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PUBLIC SERVICES  
AND CITIZENSHIP  
IN EUROPEAN LAW

*Public and Labour Law Perspectives*

*Edited by*

MARK FREEDLAND  
AND SILVANA SCIARRA

# Public Services And Citizenship In European Law Public And Labour Law Perspectives

**Xiaolong Qi**



## **Public Services And Citizenship In European Law Public And Labour Law Perspectives:**

*Public Employment Services and European Law* Mark Freedland FBA, Paul Craig QC FBA, Catherine Jacqueson, Nicola Kountouris, 2007-09-27 How can the EU's community of welfare states adapt their public policies to economic globalization? What happens when the economic and social aims of the EU come into conflict? This book examines the developing legal regimes and regulation of public services in the UK and other European countries. Public services are examined through a case study of the complex area of public employment services. These are job placement and vocational training services which aim to maximize employment and minimize unemployment within EU member States. Active Labour Market policies. Employment services are at the centre of a complex web of rules in both hard and soft forms of law deriving from the EU national public law and from private and at times contractual agreements. They also lie at the crossroads of a series of trends in regulation and priorities have been inspired by an array of conflicting policy rationales. These policy rationales include the establishment of an open and competitive European internal market, the establishment of an efficient welfare state, the scaling down of state administrative machinery, the fulfilment of core public service responsibilities and the creation of public private partnerships. Public employment services provide a highly informative and novel case study of the interaction and conflict between the economic and social aims of the EU and between regulation at national and supranational levels and the changing forms which this regulation has taken. **Public Employment Services and European Law**, 2007-09-27

Employment services are at the centre of a complex web of rules deriving from the EU national public law and from private agreements. This book examines the law and regulation of public services through case studies of the public employment services in EU member states. *Public Services in EU Law* Wolf Sauter, 2014-11-27 In the EU public services, utilities and welfare services can be seen as both building blocks for the internal market and as a persistent irritant in the integration process. This book provides a comprehensive overview of the EU law on public services within the context of European integration. It brings together important analysis of the primary Treaty law mainly on the internal market and competition and of the secondary legislation at EU level including different sector specific regimes. Particular attention is given to case law of the EU courts. This will be essential reading for those looking to have a broader understanding of the subject.

**Public Services and Citizenship in European Law** Mark Robert Freedland, Silvana Sciarra, 2023 The operation of public services at both domestic and European levels is becoming a subject of considerable interest to researchers and policy makers alike. These papers offer an overview of the legal aspects surrounding this topic. **Public Services in EU Trade and Investment Agreements** Luigi F. Pedreschi, 2020-05-30 This book examines the impact of EU trade and investment agreements on public services, a topic that continues to be the subject of heated political debate. It surveys a broad range of EU agreements and provides a comprehensive up to date analysis of the rules and disciplines of such agreements that can affect the provision of public services. Going beyond the existing literature it asks whether the treatment of public services in

EU trade and investment agreements is coherent with the special status of public services in internal EU law specifically internal market law while also challenging the notion that trade and investment agreements automatically pose serious threats to public services The book will be of keen interest to legal scholars and students specialising in EU and or international economic law together with national and international policy makers Luigi F Pedreschi is affiliated to the European University Institute in Florence Italy and currently works as a Research Associate at the Robert Schuman Centre for Advanced Studies also located in Florence

### **Market Integration and Public Services in the European Union**

Marise Cremona, 2011-03-03 Offering an analysis of the most pressing issues relating to the interaction between market integration and the provision of public services in the EU this book addresses the underlying systemic issues confronting core tensions at the heart of the EU's social and economic policy

### Regulating Services in the European Union Vassilis

Hatzopoulos, 2012-04-12 This book offers the first overview of services regulation in the EU tracing its history from early sector specific interventions to the complex modern landscape of new governance techniques It sets the legal developments in their economic context and critiques the varied regulatory methods with which the EU has experimented

