

## TABLE OF CONTENT

Authors .....	13
<b>Introduction (Pavel Šámal and Katarína Šipulová) .....</b>	<b>21</b>
<b>Part I: Theoretical Approaches to the Binding Effect of Judicial Decisions .....</b>	<b>29</b>
1. Case Law and Precedent in Continental and Anglo-American Law ...	31
Zdeněk Kühn	
2. Binding Effect of Constitutional Court Judgments on Constitutional Complaints.....	49
Vojtěch Šimíček	
3. Binding Effect of Case Law in Decisions of Administrative Courts ...	64
Jan M. Passer	
4. Binding Effect of Decisions of the Supreme Court .....	75
Pavel Šámal	
5. Position of the Binding Effect of Case Law in the Interpretative Methodology of Continental Law.....	97
Jan Wintr	
<b>Part II: Binding Effect of Judicial Decisions in a Multilevel System..</b>	<b>107</b>
<b>II.A. The Concept of Binding Effect and Case Law of the ECtHR.....</b>	<b>107</b>
6. Effet contraignant des décisions judiciaires: Réflexions sur l'exécution des arrêts de la Cour .....	109
Guido Raimondi	
7. Response to Guido Raimondi's Contribution .....	115
Pavel Rychetský	
8. "Preliminary Opinions" pursuant to Protocol No. 16 to the European Convention on Human Rights: Finally a Platform for an Effective Dialogue between the European Court of Human Rights and National Courts? .....	118
Jiří Kmec	
9. Between 'Res Judicata' and 'Orientierungswirkung' – ECHR Judgments Before National Courts .....	126
Jörg Polakiewicz	

10. A Common Law Perspective on the Binding Effect of Judicial Decisions: Reasoning with Precedent in the United Kingdom Supreme Court... <i>James Lee</i>	143
11. Implementation of European Court of Human Rights Judgements by the United Kingdom <i>Laurence Lustgarten</i> .....	159
12. Jurisprudence des Cours Européennes et Rapports de Système entre Ordres Juridiques en Europe avec un Regard Particulier pour la France..... <i>Jean Paul Jacqué</i>	168
13. Between Supremacy of Parliament and Erga Omnes Effects: The Bindingness of the European Convention in Danish Law .....	193
<i>Mikael Rask Madsen</i>	
<b>II.B. The Concept of the Binding Effect and Enforcement through the Prism of the Luxembourg EU Court of Justice .....</b>	<b>203</b>
14. The Court of Justice and National Courts: A Transparent Dialogue .. <i>Koen Lenaerts</i>	204
15. The Court of Justice and National Courts: a Transparent Dialogue – Reaction .....	214
<i>Catherine Barnard</i>	
16. Binding Effect of Decisions of the Court of Justice of the EU in the Preliminary Ruling Procedure..... <i>Michał Bobek</i>	219
17. Two Aspects of the Binding Effect of Decisions of Union Courts, in Particular of the General Court of the CJEU .....	231
<i>Irena Pelikánová</i>	
18. Realism About European Legal Integration: Outline of a Soft Legal Realist Approach .....	250
<i>Arthur Dyevre</i>	
<b>Conclusion (Katarína Šipulová and Aleš Pavel) .....</b>	<b>274</b>
Bibliography .....	278
List of Acts and Cases .....	291