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Timely and engaging, this topical book examines how Brexit is intertwined with the concepts of justice and injustice. Legal scholars across a range of subjects and disciplines utilise a multitude of case studies from consumer law, asylum law, legal theory, public law and private law, in order to explore the impact of Brexit on our ideas of justice. The book as a whole aims to engage with the methodology, lexicon and explicitness of analytical perspectives in relation to Brexit. An original new textbook providing an up-to-date, critical perspective of how the EU works, and what issues it faces, in the post-crisis era. The European Sovereign Debt Crisis: Breaking the Vicious Circle between Sovereigns and Banks explains why the euro area’s progress towards reining in the risks arising from the well-documented bi-directional financial contagion transmission mechanism that links sovereigns to commercial banks has been more prominent compared to the channel of contagion moving from banks to sovereigns. Providing an analysis of

the legal and regulatory measures that Europe and the euro area have taken to mitigate the exposure of sovereigns to financial crises generated by commercial banks, this book draws attention to areas where improvements to the arsenal of tools hitherto introduced are either desirable or necessary. Chapters further explain – with recourse to economic and legal arguments – why the channel of contagion moving from sovereigns to commercial banks has proven harder to close, and explores ways in which progress could be made in the direction of closing it so as to avert the risk of future banking sector crises. This work provides essential reading for students, researchers and practitioners with an interest in sovereign debt crises and the euro-area banking system. The European Central Bank (ECB) was first introduced in the European legal order on the occasion of the Treaty of Maastricht (1992). An official EU institution which is governed by EU law, the ECB of modern times differs vastly from its inception in 1998, which manifests in three main ways: monetary policy options, consideration of concerns other than low inflation in its policy-making, and its role in the Banking Union. This edited collection offers a retrospective and prospective account of the ECB, charting its evolution in detail with chapters written by leading academics and practitioners. Part 1 examines the substantive changes to monetary policy introduced by the ECB as a consequence of the financial and sovereign debt crisis by considering their legal basis. Part 2 moves beyond monetary policy by shifting to the new roles that the ECB has been called upon to play, notably in banking supervision and resolution. Parts 3 and 4 deal with transformations to inter- and intra-institutional relations, and take stock of these transformations, reflecting on the nature of the ECB of current times and which direction it could be heading in the future. The authors analyse the most salient and controversial elements of the

ECB's crisis response, including unconventional monetary policy measures and the ECB's risk management strategy. Beyond monetary policy, the book further examines the role played by objectives such as financial stability and environmental sustainability, the ECB's relationship to the Lender of Last Resort function, as well as its new responsibilities in the Banking Union. Holländ., franz., dt., span. und ital. Zusammenfass. Since 2008, many countries across the globe have witnessed the introduction of new recovery and resolution regimes for banks. Whereas much may have been achieved on regional levels, this has not been perfect, and many global challenges remain unsolved. The Research Handbook on Cross-Border Bank Resolution analyses the strengths and weaknesses of the current regulatory framework for cross-border bank crises with contributions from eminent experts from the US, EU, Japan and China. The topic is addressed from both economic, and legal perspectives, with a special section devoted to real-life cases. Amid widespread awareness and discussion of “the democratic deficit” and “shrinking civil space,” the role of nongovernmental organizations (NGOs) becomes increasingly important. Yet the precise legal status of such bodies is ill-defined. Here, for the first time, is a thorough commentary and analysis of the position of NGOs and European civil society in the European Union (EU) constitutional system, bringing to the fore existing and desirable means of public participation in EU lawmaking. Recognizing that NGOs have historically been designed to meet the ends of civil society, the analysis focuses on the following topics and issues: means in EU law of advocating for the collective interests of civil society; unofficial means of influencing the EU institutions; access to documents and the European Citizens’ Initiative as means of exerting pressure on EU legislation; relations between the EU institutions and NGOs, including lobbying

