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FUNDAMENTAL RIGHTS
IN EUROPE AND CHINA
REGIONAL IDENTITIES AND UNIVERSALISM

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ABBREVIATIONS

AG: Advocate General

CFI: Court of First Instance

CFR: EU Charter of Fundamental Rights

CJEU: Court of Justice of the European Union

ECHR: European Convention on Human Rights

ECR: European Court Reports

ECtHR: European Court of Human Rights

EU: European Union

GC: General Court of the European Union

OJ: Official Journal

TEU: Treaty on European Union

TFEU: Treaty on the Functioning of the European Union

PREFACE

This book addresses, perhaps for the first time, the issue of fundamental rights from two perspectives: that of Europe and that of China. It is not an easy proposition to bring these two perspectives into comparison, considering that their only overlap consists in a few basic universal rights recognized in international law. But the question of fundamental rights is closely bound up with the status of individuals in society and in the legal system.

The point of the comparison is not to put the two systems “in competition” against each other, for they are of course markedly different, but is rather to promote a dialogue about the fundamental values in each respective society, armed with the knowledge that fundamental values can lay the foundation for individual rights.

The analysis focuses on the developing situations in Europe and China. A grasp of the core values enshrined in the two legal systems can make for a deeper mutual understanding, thus paving the way for a more fruitful dialogue in the future.

The book expands on the papers presented at the conference Fundamental Rights in Europe and in China: Between Identities and Universalism, held at the University of Bologna on May 28–29, 2012, in the framework of the research initiative Fundamental Rights Between National Identity and Universalism in Europe and China, promoted by the China-Europe School of Law (CESL). The conference was organised by the Bologna Law School’s Interdepartmental Research Centre on European Law (CIRDE) in collaboration with the *Ad Personam* Jean Monnet Chair in EU law.

This research initiative aims to foster institutional and academic relations between Chinese and European scholars. The Chinese and European contributors are academics, members of European and international organisations, and young researchers. The core of the initiative involved Italian Ph.D. researchers in EU law and Chinese researchers enrolled in the different Ph.D. programmes based at the Bologna University School of Law (Scuola di Scienze Giuridiche), who were asked to conduct parallel investigations and share the results of their work. They openly discussed sensitive issues such as citizenship, freedom of religion, property rights, and freedom of economic initiative. The outcome lies in the pages that follow, which highlight some issues, but which also mark an evolution on both sides. In a fast-developing context of globalization, engaging young researchers in a dialogue on their respective cultures and values is the best way to bridge different approaches on fundamental rights.

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L.S.R.
G.D. F.