**The Collaborative Economy and EU Law** Vassilis Hatzopoulos, 2018-02-22 Disruptive innovation the fourth industrial revolution one of the ten ideas that will change the world the collaborative sharing economy is shaking existing norms It poses unprecedented challenges in terms of both material policies and governance in almost all aspects of EU law This book explores the application or indeed inadequacy of existing EU rules in the context of the collaborative economy It analyses the novelties introduced by the collaborative economy and discusses the specific regulatory needs and instruments employed therein most notably self regulation Further it aims to elucidate the legal status of the parties involved traders consumers prosumers in these multi sided economies and their respective roles in the provision of services especially with regard to liability issues Moreover it delves into a sector specific examination of the relevant EU rules especially on data protection competition consumer protection and labour law and comments on the uncertainties and lacunae produced therein It concludes with the acute question of whether fresh EU regulation would be necessary to avoid fragmentation or on the contrary if such regulation would create unnecessary burdens and stifle innovation Taking a broad perspective and pragmatic view the book provides a comprehensive overview of the collaborative economy in the context of the EU legal landscape

**Boundaries of State, Boundaries of Rights** Tsvi Kahana, Anat Scolnicov, 2016-10-20 This collection of essays draws together innovative scholars to examine the relationship between two legal and political phenomena the shrinking of the state as a monopoly of power in favour of the expansion of power over individuals in private hands and the change in the nature of rights The authors expertly discuss the implications of the changing boundaries of state power the legal responses to this development its application to human rights and reconceptualizations of public life as obligations are handed over to private hands This innovative book deals with an important set of problems and offers a fresh perspective of

different legal themes in an integrated fashion      *Economics: Concepts, Methodologies, Tools, and Applications*  
Management Association, Information Resources, 2015-06-30 Organizations governments and corporations are all concerned with distributing their goods and services to those who need them most consequently benefiting in the process Only by carefully considering the interrelated nature of social systems can organizations achieve the success they strive for  
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Gil-Garcia, J. Ramon, 2013-05-31 As governments around the world seek new and more effective methods of organizing their administrations electronic government plays an increasingly more important role in governmental success However due to hindrances in financial and communication resources these advantages are often overlooked E Government Success Factors and Measures Theories Concepts and Methodologies investigates successful e government initiatives in a modern technological environment exploring both benefits and challenges due to various technical organizational social and contextual factors The book provides academics and professionals with concepts theories and current research in the arena of e government enabling readers to develop a broader understanding of the measures inherent in successful e governments on a global scale This book is part of the Advances in Electronic Government Digital Divide and Regional Development series collection      **Building Better Partnerships** Commission on Public Private Partnerships, Institute for Public Policy Research (London, England),      **Legal Issues of the Amsterdam Treaty** David O'Keeffe, Patrick Twomey, 1999-12-31 This book offers insights into the institutional and substantive changes to the European Community and Union resulting from the Treaty of Amsterdam      *European Union Law* Damian Chalmers, 2006 Comprehensive student textbook covering all aspects of European Union law      **Convergence and Divergence in European Public Law** Paul Beaumont, Carole Lyons, Neil Walker, 2002-06-07 This book grew out of a symposium held in the University of Aberdeen in May 2000 It examines the extent to which the European Union has brought about and should bring about convergence of law in Europe in particular but not exclusively public law in Europe Rather than focusing narrowly on the Intergovernmental Conference process the book engages those who wish a detached and at times theoretical examination of the politics of institutional reform in the EU Michael Keating and Joanne Scott of the legal techniques for accommodating diversity within the Union and the process of treaty making or constitution building in the EU Deirdre Curtin Ige Dekker Bruno de Witte and Carole Lyons the cross fertilisation of administrative law concepts between the EU level and the national level Chris Himsworth Ton Heukels and Jamila Tib the need for and legitimacy of a European Union competence on human rights Gr inne de B rca Paul Beaumont and Niamh NicShuibhne and whether private law and public law differ in the extent to which they go to the heart of reflect

