

Contents

<i>Notes on contributors</i>	ix
<i>Foreword</i>	xi
1 Introduction MATEJ AVBELJ, FILIPPO FONTANELLI AND GIUSEPPE MARTINICO	1
PART 1	
<i>Kadi II</i> of the European Union Court of Justice: An introduction	5
2 <i>Kadi</i> eu: connecting the dots – from Resolution 1267 to Judgment C-584/10 P: the coming of age of judicial review FILIPPO FONTANELLI	7
3 Playing Chinese whispers: the <i>Kadi II</i> decision of the General Court of the European Union ANTONELLA ANGELINI	22
4 Thou shalt only partly judge! Jurisdictional review in the opinion of the intervening states in <i>Kadi II</i> PAOLO BUSCO	33
PART 2	
The legal theory perspective	47
5 The case of Mr. <i>Kadi</i> and the modern concept of law MATEJ AVBELJ	49
6 <i>Kadi</i> in sight of autopoiesis JENNIFER HENDRY	63
7 The intractably unknowable nature of law: <i>Kadi</i> , Kafka, and the law's competing claims to authority LUKE MASON	77

PART 3

The public international law perspective

- 8 The *Kadi II* judgment of the Court of Justice of the European Union: implications for judicial review of UN Security Council resolutions 95
ARMAN SARVARIAN

- 9 *Kadi II*: backtracking from *Kadi I*? 108
NIKOS LAVRANOS AND MIHAIL VATSOV

- 10 The *Solange* argument as a justification for disobeying the Security Council in the *Kadi* judgments 121
ANTONIOS TZANAKOPOULOS

PART 4

The constitutional law perspective

- 11 Global counter-terrorism sanctions and European due process rules: the dialogue between the CJEU and the ECtHR 137
FEDERICO FABBRINI AND JORIS LARIK

- 12 The autonomy of EU law: a joint celebration of *Kadi II* and *Van Gend en Loos* 157
GIUSEPPE MARTINICO

- 13 Constitutional dimensions of administrative cooperation: potentials for reorientation in *Kadi II* 172
NELE YANG

- 14 Multilevel judicial protection of 'access to justice' and the EU's duty to contribute 'to the strict observance and development of international law' 187
ERNST-ULRICH PETERSMANN

Index 218