

The General Principles of EU Law

The general principles of EU law remain one of the most complex areas of EU law. Their extrapolation and application by the Court of Justice raises profound questions about the values of the EU, the rights of individuals, the interaction between EU and national law, and the role of the judiciary in shaping EU law. Their study gives rise to a host of theoretical and intellectually engaging questions. They are also enormously important for the practice of law before the EU and the national courts as virtually no area of practice remains unaffected by their application. The third edition of this book covers, inter alia, the following: the definition, scope of application, and function of general principles in EU law; the principles of proportionality and subsidiarity; equal treatment, legal certainty, and the protection of legitimate expectations; fundamental rights; the rights of defence; the right to good administration; the principle of effectiveness; the liability of EU institutions; and State liability for breach of EU law. New elements of the third edition include the following: the impact of the Treaty of Lisbon; general principles and the EU values; the expansion of general principles in the fields of criminal law and private law; the horizontal application of general principles; the principle of judicial protection; abuse of right; ne bis in idem; more detailed analysis of the EU Charter of Fundamental Rights; and the relationship between the general principles of EU law, the EU Charter, and the European Convention for the Protection of Fundamental Rights. The new edition of this authoritative study from a well-recognized expert in the area will be an invaluable point of reference for academics and legal practitioners alike.

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