



# **EU Counter-Terrorist Policies and Fundamental Rights: The Case of Individual Sanctions (Oxford Studies in European Law)**

*Christina Eckes*

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Sanctions against private individuals have been widely used in the fight against terrorism, but not without significant controversy. This book examines the complex institutional and substantive issues arising from the European Union's practice of listing and sanctioning private individuals suspected of supporting terrorism. It provides a comprehensive analysis of the issues raised by individual sanctions adopted to give legal effect to United Nations lists and those drawn up by the EU itself.

The book demonstrates that individual sanctions endanger the protection of fundamental rights and the functioning of the European legal order. While the ECJ has in principle confirmed that all Community sanctions are subject to full judicial review irrespective of whether they give effect to UN lists or EU lists, in practice individuals do not have the necessary procedural rights at their disposal. Additionally, protection from listings of individuals as terrorist suspects in the second and third pillar remains very limited. This raises the possibility that national constitutional courts could challenge the supremacy of European law in reaction to this disregard of fundamental rights and foundational principles.

The book provides a comprehensive analysis of these complex legal issues, and situates them in their international context. The basis of the book is a critical review of the case-law of the CFI and the ECJ on individual sanctions. Conclusions are drawn how the EU Courts should provide fundamental rights protection and suggestions are made how the adoption procedure of individual sanctions could comply with general principles of EU law.

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