activities; bringing actions in the common good before courts and other institutions; the special role of NGOs in environmental protection; complaints to the Commission and the European Ombudsman; EU funding for NGOs; and transboundary philanthropy. Drawing on a broad spectrum of sources of law, including CJEU case law and relevant legal literature, the book offers insightful proposals leading to the democratization of the EU's internal procedures that will allow enhanced cooperation of civil society representatives across national borders. In its thorough examination of legal tools that can respond to the "democratic deficit," this book makes a distinctive contribution to the public debate on the future of the European Union, especially in the context of emerging threats to further integration. It will prove of great value not only to civil activists, academics and policymakers but also to everyone interested in European integration and affordance for social participation. This book takes stock after a year of application of the SRM and examines the situation from various perspectives: the perspective of the SRB, the NRA, the supervised bank and judicial protection. Special attention is given to the division of power between the RB and the NRA and the impact on the supervised bank, the relationship and links between the SRM and the SSM and the query whether the right balance between national and supranational powers has been struck, also in view of the principle of subsidiarity. European constitutionalisation has met with scepticism - this book analyses the steps necessary to move to EU's 'Second Constitution'. The past few years have shown that risks in banking can impose significant costs on the economy. Many claim, however, that a safer banking system would require sacrificing lending and economic growth. The Bankers' New Clothes examines this claim and the narratives used by bankers, politicians, and regulators to rationalize the lack of reform,

exposing them as invalid. Anat Admati and Martin Hellwig argue that we can have a safer and healthier banking system without sacrificing any of its benefits, and at essentially no cost to society. They seek to engage the broader public in the debate by cutting through the jargon of banking, clearing the fog of confusion, and presenting the issues in simple and accessible terms. Presenting a sweeping analysis of the legal foundations, institutions, and substantive legal issues in EU monetary integration, The EU Law of Economic and Monetary Union serves as an authoritative reference on the legal framework of European economic and monetary union. The book opens by setting out the broader contexts for the European project - historical, economic, political, and regarding the international framework. It goes on to examine the constitutional architecture of EMU; the main institutions and their legal powers; the core legal provisions of monetary and economic union; and the relationship of EMU with EU financial market and banking regulation. The concluding section analyses the current EMU crisis and the main avenues of future reform. This technical note and manual (TNM) addresses the following issues: advantages and disadvantages of different types of depositor preference, international best practice and experience in adopting depositor preference, and introducing depositor preference in jurisdictions with or without deposit insurance. Crisis and Response: An FDIC History, 2008¿2013 reviews the experience of the FDIC during a period in which the agency was confronted with two interconnected and overlapping crises¿first, the financial crisis in 2008 and 2009, and second, a banking crisis that began in 2008 and continued until 2013. The history examines the FDIC¿s response, contributes to an understanding of what occurred, and shares lessons from the agency¿s experience. Recoge: 1. The Action for Annulment in the EC Treaty:

an Overview - 2. The Locus Standi of Non-privileged Applications to Challenge Measures in the Form of Decisions - 3. The Locus Standi of Non-privileged Applications to Challenge Measures in the Form of Regulations or of Directives - 4. Preliminary Rulings on Validity - 5. The Plea of Illegality - 6. The Action for Damages - 7. The Action for a Failure to Act. This is the first book to offer a profound, practical analysis of the framework for the judicial and pre-judicial protection of rights under the supranational banking supervision and resolution powers in the European Banking Union (EBU). It is also unique in its in-depth commentary on the developing case law from the European Court of Justice in this new field of EU litigation. Controlling EU Agencies launches the debate on how to build a comprehensive system of controls in light of the ongoing trends of agencification and Europeanisation of the executive in the EU. The creation of the European Banking Union and the transfer of supervisory and resolution powers from the Member States to the European level has drastically changed the institutional setting for banking supervision within the Eurozone. Against this backdrop, the book combines a collection of the legal instruments pertaining to the Banking Union with introductory chapters on the policy background and relevant institutional and substantive issues, including procedural matters and questions of legal redress. It thus offers a straightforward access to the relevant policy and substantive issues, which will be of help for practitioners, academics and students. Both editors have published on the relevant aspects before and combine the perspectives of different jurisdictions. The European Banking Union and the Role of Law offers a comprehensive and unique examination of the European Banking Union’s (EBU) impact on existing legal disciplines and assesses the role of law in shaping the EBU framework. This comprehensive Research

