Economics Journals* , 1998-12-31 **The World Bank Legal Papers** Ibrahim F.I.

Shihata, 2021-11-15 **Greece in the European Union** , 2002 EU Criminal Law after Lisbon Valsamis

Mitsilegas, 2016-06-30 This monograph is the first comprehensive analysis of the impact of the entry into force of the Treaty of Lisbon on EU criminal law By focusing on key areas of criminal law and procedure the book assesses the extent to which the entry into force of the Lisbon Treaty has transformed European criminal justice and evaluates the impact of post Lisbon

legislation on national criminal justice systems The monograph examines the constitutionalisation of EU criminal law after Lisbon by focusing on the impact of institutional and constitutional developments in the field including the influence of the EU Charter of Fundamental Rights on EU criminal law The analysis covers aspects of criminal justice ranging from criminalisation to judicial co operation to prosecution to the enforcement of sanctions The book contains a detailed analysis and evaluation of the powers of the Union to harmonise substantive criminal law and the influence of European Union law on national substantive criminal law of the evolution of the Europeanisation of prosecution from horizontal co operation between national criminal justice to forms of vertical integration in the field of prosecution as embodied in the evolution of Eurojust and the establishment of a European Public Prosecutor s Office of the operation of the principle of mutual recognition by focusing in particular on the European Arrest Warrant System and its impact on the relationship between mutual trust and fundamental rights of EU legislation in the field on criminal procedure including legislation on the rights of the defendant and the victim of the relationship between EU criminal law and citizenship of the Union and of the evolution of an EU model of preventive justice as exemplified by the proliferation of measures on terrorist sanctions Throughout the book the questions of the UK participation in Europe s area of criminal justice and the feasibility of a Europe la carte in EU criminal law are examined The book concludes by highlighting the possibilities that the Lisbon Treaty opens for the development of a new paradigm of European criminal justice which places the individual and not the state and the protection of fundamental rights and not security at its core European Access ,1998 The Concept of Security in International Law Hitoshi

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Relations Law Graham Butler,Ramses A Wessel,2022-06-02 Marking the 50th anniversary of the influential ERTA doctrine this book analyses and contextualises the entire breadth of the jurisprudence of EU external relations law through a systematic case by case account of the field The entire framework of EU external relations law has been built from the ground up by the jurisprudence of the Court of Justice of the European Union At the beginning of the field s emergence the legal questions to be answered concerned the division of powers and competence between firstly the Member States and that of the Union and secondly the division of powers and competence between the different institutions of the Union Questions on such matters continue to be asked but more contemporarily new legal questions have arisen that have been in need of adjudication including questions concerning the autonomy of Union law the relationship between the Union and other international organisations the relationship between Union law and international law the scope and breadth of international agreements amongst others The book features established academic scholars judges agents of institutions and Member States and legal practitioners in the field of EU external relations law analysing over 90 cases in which the Court has legally shaped the theory and practice of the external dimension of legal Europe Cited in Opinion of Advocate General Nicholas

Emiliou in Case C 516 22 European Commission v United Kingdom of Great Britain and Northern Ireland ECLI EU C 2023 857 Judgment of the UK Supreme Court Court of Justice of the European Union 9 November 2023 *Exceptions from EU Free Movement Law* Panos Koutrakos, Niamh Nic Shuibhne, Phil Syrpis, 2016-12-15 This collection of essays brings together contributions from judges legal scholars and practitioners in order to provide a comprehensive assessment of the law and practice of exceptions from the principle of free movement It aims to conceptualise how justification arguments relating to exceptions to free movement operate in the case law of the Court of Justice of the European Union and national courts to develop a comprehensive and original account of empirical problems on the application of proportionality to explore the legal and policy issues which shape the interactions between the EU and national authorities including national courts in the context of the efforts made by Member States to protect national differences The book analyses economic social cultural political environmental and consumer protection justifications These are examined in the light of the rebalancing of the EU constitutional order introduced by the Lisbon Treaty and the implications of the financial crisis in the Union

International Bibliography of Book Reviews of Scholarly Literature Chiefly in the Fields of Arts and Humanities and the Social Sciences, 1999 **American Book Publishing Record**, 1997 **Balkan Forum**, 1997

European Union Law and Defence Integration Martin Trybus, 2005-10-05 This monograph examines the legal dimension of European defence integration from the Second World War to the Treaty Establishing a Constitution for Europe It covers the evolution of European defence and security law in its legal historical and political context The notion of defence law describes the entire field of rules created to regulate the defence of a nation or alliance The analysis leads from the earliest mutual defence treaties to the failure of the European Defence Community and the eventual separation of defence from the mainstream of European integration in the 1950s further to the re vitalisation of a European security policy in the Treaties of Maastricht Amsterdam and Nice In the context of this evolutionary process the book examines the function of Community Law as an instrument of European defence integration Community law affects the economic and social aspects of the defence within the limits of the security exemptions of the EC Treaty It has an impact on the composition of the armed forces the procurement of armaments or the regulation of the defence industries The book concludes with an analysis of the Common Security and Defence Policy of the Constitutional Treaty agreed by the European Council in 2004 The discussion shows that European defence integration is characterised by fragmentation in an area where coherence is particularly important First defence and security are addressed in several organisations the EU the Western European Union NATO the Organisation for Security and Cooperation in Europe and the Organisation for Joint Armaments Cooperation Second defence and security are addressed in both the supranational Community Pillar and the intergovernmental Second Pillar of the Treaty on European Union The new Constitutional Treaty aims to overcome the three Pillar structure of the Union Nevertheless it leaves the intergovernmental character of the security and defence policy intact and introduces flexible frameworks for its mutual

defence crisis management and armaments components However the Union needs a coherent defence policy to ensure her security and to speak with one voice on the international scene

Essays in European Law and Integration David O'Keeffe, Henry G. Schermers, 1982-01-01

A Political, Legal and Economic Overview Mauro Cappelletti, Monica Secombe, Joseph H. Weiler, 2013-08-26 No detailed description available for A Political Legal and Economic Overview

Economic Sanctions K. Alexander, 2009-04-28 Economic sanctions are increasingly important instruments of regulatory and foreign policy This book provides a detailed study of the post 9 11 financial sanctions programmes in the US and Europe examining the key regulatory and legal issues that confront businesses and related liability issues for third parties and individuals

Towards a European Society? Ronald Pohoryles, Saša Božić, 2018-10-08 In the aftermath of the Maastricht Treaty Europe saw tremendous integration but the last few years have seen a new power game between federalist and confederalist actors Although the Lisbon Treaty increased the power of the federalist inclined European Parliament the politics of the European Council are marked by a confederalist approach that re affirms the power of the individual member states As the European Council gains in strength it supports the idea that EU policies should act as a means to protect individual national interests rather than as a positive sum game to the benefit of all member states This national egoism as a political strategy is paralleled by the rise of nationalism in many member states as a result of which we are faced with an increase in social inequality due to unequal social rights and social exclusion of minorities an increase of social control disguised as security policy nostalgic cultural policies that emphasize the national cultural heritage and migration control that threatens the Schengen Agreement These developments pose a challenge for European social science scholars both theoretically and based on practical experience from their research activities International cooperation has improved theoretical and methodological knowledge in a major way and academic exchange and migration have led to innovation in science and research Since academic communities support further internationalization and Europeanization and are opposed to all types of barriers between the nation states there is a need to theoretically conceptually and empirically research the idea of a European society This book was originally published as a special issue of Innovation The European Journal of Social Science Research

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