1. Record Nr. UNINA9910812704003321 Autore Murphy Cian (Cian C.) Titolo EU counter-terrorism law: pre-emption and the rule of law / / Cian C. Murphy Oxford;; Portland, Oregon:,: Hart Publishing,, 2012 Pubbl/distr/stampa **ISBN** 1-84731-960-2 1-4725-6606-8 1-283-73956-9 1-84731-959-9 Edizione [1st ed.] Descrizione fisica 1 online resource (275 p.) Collana Modern studies in European law; ; v. 31 Disciplina 345.2402 Rule of law - European Union countries Soggetti Terrorism - Prevention - Law and legislation - European Union countries Terrorism - European Union countries - Prevention Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Description based upon print version of record. Nota di bibliografia Includes bibliographical references (pages [243]-254) and index. Nota di contenuto ; Introduction. September 11: counter-terrorism and the rule of law --European counter-terrorism action -- The EU rule of law --Criminalising "terrorism" in EU law -- Anti-money-laundering and counter-terrorist finance -- Targeted asset-freezing sanctions -- Data surveillance -- European warrants -- Rule of law and pre-emption reconsidered --; Epilogue. EU counter-terrorism in a post-"War on terror" world. EU Counter-Terrorism Law: Pre-emption and the Rule of Law is a Sommario/riassunto detailed study of EU action to combat terrorism since 11 September 2001 and the implications that action has had for the EU legal order. It critically examines EU counter-terrorism measures to ascertain how rule of law principles have been affected in the 'war on terror'. The book opens with a critical examination of the rule of law in the EU legal order. It then provides an overview of the "war on terror" before analysing five key facets of EU counter-terrorism: the common

European definition of terrorism along with related offences contained in the Framework Decision on Combating Terrorism; the EU's anti-

money laundering and counter-terrorist finance laws; UN and EU targeted asset-freezing sanctions; EU data retention measures such as the Data Retention Directive and the Passenger Name Records agreements; and the European Arrest Warrant and European Evidence Warrant. The book argues that EU counter-terrorism is weakening the rule of law and bypassing safeguards in favour of a system emphasising coercive control over individual autonomy. It concludes by examining the prospects for the future as the EU becomes a more powerful security actor following the Lisbon Treaty and the adoption of the Stockholm Programme. 'an impressively accurate and alarming analysis' Ms Sophia In 't Veld MEP and Vice-Chair of the European Parliament Committee on Civil Liberties, Justice and Home Affairs 2ND Prize winner of the Society of Legal Scholars Peter Birks Prize for Outstanding Legal Scholarship 2013