### **REDRESSING FUNDAMENTAL RIGHTS VIOLATIONS BY THE EU**

The EU prides itself on having created a legal system that puts the individual at its centre. Individuals benefit from a broad range of fundamental rights that protect them against EU power. However, to vindicate their rights against the EU, they have to make use of a remedies system as old as the EU itself. Unsurprisingly, with EU power growing and evolving, it also is increasingly difficult to challenge. This book critically examines the EU's remedies system from a fundamental rights perspective, focusing on the EU's activities outside the realm of lawmaking. It maps the existing mechanisms private parties can avail themselves of to enforce their fundamental rights against the EU and discovers their unused potential. In doing so, it offers an important synthesis of the state of play and directions for reform in areas where the EU falls short of its promise to provide a 'complete system of remedies'. This title is also available as Open Access on Cambridge Core.

Melanie Fink is Assistant Professor of European Law at Leiden University and APART-GSK Fellow of the Austrian Academy of Sciences at the Central European University. She researches and publishes in the areas of EU and public international law, with a focus on human rights and access to justice, the EU's role in border control, and accountability in the context of administrative cooperation, including through the use of artificial intelligence systems.

Downloaded from https://www.cambridge.org/core. IP address: 3.137.219.221, on 25 Dec 2024 at 19:32:10, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009373814

# Redressing Fundamental Rights Violations by the EU

## THE PROMISE OF THE 'COMPLETE SYSTEM OF REMEDIES'

Edited by MELANIE FINK

Leiden University and Central European University





Shaftesbury Road, Cambridge CB2 8EA, United Kingdom One Liberty Plaza, 20th Floor, New York, NY 10006, USA 477 Williamstown Road, Port Melbourne, VIC 3207, Australia 314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi – 110025, India 103 Penang Road, #05–06/07, Visioncrest Commercial, Singapore 238467

Cambridge University Press is part of Cambridge University Press & Assessment, a department of the University of Cambridge.

We share the University's mission to contribute to society through the pursuit of education, learning and research at the highest international levels of excellence.

#### www.cambridge.org

Information on this title: www.cambridge.org/9781009373807

### DOI: 10.1017/9781009373814

© Cambridge University Press & Assessment 2024

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, with the exception of the Creative Commons version the link for which is provided below, no reproduction of any part may take place without the written permission of Cambridge University Press & Assessment.

An online version of this work is published at doi.org/10.1017/9781009373814 under a Creative Commons Open Access license CC-BY-NC 4.0 which permits re-use, distribution and reproduction in any medium for non-commercial purposes providing appropriate credit to the original work is given and any changes made are indicated. To view a copy of this license visit https://creativecommons.org/licenses/by-nc/4.0

When citing this work, please include a reference to the DOI 10.1017/9781009373814

First published 2024

A catalogue record for this publication is available from the British Library

Library of Congress Cataloging-in-Publication Data

NAMES: Fink, Melanie, author.

TITLE: Redressing fundamental rights violations by the EU : the promise of the 'complete system of remedies' / edited by Melanie Fink.

DESCRIPTION: Cambridge, United Kingdom ; New York, NY : Cambridge University Press, 2024. | Includes bibliographical references and index.

IDENTIFIERS: LCCN 2024013532 (print) | LCCN 2024013533 (ebook) | ISBN 9781009373807 (hardback) | ISBN 9781009373821 (paperback) | ISBN 9781009373814 (epub)

SUBJECTS: LCSH: Civil rights–European Union countries. | Remedies (Law)–European Union countries. | Civil rights–European Union countries–Criminal provisions.

CLASSIFICATION: LCC KJE5132 .R43 2024 (print) | LCC KJE5132 (ebook) |

DDC 342.2408/5-dc23/eng/20240412

LC record available at https://lccn.loc.gov/2024013532

LC ebook record available at https://lccn.loc.gov/2024013533

ISBN 978-1-009-37380-7 Hardback

Cambridge University Press & Assessment has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

This Edited Volume is part of the project 'No Right Without a Remedy' (Dr Melanie Fink), funded by the Austrian Academy of Sciences under the APART-GSK grant scheme.