FRONTEX AND NON-REFOULEMENT

Since the Frontex Border Agency’s establishment in 2004, its activities have foregrounded the complexity and difficulty of protecting the human rights of those seeking access to the European Union (EU). In this connection, protection from refoulement should be paramount in the Agency’s work. By navigating through the intricacies of Frontex’s structure and working methods, this book answers abiding questions: which circumstances would trigger EU responsibility if violations were to occur in Frontex’s joint operations? What is the legal standing of the principle of non-refoulement in relation to Frontex’s activities? Can Frontex be entrusted with an exclusive search and rescue mandate? This book offers a theoretical and practical insight into the legislative intricacies of Frontex’s work, examining the responsibility of the EU and scrutinising the interaction of international law and EU law with a focus on the principle of non-refoulement.

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This series aims to produce original works which contain a critical analysis of the state of the law in particular areas of European law and set out different perspectives and suggestions for its future development. It also aims to encourage a range of work on law, legal institutions and legal phenomena in Europe, including 'law in context' approaches. The titles in the series will be of interest to academics, policy-makers, policy formers who are interested in European legal, commercial and political affairs, practicing lawyers, including the judiciary, and advanced law students and researchers.

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FRONTEX AND NON-REFOULEMENT

The International Responsibility of the EU

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***

The law stated in the text, to the best of the author’s knowledge, is current as of 1 May 2015.

When this book goes to press, political agreement is sought on a proposal by the European Commission for a regulation of the European Parliament and of the Council on a ‘European Border and Coast Guard’, repealing the Frontex Regulation (COM 2015, 671 final). If such instrument is adopted, it may be necessary for the reader to reconsider some findings and arguments of this book in the light of the new rules.

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