Handbook discusses how the EU has used its regulatory power to steer towards environmentally friendly behaviour, delving into the deep concerns related to the compliance with and enforcement of EU environmental law. It also highlights the important role of civil society's use of environmental procedural rights, and characterizes how the CJEU case law has contributed to the effective implementation of EU environmental legislation. Die Regulierung verschiedener Märkte hat in den letzten Jahren deutlich zugenommen. Obwohl das Fehlen geeigneter Vorschriften sehr gefährlich sein kann, ist es dennoch wichtig, eine Überregulierung zu vermeiden, um die wirtschaftliche Freiheit als Grundlage des sozioökonomischen Systems in der westlichen Welt nicht zu gefährden. Die vergleichende Untersuchung deckt das Wettbewerbsrecht sowie die sektoralen Vorschriften des Telekommunikations-, Energie- und Finanzmarktes ab und dient dem Ziel der Überprüfung gemeinsamer Grundsätze, anhand derer die Maßnahmen verschiedener Regulierungsbehörden bewertet werden können. Der zweite Schritt ist die Festlegung gemeinsamer Standards für die Bewertung der Eingriffe von Regulierungsbehörden in die wirtschaftliche Freiheit. Das Buch ist nicht nur für Praktiker des Privatsektors von Bedeutung, sondern auch für Regulierungsbehörden der EU-Mitgliedstaaten sowie für nationale und EU-Gesetzgeber und berücksichtigt bereits die verstärkte Regulierung in der Corona-Krise. Mit Beiträgen von Robert Grzeszczak, Dawid Sze?ci?o, Artur Szmigielski, Tomasz Klemt, Micha? Dorociak, Maciej Soko?owski, Michalina Szpyrka, Pawe? Wajda This book explores the sheer complexity of the SSM's institutional design adopting an comprehensive approach to banking supervision. At its core, this work examines the tangible mechanisms of prudential regulation or supervision both at the European and national levels, offering a

comparative analysis of ten national systems. Reflecting the results of an intensive, four-year research project that saw the collaboration of academics and practitioners, it addresses two interrelated issues. It investigates the efficacy of the shared national- and EU-level enforcement system the EU introduced in reaction to the financial and banking crisis.Secondly, it scrutinizes the role that criminal law can play in sanctioning the breaches to banking regulation. The work draws conclusions of the fourth conference in a series on the subject of "too big to fail", hosted by the Institute for Law and Finance at Goethe University, Frankfurt am Main on April 23, 2018. It presents the views of key European Union officials as well as senior executives from the financial sector on where Europe stands in this crucial area. Providing a unique analytical framework to capture a diverse, fragmented and highly evolving practice, the Research Handbook on Unilateral and Extraterritorial Sanctions is the key original reference work covering how sanctions have indisputably become central instruments of foreign policy. This discerning Research Handbook combines a series of case studies and cross-cutting analyses. It reflects the levers and evolution of international law and practice in the field, as well as covering important topics over multiple disciplines, particularly in international law and international relations. Featuring diverse contributions from a selection of esteemed scholars, the Research Handbook's chapters provide an unprecedented analysis of the evolution of diplomatic, legal and business practices and tackle topical legal issues arising from unilateral and extraterritorial sanctions. Offering a unique panorama of contemporary practice, this 360-degree study will be of interest to legal academics and their students as well as practitioners in both the public and private sectors. The Palgrave Handbook of Criminal and Terrorism Financing Law focuses on

