

Abstract

The thesis aims to analyse the use of preliminary reference procedure according to Article 267 of the TFEU by the constitutional courts. It firstly focuses on the potential ways in which constitutional courts may interact with EU law in general. It also describes the preliminary reference procedure in the context of the theory of constitutional pluralism. Finally, based on the analysis of 43 preliminary references posted by constitutional courts between the years of 1952 and 2019, it identifies various types of preliminary questions as well as numerous factors which might impact the decision of a particular constitutional court to refer the request or not. Last but not least, the thesis focuses on the subsequent stages of the procedure: the reactions of the CJEU and final rulings of the constitutional courts.