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# The Importance of Acceding

A plea for better Human Rights protection within the European  
Union

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## ABSTRACT

This research started by analysing the flaws in the fundamental rights framework within the European Union. It examined its relation to the European Convention of Human Rights and the European Court of Human Rights, and argued that the EU accession to the Convention is an important step in improving the EU framework; especially by guiding the rulings of the Court of Justice of the European Union when dealing with fundamental rights. This paper then analysed the Opinion 2/13 of the Court of Justice assessing the draft accession agreement to the Convention incompatible with the European legal order as well as the consequences it has for further negotiations. The analysis demonstrated again that the Court of Justice is not a human rights court. The aim of accession is not however to make the Court of justice a human rights court, but perhaps a friendlier human rights court and opening it to external scrutiny, thus having the consequence of legitimizing its human rights external policy.

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