

|                         |                                                                                                                                                                                                                                                                                                                                                                                                    |
|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Record Nr.           | UNINA9910807001003321                                                                                                                                                                                                                                                                                                                                                                              |
| Titolo                  | The limits of transnational law : refugee law, policy harmonization and judicial dialogue in the European Union // edited by Guy S. Goodwin-Gill and Helene Lambert [[electronic resource]]                                                                                                                                                                                                        |
| Pubbl/distr/stampa      | Cambridge : , : Cambridge University Press, , 2010                                                                                                                                                                                                                                                                                                                                                 |
| ISBN                    | 1-107-20543-3<br>0-511-84720-3<br>1-282-63052-0<br>9786612630521<br>0-511-74890-6<br>0-511-74310-6<br>0-511-74965-1<br>0-511-74203-7<br>0-511-75040-4<br>0-511-74418-8                                                                                                                                                                                                                             |
| Descrizione fisica      | 1 online resource (xviii, 261 pages) : digital, PDF file(s)                                                                                                                                                                                                                                                                                                                                        |
| Disciplina              | 342.2408/3                                                                                                                                                                                                                                                                                                                                                                                         |
| Soggetti                | Law - European Union countries - International unification<br>International and municipal law - European Union countries<br>Conflict of laws - European Union countries<br>Asylum, Right of - European Union countries<br>Refugees - Legal status, laws, etc - European Union countries<br>Emigration and immigration law - European Union countries<br>Judicial review - European Union countries |
| Lingua di pubblicazione | Inglese                                                                                                                                                                                                                                                                                                                                                                                            |
| Formato                 | Materiale a stampa                                                                                                                                                                                                                                                                                                                                                                                 |
| Livello bibliografico   | Monografia                                                                                                                                                                                                                                                                                                                                                                                         |
| Note generali           | Title from publisher's bibliographic system (viewed on 05 Oct 2015).                                                                                                                                                                                                                                                                                                                               |
| Nota di bibliografia    | Includes bibliographical references (p. 242-254) and index.                                                                                                                                                                                                                                                                                                                                        |
| Nota di contenuto       | Transnational law, judges and refugees in the european union / Helene Lambert -- Where is the reference? On the limited role of transnational dialogue in Belgian refugee law / Jean-Yves Carlier and Dirk Vanheule -- Transnational refugee law in the French courts : deliberate or compelled change in judicial attitudes? / Helene Lambert and Janine                                          |

Silga -- The use of foreign asylum jurisprudence in the German administrative courts / Paul Tiedmann -- The solipsistic legal monologue of Italian authorities / Francesco Messineo -- 'Thou shalt not judge' ... Spanish judicial decision-making in asylum and the role of judges in interpreting the law / Maria-Teresa Gil-Bazo -- The British judiciary and the search for reciprocal relations with its continental partners / Helene Lambert, with the assistance of Raza Husain -- Speaking across borders : the limits and potential transnational dialogue on refugee law in Ireland / Siobhan Mullally-- The absence of foreign law in Danish asylum decisions : quasi-judicial monologue with domestic policy focus? / Jens Vedsted-Hansen -- Foreign law in Swedish judicial decision-making : playing a limited role in refugee law cases / Rebecca Stern -- The search for the one, true meaning ... / Guy S. Goodwin-Gill.

---

#### Sommario/riassunto

State authority and power have become diffused in an increasingly globalized world characterized by the freer trans-border movement of people, objects and ideas. As a result, some international law scholars believe that a new world order is emerging based on a complex web of transnational networks. Such a transnational legal order requires sufficient dialogue between national courts. This 2010 book explores the prospects for such an order in the context of refugee law in Europe, focusing on the use of foreign law in refugee cases. Judicial practice is critically analysed in nine EU member states, with case studies revealing a mix of rational and cultural factors that lead judges to rarely use each others' decisions within the EU. Conclusions are drawn for the prospects of a Common European Asylum System and for international refugee law.

---