

UNIVERSITY OF PRISHTINA “HASAN PRISHTINA” FACULTY OF LAW
DEPARTMENT: INTERNATIONAL LAW
PROGRAM: EUROPEAN ADVANCED STUDIES



MASTER THESIS

PRELIMINARY RULINGS IN THE EUROPEAN UNION’S JUDICIAL SYSTEM

SUPERVISER:

Prof. Dr. Hajredin Kuçi

CANDIDATE:

Ma.Sc. Ermonda Zogiani

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ABSTRACT

This master's thesis explores the role and significance of preliminary rulings within the European Union's judicial system, focusing on the Court of Justice of the European Union (CJEU). The preliminary ruling mechanism is a pivotal process that enables national courts to seek guidance from the CJEU on the interpretation and validity of EU law, ensuring its uniform application across member states. This paper examines the legal framework governing preliminary rulings, including the procedural rules and national court referral criteria. Through a comprehensive analysis of case law and academic literature, this paper explores how preliminary rulings contribute to the development of EU law, the protection of individual rights, and the harmonisation of legal standards within the Union. Additionally, the thesis highlights the impact of preliminary rulings on national judicial systems, emphasising their role in fostering dialogue between national courts and the CJEU. This master thesis provides recommendations for enhancing the procedural efficiency and responsiveness of the preliminary ruling process, ensuring it continues to serve as a cornerstone of the EU's judicial architecture.

Keywords: Preliminary rulings, Court of Justice of the European Union, National Courts, Proceedings before the referring Court, European Union's judicial system.