

# Contents

<i>List of Figures and Tables</i>	page ix
<i>List of Contributors</i>	xi
<i>Table of Cases</i>	xiii
<i>Table of Legislation</i>	xxxiii

<b>Introduction</b>	1
<i>Melanie Fink</i>	

## PART I REMEDIES BEFORE THE CJEU

<b>1 The Power of Procedure: Fundamental Rights in the Action for Annulment before EU Courts</b>	13
<i>Giulia Gentile</i>	
<b>2 The Action for Damages as a Fundamental Rights Remedy</b>	36
<i>Melanie Fink, Clara Rauchegger, and Joyce De Coninck</i>	
<b>3 Evidence as Enabler – or Filter – of Actions Brought by Private Parties Directly before the EU Courts</b>	64
<i>Ljupcho Grozdanovski</i>	
<b>4 Fundamental Rights Complaints in the Preliminary Reference Procedure</b>	98
<i>Lucía López Zurita</i>	

## PART II REMEDIES BEYOND THE CJEU

- 5 **Complementarity, Structure, and Ambivalence: Review Bodies' Role in Protecting Fundamental Rights** 123  
*Moritz Schramm*
- 6 **The Role of National Courts in Redressing Fundamental Rights Violations by the EU** 155  
*Andreas Hofmann*
- 7 **EU Accession to the ECHR: Completing the Complete System of EU Remedies?** 177  
*Jasper Krommendijk*

## PART III PUSHING THE BOUNDARIES

- 8 **Strategic Litigation** 209  
*Kris van der Pas*
- 9 **Finding a New (Old?) Way Forward: International Arbitration as a Supplementary Tool for Fundamental Rights Violations** 227  
*Veronika Yefremova*
- 10 **Online Dispute Resolution: A Viable Avenue for Redressing Fundamental Rights Violations?** 245  
*Maria José Schmidt-Kessen*

## PART IV TESTING THE REMEDIES SYSTEM

- 11 **EU Law Enforcement Authorities and Access to Justice** 271  
*Koen Bovend'Eerd, Argyro Karagianni, and Miroslava Scholten*
- 12 **Legal Protection against Fundamental Rights Breaches through Factual Conduct by the European Union** 311  
*Florin Coman-Kund*
- 13 **Composite Procedures, the Violation of Fundamental Rights, and the Availability of Sufficient Remedies in the Multi-level EU Judicial Architecture** 345  
*Mariolina Eliantonio*

<b>14</b>	<b>Soft Law and Challenges to Access to Justice</b>	<b>366</b>
	<i>Merijn Chamon</i>	
<b>15</b>	<b>The EU's Artificial Intelligence Laboratory and Fundamental Rights</b>	<b>391</b>
	<i>Simona Demková</i>	
	<b>Conclusion</b>	<b>422</b>
	<i>Melanie Fink</i>	
	<i>Bibliography</i>	<b>431</b>
	<i>Index</i>	<b>461</b>

