The Interplay between the EU's Return Acquis and International Law

Tamás Molnár, Legal Research Officer, EU Agency for Fundamental Rights and Visiting Lecturer, Corvinus University of Budapest, Hungary

This insightful book thoroughly examines how the EU's return acquis is inspired by, and integrates, international migration and human rights law. It also explores how this body of EU law has shaped international law-making relating to the removal of non-nationals.

‘Overall, the volume's most remarkable contribution is the examination of the theoretical foundations of EU legal order vis-à-vis international law from a migration law perspective, one that has been so far largely disregarded. Molnár provides a very comprehensive and detailed overview of the interactions between EU and international law in this field; in doing so he has also illuminated the topic of migration and expulsion of irregular migrants, drawing attention to the field beyond its immediate sector and attempting to draw conclusions that contribute to a more comprehensive debate on general principles of EU law.’
– Eleonora Celoria, Common Market Law Review

‘By exploring the question of return from the perspective of a multifaceted relationship between EU and international law, the book proves to be a unique contribution to the existing literature in the field. It enriches the literature devoted to both the EU and international legal orders. This book is timely and relevant as the negotiations on the recast Return Directive are ongoing and an overriding objective of the EU’s new Pact on Migration and Asylum is to increase the number of returns.’
– Izabella Majcher, Hungarian Yearbook of International Law and European Law

‘Molnár’s book brilliantly helps us understand how the EU has been and will be able to influence the international law making in the field of migration and human rights.’
– Andrea Maria Pelliconi, City Law Forum

‘This book is not only an extremely interesting one on the return of irregular migrants that is a must read for migration specialists, but it is also an excellent essay about the complex subject of the autonomy of EU law and its relations with international law to recommend to all EU lawyers.’
– Philippe de Bruycker, Université Libre de Bruxelles, Belgium

‘This book is a must read for anyone interested in the intersection of EU and international law in the area of migration and specifically expulsion (known as “return” in EU parlance). The book is both authoritative and profound in its examination of the relative weakness of the EU’s incorporation of international standards in this area as opposed to more generally. The arguments are exceptionally well developed and supported.’
– Elspeth Guild, Queen Mary University of London, UK

In times when return and readmission policies shape public and policy discourse in the area of migration management both within the EU but also internationally, this book could not be more timely. It is an important milestone in the study of the EU and international law relating to return of irregular migrants, masterfully elucidating not only the interaction between the two legal regimes but also the way the EU can exercise its normative power in this important domain.’
– Sergo Mananashvili, Senior Advisor, Migration Dialogues and Cooperation, ICMPD

How To Order

Online
www.e-elgar.com
Get up to 20% discount when you order online

By Email
UK/ROW: sales@e-elgar.co.uk
N/S America: elgarsales@e-elgar.com

By Phone
UK/ROW: +44 (0) 1243 843291
N/S America: (800) 390-3149

Connect With Us

Find us on Facebook
facebook.com/EdwardElgarPublishing

Follow us on Twitter
For news, views and offers
@ElgarPublishing

Read our Blog
For news, views and debate from our authors and readers.
https://www.elgar.blog

For More Information

UK/ROW: info@e-elgar.co.uk
N/S America: elgarinfo@e-elgar.com
Analysing interactions between EU and international law in the specific field related to return of migrants, this book reveals intriguing dynamics. As a unique contribution to legal scholarship, it explores how the EU Return Directive has been inspired by international law, whereas CJEU case law has prioritized autonomy of EU law. Yet, attempting to shape international law, the EU engaged with UN and regional standard-setting processes on returns. Dr Molnár convincingly demonstrates that the EU seeks to influence international law from which it claims autonomy and which the Union is constitutionally committed to respect.

– Izabella Majcher, European Council on Refugees and Exiles