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Hoofdredacteur: Prof. mr. C.J. Forder.



Gelijke Behandeling Oordelen En Commentaar 2000

C.J. Forder



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EU Non-Discrimination Law in the Courts Jule Mulder, 2017-01-12 Since the year 2000 the material and personal scope of EU non discrimination law has been significantly broadened and has challenged national courts to introduce a comprehensive equality framework into their national law to correspond with the European standard The book provides a multi layered culturally informed comparison of juridical approaches to EU in direct sex and sexualities discrimination and its implementation in Germany and the Netherlands It examines how and why national courts apply national non discrimination law with a European origin differently although the legislation derives from the same set of EU law and the national courts have to respect the interpretive competence of the CJEU The book provides valuable insights into the national and European context which shape the dialogue and influences of the courts inter se the national application of EU law and the harmonisation process within the area of gender equality law and beyond A Dutch and German comparison is of special interest here because both countries approaches towards non discrimination law are quite different despite the similarities in the respective legal systems they are founding members of the EU they are neighbours they are civil law countries and their legal systems are relatively similar at least compared to Scandinavian and common law jurisdictions Therefore the different reception EU non discrimination law cannot simply be explained by obvious differences between the legal systems Their comparison thus provides an interesting case study to uncover legal and non legal cultural and historic factors which influence the application of EU non discrimination law in both countries The book is of interest for EU comparative and equality lawyers

Judicial Review in Equal Treatment Cases Janneke Gerards, 2005-05-01 In this study an assessment model is developed to guide courts in deciding equal treatment cases Such a model appears to be indispensable since relevant equality provisions often do not offer much guidance as to the assessment of unequal treatment This lack of guidance may lead to diverging approaches and outcomes which is undesirable from the perspective of equality and legal certainty The use of the assessment model developed in this study will improve judicial reasoning and enhance the legitimacy of equal treatment case law The general assessment model developed in this study is based on theoretical research after the standards that should be used in assessing cases against the principle of equal treatment supplemented by an elaborate comparative analysis of the equal treatment case law in various legal systems The result of this approach is the design of an assessment model that is both theoretically sound and workable in practice The Dutch edition of this book has been awarded with the Erasmus Study Prize 2003 the Max van der Stoep Human Rights Prize and the Constitutional Law Prize Emory International Law Review, 2005 **SMA**, 2008 *Boekblad*, 2000-10 **Brinkman's cumulatieve catalogus van boeken**, 2000 Voorts een alfabetische lijst van Nederlandsche boeken in België uitgegeven *Brinkman's catalogus van boeken en tijdschriften*, 2001 With 1901 1910 1956 1960 Repertorium is bound Brinkman's Titel catalogus van de gedurende 1901 1910 1956 1960 Title varies slightly **Gelijke behandeling: oordelen en commentaar 2005** S.D. Burri, Commissie

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