how criminal and terrorist assets pose significant and unrelenting threats to the integrity, security, and stability of contemporary societies. In response to the funds generated by or for organised crime and transnational terrorism, strategies have been elaborated at national, regional, and international levels for laws, organisations and procedures, and economic systems. Reflecting on these strands, this handbook brings together leading experts from different jurisdictions across Europe, America, Asia, and Africa and from different disciplines, including law, criminology, political science, international studies, and business. The authors examine the institutional and legal responses, set within the context of both policy and practice, with a view to critiquing these actions on the grounds of effective delivery and compliance with legality and rights. In addition, the book draws upon the experiences of the many senior practitioners and policy-makers who participated in the research project which was funded by a major Arts and Humanities Research Council grant. This comprehensive collection is a must-read for academics and practitioners alike with an interest in money laundering, terrorism financing, security, and international relations. This timely book offers a comprehensive study of the mechanism that gives effect to foreign bank resolution actions. In particular, it focuses on how the legal framework for the recognition of foreign bank resolution actions should be structured and proposes detailed legal principles on which effective frameworks should be based. A definitive reassessment of the constitutional, economic, institutional and judicial dimensions of the EU internal market, including Brexit. Written by experts, this innovative textbook offers students a relevant, case-focused account of EU law. Under the experienced editorship of Catherine Barnard and Steve Peers, the text draws together a range of perspectives on EU law designed to introduce students

to the key debates and case law which shape this vast subject. This book concerns an insufficiently recognized form of organized crime : crime-enterprises operating on the legitimate market under the veil of respectable companies. The volume concentrates on the situation in the European Union. “..this most thorough commentary must be regarded as the Bible on the Charter” Peter Oliver, Common Market Law Review This second edition of the first commentary of the EU Charter of Fundamental Rights in English, written by experts from several EU Member States, provides an authoritative but succinct statement of how the Charter impacts upon EU, domestic and international law. Following the conventional article-by-article approach, each commentator offers an expert view of how each article is either already being interpreted in the courts, or is likely to be interpreted. Each commentary is referenced to the case law and is augmented with extensive references to further reading. This is a much-welcomed new edition of the authoritative guide to the Charter. In the aftermath of the last financial crisis, on both sides of the Atlantic banking supervisors were given new supervisory and enforcement powers, which are often of a substantially punitive-criminal nature. In Europe in particular, the establishment of the Single Supervisory Mechanism within the European Central Bank substantially increased centralised investigatory and sanctioning powers. This major innovation, together with the development of forms of real-time monitoring of banking (often digital) records, challenges traditional banking criminal investigations in their national-based and analogue dimension.The book offers a comprehensive account and perspective analysis of the interactions between the criminal and administrative nature of such new powers, highlighting their “punitive” overall nature and their impact on fundamental rights. Covering both the US and the EU regulatory

frameworks, it presents unprecedented, trans-systemic research between criminal law and procedure, and between regulatory and administrative law, at the international, European and national level.The book also includes a rich and detailed selection of case law from the US and the European supreme courts, with a specific focus on CJEU and ECtHR decisions. The various national European legal systems offer a broad range of responses to the question of what can be regarded as wrongful behaviour or fault. The present work systematically examines these two important prerequisites for tortious liability under the combined heading of ‘misconduct’. Unlike current textbooks, national casebooks and monographs, it builds on the experiences gathered in the national legal systems over the past decades and thereby fills a major gap which still exists today. It thus does what the previous volumes in the ‘Digest of European Tort Law’ series did for other key elements of tort law, namely natural causation and damage. Once again, the publication contains a selection of the most important cases from 28 states across Europe as well as cases handed down by European Union courts; it also highlights cases from earlier periods of legal history. For each case, the facts and the relevant court decision are presented and these are then accompanied by an analytical commentary. In addition, the editors provide comparative analyses of the cases reported and a special report is dedicated to how key decisions would be resolved under model European rules on tort law. The editors believe that the material gathered here may provide guidance for an organic convergence of the national legal systems in Europe. It constitutes the basis of an acquis commun that is infinitely richer (though also much more complex) than the rather bland and abstract concepts contained in national codifications, European legislation and modern model rules. Non-trial resolutions, often referred to as

