Different Levels of Protection of Human Rights

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Conflicts between European and National Judge regarding the Protection of Human Rights

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§ 5 Summary and concluding remarks

Excerpt from art. 6 of the Treaty on European Union

(1) The Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles that are common to the Member States.

(2) The Union shall respect fundamental rights as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms signed in Rome on 4 November 1950 and as they result from the constitutional traditions common to the Member States, as general principles of Community law.

Websites on the Charter of Fundamental Rights

I. Charter text and explanations by the Praesidium of the Body
   • www.europarl.eu.int/charter/default_en.htm (in all languages)

II. Websites of the Institutions
   1) The Body (Convent): http://ue.eu.int/df/default.asp?lang=en (almost all official documents)
   2) European Commission: http://europa.eu.int/comm/justice_home/unit/charte/index_en.html (informations about the legal and political background)
   3) European Parliament on the Charter: www.europarl.eu.int/charter/default_en.htm (informations about the legal and political background etc.)

III. Web articles
   2) MATTHIAS MAHLMANN: Die Grundrechtscharta der Europäischen Union (= ZEuS 2000, 419 et seq.), www.jura.uni-sb.de/projekte/Bibliothek/texte/Mahlmann.html

III. Opinions of Advocate Generals referring to the Charter
   • http://europa.eu.int/jurisp/cgi-bin/form.pl?lang=en

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