

Contents

<i>List of contributors</i>	vii
<i>Acknowledgements</i>	ix
<i>List of abbreviations</i>	x
<i>Foreword: Dean Spielmann</i>	xii

PART I

Institutional relations between the EU, the ECHR and stakeholders

1 Introduction	3
KANSTANTSIN DZEHTSIAROU AND TOBIAS LOCK	
2 When elephants fight it is the grass that suffers: 'hegemonic struggle' in Europe and the side-effects for international law	9
VASSILIS P. TZEVELEKOS	
3 A reminiscence of Westphalia: inter-party cases after the EU's accession to the ECHR and the EU's potential as a human rights litigator	35
PAUL GRAGL	
4 Why the road from Luxembourg to Strasbourg leads through Venice: the Venice Commission as a link between the EU and the ECHR	55
LAURI BODE-KIRCHHOFF	
5 Three levels of dialogue in precedent formation at the CJEU and ECtHR	73
BILYANA PETKOVA	

PART II

**Protection of procedural and substantive rights in the EU
and the ECHR**

6	Introduction	95
	THEODORE KONSTADINIDES AND NOREEN O'MEARA	
7	The presumption of equivalent protection rebutted: the right to a fair trial in criminal proceedings in the ECHR and EU law	102
	ALEXANDROS-IOANNIS KARGOPOULOS	
8	The right to strike: a jurisprudential gulf between the CJEU and ECtHR	121
	AMY LUDLOW	
9	Labour law, the industrial constitution and the EU's accession to the ECHR: the constitutional nature of the market and the limits of rights-based approaches to labour law	137
	LUKE MASON	
10	The relationship between the CJEU and the ECtHR: the case of asylum	156
	FRANCESCA IPPOLITO AND SAMANTHA VELLUTI	
11	A tale of two cities: positive action as 'full equality' in Luxembourg and Strasbourg	188
	PANOS KAPOTAS	
12	Concluding remarks	215
	PAUL MAHONEY	
	<i>Index</i>	225