national culture and therefore in the extent to which they are amenable to convergence Carol Harlow Pierre Legrand and Neil Walker *Legal Challenges in EU Administrative Law* Herwig Hofmann, Alexander Türk, 2009-01-01 But European administrative law is a work under construction This book helps to explore the current state of affairs Thomas Gross Common Market Law Review Drs Hofmann and Türk made a name for themselves in the field of EU administrative law with their first collection of edited essays EU Administrative Governance Edward Elgar 2006 which was well reviewed and made an important contribution to the subject The focus of their new collection Legal Challenges in EU Administrative Law is accountability internal through structures and procedures and external through courts and auditors With its many useful contributions from well known experts it promises well Carol Harlow London School of Economics UK The move towards a system of integrated administration in the EU poses considerable legal challenges This book explores ways in which accountability legality legitimacy and efficiency can be ensured in the multiple forms of co operation of European and national administrations in the delivery of EU and EC policies Examining the procedures and structures of European administrative integration this innovative book will be a stimulating read for academics researchers and both undergraduate and postgraduate students in European law From the "Democratic Deficit" to a "Democratic Surplus" Athanasios Psygkas, 2017-10-17 Challenging the conventional narrative that the European Union suffers from a democratic deficit Athanasios Psygkas argues that EU mandates have enhanced the democratic accountability of national regulatory agencies This is because EU law has created entry points for stakeholder participation in the operation of national regulators these avenues for public participation were formerly either not open or not institutionalized to this degree By focusing on how the EU formally adopted procedural mandates to advance the substantive goal of creating an internal market in electronic communications Psygkas demonstrates that EU requirements have had significant implications for the nature of administrative governance in the member states Drawing on theoretical arguments in favor of decentralization traditionally applied to substantive policy making this book provides insight into regulatory processes to show how the decentralized EU structure may transform national regulatory authorities into individual loci of experimentation that might in turn develop innovative results It thus contributes to debates about federalism governance and public policy as well as about deliberative and participatory democracy in the United States and Europe This book informs current understandings of regulatory agency operations and institutional design by drawing on an original dataset of public consultations and interviews with agency officials industry and consumer group representatives in Paris Athens Brussels and London The on the ground original research provides a strong foundation for the directions the case law could take and small and larger scale institutional reforms that balance the goals of democracy accountability and efficiency **Law and Administration in Europe** Paul P. Craig, Richard Rawlings, 2003 The contributions to this volume address central issues in public law There are chapters dealing with the general theoretical foundations of public law including the relationship of theory and values and discussion

of the central idea of representation The nature of the public private divide continues to be of importance as a result of changes in the nature of government and as a consequence of the passage of the Human Rights Act 1998 HRA Closely related to this is the contractualisation of government The relationship between the courts Parliament and the executive has always been a central concern for public lawyers It has been brought to the fore by the passage of the HRA leading to discussions about the extent to which the courts should show deference to executive and legislative choices when engaging in judicial review This vexed issue is especially apparent when it comes to deciding how Parliament the executive and the courts should treat non citizens or those who might threaten the security of the state It is of course impossible to discuss public law without considering European Union law There is discussion of core issues relating to the legitimacy of the EU and its constitutional foundations The role of courts in the process of integration is analysed and the desirability of judicial review over rule making is considered The relationship between public and private modes of enforcing EU law is reviewed In addition there is a discussion of the way in which different levels of government inter relate viewed through the lens of devolution in the UK

EU Administrative Law Paul Craig, 2018-10-25 The third edition of EU Administrative Law provides comprehensive coverage of the administrative system in the EU and the principles of judicial review that apply in this area This revised edition provides important updates on each area covered including new case law institutional developments and EU legislation These changes are located within the framework of broader developments in the EU The chapters in the first half of the book deal with all the principal variants of the EU administrative regime Thus there are chapters dealing with the history and taxonomy of the EU administrative regime direct administration shared administration comitology agencies social partners and the open method of coordination The coverage throughout focuses on the legal regime that governs the particular form of administration and broader issues of accountability drawing on literature from political science as well as law The focus in the second part of the book shifts to judicial review There are detailed chapters covering all principles of judicial review and the discussion of the law throughout is analytical and contextual It begins with the principles that have informed the development of EU judicial review This is followed by a chapter dealing with the judicial system and the way in which reform could impact on the subject matter of the book There are then chapters dealing with competence access transparency process law fact and discretion rights equality legitimate expectations two chapters on proportionality the precautionary principle two chapters on remedies and the Ombudsman

**Law, Infrastructure and Human Rights** Michael B. Likosky, 2006-10-30 From attacks on oil infrastructure in post war reconstruction Iraq to the laying of gas pipelines in the Amazon Rainforest through indigenous community villages infrastructure projects are sites of intense human rights struggles Many state and non state actors have proposed solutions for handling human rights problems in the context of specific infrastructure projects Solutions have been admired for being lofty in principle however they have been judged wanting in practice This book analyzes how human rights are handled in varied contexts and then assesses the feasibility of a

common international institutional solution under the auspices of the United Nations to the alleged problem of the inability to translate human rights into practice

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