



STUDY PROGRAMME

(1) European Legal Studies Programme

(2) Transatlantic affairs

ACADEMIC YEAR

2019-20

SEMESTER

Second

COURSE TITLE

External Relations of the EU

COURSE PROFESSOR

I. Govaere

COURSE ASSISTANT

Z. Gulczyńska

NATURE OF COURSE (COMPULSORY, OPTIONAL)

Compulsory

LANGUAGE OF INSTRUCTION

English

ECTS CREDITS

6

1. COURSE OBJECTIVES

This course gives an overview of the key legal aspects of the external relations of the EU, including sessions on competence, prior agreements concluded by the Member States, EU and mixed agreements, jurisdiction of the Court of Justice of the European Union, the EU and the Member States in other international organisations. The 'constitutional' aspects, rather than the content of international agreements and policies, are emphasized in order to give the students all the necessary tools enabling them to understand the content of agreements and policies in their future professional activities.

On completion of the course, students (including those following MATA programme) will be expected to have:

- detailed knowledge of the course contents as described below;
- a good understanding of the interaction between the EU legal order and the public international law;
- thorough knowledge of the complexity of EU competence in external relations;
- the methodological tools to understand the content of agreements and EU external policies;
- the ability to read and comment critically the judgments and the opinions of the CJEU.

2. LEARNING OUTCOMES

The course objectives tie in with the following learning outcomes of the programme **European Legal Studies**:



- 1.1. Possess advanced knowledge of the European Union (EU), its institutions, competences, substantive principles and legal doctrines;
- 1.2. Possess general knowledge on the main elements of the EU's law and policy at large;
- 1.3. Possess in-depth, scientific knowledge on specific areas of EU law;
- 2.1. Be able to think analytically, correctly analysing complex legal problems in a multi-level legal order, the various sources of law, legal instruments and actors, and to formulate a scientifically sound position on the basis of logical reasoning;
- 2.2. Be able to think dynamically, to understand the constantly changing and evolving nature of the European integration process and to provide constructive commentary on its possible future development;
- 2.3. Be able to think critically, formulating an independent opinion and interpretation of complex legal problems, contextualising findings and weighing a multitude of different factors, including findings from other disciplines;
- 2.4. Be able to process a large amount of information within a short amount of time and to deliver accurate and reflective outcomes;
- 2.5. Be able to work with primary sources of law, such as judgments and legislation, and to reflect independently on their significance and interpretation;
- 2.6. Be able to work in a multi-cultural context, understanding and mediating different legal systems, legal traditions and normative frameworks in a constructive way;
- 2.7. Be able to develop, research, discuss and critically answer questions regarding a scientific research question of EU law in a scientifically responsible way;
- 2.9. Draft a clear legal scientific text in the area of EU law;
- 2.10. Present and defend orally an issue relating to EU law on the basis of legal argumentation or a personal position;
- 2.11. Be able to study and work in the area of EU law in English and French, including through interaction with native speakers.

The course objectives tie in with the following learning outcomes of the programme **Transatlantic Affairs**:

- 1.1 The graduate masters the most important theoretical approaches and concepts of, depending on his or her disciplinary focus, Economics, International Relations and Diplomacy Studies, **Legal Studies** and/or Political Science relevant for the analysis of transatlantic affairs;
- 1.3 The graduate has good knowledge of, depending on his or her disciplinary focus, the political and/or legal systems, the decision-making processes, the economic structures and the main internal and external policies of the European Union and the United States;
- 2.1 The graduate can approach the field of transatlantic affairs in a broad sense analytically by assessing the challenges in this domain with an open mind for diversity and for complex situations;
- 2.4 The graduate is capable of processing a large amount of information and appropriately analyse relevant sources depending on his or her disciplinary focus within a short period of time and of suggesting possible actions that contribute to problem-solving in a creative way;
- 2.5 The graduate has the intellectual maturity and skills to take responsibilities and function autonomously in a professional environment at national or international level, and especially in a transatlantic context, and to work efficiently and effectively through planning, organizing, setting priorities, meeting deadlines, cooperating across cultural boundaries and networking.



3. COURSE CONTENTS

The course focuses on the following topics :

The EU on the international scene; External competence of the EU - Scope and nature of the competence; Contracting international obligations by the EU - including the role and function of Article 218 TFEU and the EU competence in international organizations; The Court of Justice of the European Union and (mixed) agreements concluded by the EU - including direct applicability of international agreements and the competence of the CJEU to interpret them; Agreements concluded by the Member States; customary international law in the EU legal order, the legal issues related to safeguarding the autonomy of the EU legal order, prior agreements and the theory of succession and the Interface between EU external relations law and the CFSP law -including dual use goods, security exceptions and economic sanctions.

4. TEACHING METHOD

The course consists of lectures by the Professor and oral ppt-based presentations by the students, followed by class discussion. For each class, the students have to read the relevant case law and literature, in order to be able to fully understand the course and to participate actively in the debate. A syllabus with the mandatory readings (case law and doctrine) is distributed to students in advance, to allow them to prepare classes and oral presentations. Some additional articles are also indicated under the heading "further readings" (mainly useful in the perspective of the oral presentations, for which the students need to have more precise knowledge of the relevant topic).

5. FURTHER DETAILS ON THE TEACHING METHOD

Each student prepares an oral presentation of 10-15 minutes with power point slides on an assigned topic.

6. COURSE MATERIAL

An outline with a table of contents and compulsory as well as recommended readings for every part of the course is distributed in advance. The outline indicates the Court's judgments, opinions and literature that are relevant for the understanding of the subject.

7. EVALUATION

Evaluation is based both on the oral presentations (4 points out of 20) and a final written and open-book exam lasting 2 hours (16 points out of 20). The students may bring to the exam all the material distributed in the context of the course as well as any personal preparatory work (such as class notes and summaries of articles or cases), but no textbooks. The purpose of the exam is to evaluate the understanding of the subject by the students, their legal reasoning and critical assessment. The exam is anonymous.

Participation in all evaluation forms (permanent and periodic evaluation) is compulsory and a prerequisite to receive an exam mark. In case of non-compliance the final score will automatically be reduced to the highest non-passing and non-compensable grade.

Coefficient of the course for the final average of the student: 1,5.

Exams organised in second session period are 100% written exams.