CONTENTS

	CONTENTS	
IN	TRODUCTION	vii
TA	TABLE OF CASES	
TA	TABLE OF LEGISLATION	
	PART I	
	GENERAL PRINCIPLES OF THE RULE OF LAW	
1.	The General Principles and Resources of the Rule of Law and Its Protection Pavel Rychetský	3
2.	General Principles and Aspects of the Rule of Law and its Protection Pavel Svoboda	11
3.	Strengthening the Rule of Law in the European Union: a Vigilant Appreciation of Recent Development Petr Jäger	16
4.	Quo Vadis, Rechtsstaat? Alexander Bröstl	22
	PART II	
	CONSTITUTIONAL GUARANTEES AND SAFEGUARDS OF THE RULE OF LAW PRINCIPLE AT NATIONAL AND EUROPEAN LEVEL	
1.	Legislative Process and Principles of the Rule of Law Jan Wintr	33
2.	The Influence of the Constitutional Court on the Rules of Legislative Process in the Czech Republic Jan Kysela	46
3.	Rule of Law and/vs. the Totalitarian State in the European Legal Development Pavel Maršálek	61

4.	Rule of Law and Mechanisms of its Protection in the Czech Republic Ondřej Preuss	72
5.	Legislative and Other Measures of Protection against Discrimination Jana Reschová	86
6.	A New EU Framework to Strengthen the Rule of Law: A Few Considerations Jan Kudrna	94
7.	The Commission's New Framework or the Old Infringement Procedure under Article 258 TFEU: which are the Effective Means for Safeguarding the Rule of Law in the EU? Emil Ruffer	105
8.	Respect for Fundamental Rights in EU Legislation and the New EU Framework to Strengthen the Rule of Law Jan Grinc	120
9.	Impacts of the Application of the Charter of Fundamental Rights of the European Union on the Constitutional Law of Member States Petr Mlsna	129
10.	On the Consequences of the Annulment of EU Directives for their Incompatibility with the EU Charter of Fundamental Rights Richard Král	144
11.	Formation of Political Community through Judicial Fiat: an Example of EU Citizens' Voting Rights in the Czech Republic	151

PART III

PRIVATE LAW GUARANTEES AND PROCEDURAL SAFEGUARDS OF THE RULE OF LAW

1.	Private International Law as a Necessary Component of Private Law in a Modern Society	167
	Monika Pauknerová	
2.	EU Harmonisation of IPRs and Its Limitations	181
	Tomáš Dobřichovský, Adam Zahálka	
3.	Ownership of Land and Structure in the European Context	190
	Alena Srbová	
4.	Acquisitive Prescription under the New Civil Code	205
	Alexandr Thöndel	
5.	Compensation of Damage in the European Context	216
	Vit Lederer	
6.	Antitrust Damages from the EU Perspective	227
	Lucie Kuncová	
7.	Perspectives of the Judicial Protection of Rights in a State Governed	
	by the Rule of Law	246
	Miroslav Sedláček	
8.	Civil Procedure and the Rule of Law in the 21st Century	255
	Alena Macková	
9.	The Significance of Case Law in Forming a Democratic State Respecting the Rule of Law	264
	Pavel Kolesár	
10.	Consumer Disputes and Means of their Settlement in the Future	273
	Silvia Švehlová	

11.	Restatement of Law, Labour Law, and Legal Certainty	284
	Jakub Morávek	
12.	The Positive Impact of the Restrictive Role of the Public Sector Wage on Gender Equality	298
	Martin Štefko	
	PART IV	
	PUBLIC LAW SAFEGUARDS AND GUARANTEES OF THE RULE OF LAW	
1.	Concept of the Rule of Law in Tax Legal Regulation in the European Union and Its Member States	315
	Radim Boháč	
2.	The Right to Good Administration in a European Perspective Richard Pomahač	330
3.	European Public Prosecutor Tomáš Gřivna	341
4.	General Principles for Claiming Compensation for the Damage Arising out of the Exercise of Public Authority – the Perspective of EU and Czech law	352
	Lenka Pítrová	
5.	The Rule of Law and Social Protection of Individuals in Legally Recognized Social Situations Véra Štangová	367
	•	