settlements, have been the predominant means of enforcing foreign bribery and other related offences since the entry into force of the OECD Anti-Bribery Convention 20 years ago. The last decade has seen a steady increase in the use of coordinated multi-jurisdictional non-trial resolutions, which have, to date, permitted the highest global amount of combined financial penalties in foreign bribery cases. This study is the first cross-country examination of the different types of resolutions that can be used to resolve foreign bribery cases. The European Union (EU) is a continuously evolving entity. Starting with six member states in the late 1950s, the EU currently encompasses fifteen states of Western Europe. It is expected to almost double in size in the near future, however, taking in a number of states located in Central and Eastern Europe, in addition to Cyprus and Malta. This dramatic increase has lead to an intensive debate on how the institutions of the EU should be adapted in order to cope with this growth. This book addresses the challenges that EU enlargement and institutional change imply for various policy fields, such as EU trade policy, agriculture and monetary policy in the framework of European economic and monetary union. It will be of interest to economists and political scientists seeking an up-to-date overview of institutional challenges facing the European Union "The book starts with an examination of fundamental terms and processes before going on to look at the international framework of legal and regulatory standards which has been developed over several decades and the necessary activities and organisation of an AML CFT Compliance function and its positioning within the wider framework of the organisation. The book then gives a detailed play-by-play of how to design and implement a risk-based Customer Due Diligence and Know Your Customer programme and goes on to look at Reputational Risk, Suspicion Recognition and

International Cooperation. The book concludes with two case studies which can be used for in-house staff training, covering key issues such as political exposure and corruption risk in clients and customers, complex ownership structures, hidden beneficial ownership and methods of circumventing international risk-based controls"-- This paper updates the IMF's work on general principles, strategies, and techniques from an operational perspective in preparing for and managing systemic banking crises in light of the experiences and challenges faced during and since the global financial crisis. It summarizes IMF advice concerning these areas from staff of the IMF Monetary and Capital Markets Department (MCM), drawing on Executive Board Papers, IMF staff publications, and country documents (including program documents and technical assistance reports). Unless stated otherwise, the guidance is generally applicable across the IMF membership. This volume systematically details both the basic principles and new developments in Data Envelopment Analysis (DEA), offering a solid understanding of the methodology, its uses, and its potential. New material in this edition includes coverage of recent developments that have greatly extended the power and scope of DEA and have lead to new directions for research and DEA uses. Each chapter accompanies its developments with simple numerical examples and discussions of actual applications. The first nine chapters cover the basic principles of DEA, while the final seven chapters provide a more advanced treatment. The Court of Justice has been alluding to 'abuse and abusive practices' for more than thirty years, but for a long time the significance of these references has been unclear. Few lawyers examined the case law, and those who did doubted whether it had led to the development of a legal principle. Within the last few years there has been a radical change of attitude, largely due to the

development by the Court of an abuse test and its application within the field of taxation. In this book, academics and practitioners from all over Europe discuss the development of the Court's approach to abuse of law across the whole spectrum of European Union law, analysing the case-law from the 1970s to the present day and exploring the consequences of the introduction of the newly designated 'principle of prohibition of abuse of law' for the development of the laws of the EU and those of the Member States. The increase in the European Union's executive powers in the areas of economic and financial governance has thrown into sharp relief the challenges of EU law in constituting, framing, and constraining the decision-making processes and political choices that have hitherto supported European integration. The constitutional implications of crisis-induced transformations have been much debated but have largely overlooked the tension between law and discretion that the post-2010 reforms have brought to the fore. This book focuses on this tension and explores the ways in which legal norms may (or may not) constrain and structure the discretion of the EU executive. The developments in the EU's post-crisis financial and economic governance act as a reference point from which to analyze the normative problems pertaining to the law's relationship to the exercise of discretion. Structured in three parts, the book starts by analyzing the challenges to the maxim that the law both grounds and constrains EU executive and administrative discretion, setting out the concepts, problems and approaches to the relation between law and discretion both in general public law and in EU law. It progresses to analyze how these problems and approaches have unfolded in EU's financial, economic and monetary governance. Finally, it moves on from these specific developments to assess how existing legal principles and means of judicial review contribute to ensuring the

rationality and legality of EU's discretionary powers. This handbook analyses the European Banking Union legal framework focusing on legislative acts (regulations and directives), case law and the resolution procedures. In addition, it will pay attention to the division of responsibilities between the ECB and the national authorities, with special attention to the Single Supervisory Mechanism (SSM) and the Single Resolution Mechanism (SRM). To give a more complete picture, the book will also cover the implementation of European Deposit Insurance Scheme (so called third pillar) still under construction, and appeal to academics, researchers and students of banking and financial law.