

UNIVERSITY OF OXFORD
FACULTY OF LAW
THE EU AS AN ACTOR IN INTERNATIONAL LAW
SEMINAR I:
THE FOREIGN RELATIONS (LAW) OF THE EUROPEAN UNION

Questions for Discussion:

- Are the EC and the EU subjects of international law?
- What is the legal basis for the EC/EU's competence in international relations?
- How is foreign relations competence allocated between the EC and the EU?
- Are there overlaps between EC competence and EU foreign policy activity?
- In what areas do the EC and the EU act on the international plane?
- What first, second, third and cross-pillar acts are of relevance to international law and the conduct of international relations?
- What is the legal basis for EC/EU amicus curiae briefs to foreign courts?
- What role does the Council, the Commission, the Parliament play in the EU/EC's external relations?
- Who represents the EC/EU on the international plane?
- How are CFSP positions established?

Basic Reading:

- *Eeckhout, P., *External Relations of the European Union. Legal and Constitutional Foundations*, 2004, 1-165 [Euro Comm 510 E26b – 2 copies]
- McGoldrick, D., *International Relations Law of the European Union*, 1997, 26-77 [Euro Comm 510 M146a – At Law Reserve]

Cases:

- *Case C-91/05, *Commission v Council*, Judgment (Grand Chamber) of 20 May 2008, available at <http://curia.europa.eu/en/transitpage.htm> [go to 'Case-law', then 'Search form', search for 'case number']
- *Joined Cases C-317/04 and C-318/04, *Parliament v Council*, Judgment (Grand Chamber) of 30 May 2006, available at <http://curia.europa.eu/en/transitpage.htm>

Further Reading:

- Gautier, Ph., *The Reparation for Injuries Case Revisited: The Personality of the European Union*, *Max Planck Yearbook of United Nations Law* 4 (2000), 331-361
[http://www.mpil.de/shared/data/pdf/pdfmpunyb/gautier_4.pdf]
- Klabbers, J., *Presumptive Personality: The European Union in International Law*, in: M. Koskenniemi (ed.), *International Law Aspects of the European Union*, 1998, 231-253 [Euro Comm 510 K86a – At Law Reserve]

Koskenniemi, M., International Law Aspects of the Common Foreign and Security Policy, in: M. Koskenniemi (ed.), *International Law Aspects of the European Union*, 1998, 27-44 [Euro Comm 510 K86a – At Law Reserve]

*Pocar, F., The Decision-Making Processes of the European Community in External Relations, in: E. Cannizzaro (ed.), *The European Union as an Actor in International Relations*, 2002, 3-16 [Euro Comm 510 C225a]

*Wessel, R.A., The Inside Looking Out: Consistency and Delimitation in EU External Relations, *Common Market Law Review* 37 (2000), 1135-1171 [available online via Oxford University e-Journals]

Works of General Reference:

Cremona, Marise (ed.), *Developments in EU External Relations*, 2008

Dashwood, A./Hillion, C., (eds.), *The General Law of E.C. External Relations*, 2000

Dashwood, A./Maresceau, M. (eds.), *Law and Practice of EU External Relations: Salient Features of a Changing Landscape*, 2008

MacLeod, I./Hendry, I.D./Hyett, Stephen, *The External Relations of the European Communities*, 1996

Background Reading:

Bretherton C./Vogler, J., *The European Union as a Global Actor*, 1999

Ginsberg, Roy H., *The European Union in International Politics: Baptism by Fire*, 2001

Hill, Christopher/Smith, Michael (eds.), *International Relations and the European Union*, 2005

Smith, H., *European Union Foreign Policy: What it is and What it Does*, 2002

Smith, M. E., *Europe's Foreign and Security Policy. The Institutionalization of Cooperation*, 2004