

*European Masters in Human Rights and Democratisation
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***INTER/SUPRA/NATIONAL
MÉNAGE À TROIS IN EUROPE:
IS ACCESSION THE KEY?***

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Abstract

The paper analyses the entangled interaction between the international, supra-national and national legal orders in the pan European arena, in the context of the future accession of the European Union to the European Convention for the Protection of Human Rights and Fundamental Freedoms. The function of protecting human rights in the European Continent has been disaggregated, this function being shared by actors of different levels.

The following chapters tackle the pros and cons of the future accession, after briefly reminding the reader of the evolution of human rights protection in the three levels or legal orders envisaged by the paper. The necessity and the importance of the accession will be thoroughly deal with, with a focus on the normative framework enabling the accession and the institutional and functional problems arising out of it.

One chapter will be entirely dedicated to depicting the *non bis in idem* principle as an example of different approaches taken by the Strasbourg and Luxembourg Courts, finally leaving the comprehensive answer in the hands of the national judges. Finally, the strengthen position of the individuals following accession and the possible scenarios enabling the better coordination between the European Courts will be advanced.