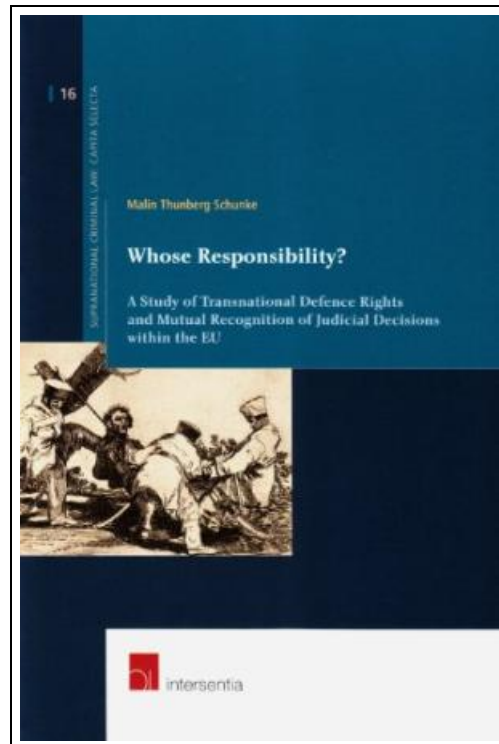


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WHOSE RESPONSIBILITY?: A STUDY OF TRANSNATIONAL DEFENCE RIGHTS AND MUTUAL RECOGNITION OF JUDICIAL DECISIONS WITHIN THE EU



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Intersentia Ltd. Paperback. Book Condition: new. BRAND NEW, Whose Responsibility?: A Study of Transnational Defence Rights and Mutual Recognition of Judicial Decisions within the EU, Malin Thunberg Schunke, The growing attention being paid to transnational criminality and the emergence of new models of state cooperation make it necessary to reconsider the traditional features of human rights enforcement. This book provides a comprehensive analysis of how criminal procedural rights are (if at all) protected within the framework of mutual recognition within the EU. The study concentrates on the Framework Decision on the European Arrest Warrant. The central issue of analysis is the national and extraterritorial responsibility for violations of fundamental rights which occur in the framework of such transnational procedures. Are there any provisions in international or national instruments, which aim at effectively preventing or remedying violations? Is there any functioning judicial control? The effect of national legislation and human rights bars to cooperation is discussed on the basis of a comparative study of the legislation and case-law in Sweden and the UK. Further, the roles of the European Courts for the protection of due process rights are analysed. The book focuses on the special features of mutual recognition in relation to state responsibility for an executing and issuing state. Especially the concept of mutual trust and the justifications for a system of division of labour between the States are critically discussed. Whose responsibility? provides the reader with new and interesting perspectives regarding the specific problems of being a defendant within the EU, and gives some new answers to the question of responsibility for transnational defence rights.



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