



**University of Vienna  
School of Law**

**LL.M. in International Law  
Summer Semester 2022**

**Course Title: The legal status of the European Union as a global player**

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**I. Course Description and Objectives**

Is the European Union a major or a minor player in the world community? The European Union strives for a greater role in the international context. In view of its growing economic power it seeks for a greater influence also in other areas of international politics. For this purpose, it needs a legal basis which would enable it to establish contacts with other actors on the international level or to perform activities in an international setting.

This course should familiarize the participants with the relevant legal basis in the Treaty on the European Union (TEU) and Treaty on the Functioning of the European Union (TFEU) according to the Lisbon Treaty. Particular attention will be paid to the various legal instruments available to the EU for this purpose as well as to the Common Foreign and Security Policy including the CSDP which has considerably been enhanced since the Nizza Treaty and has undergone major changes by the Lisbon Treaty.

Accordingly, the course will, on the one hand, concentrate on unilateral acts having effect on the relations with third countries, on the treaty-making power of the EU and the practice of its relations with third countries and, on the other, on all the different aspects of the CFSP, including CSDP.

It is expected that the TEU and the TFEU are available to the participants.

**II. Course Outline**

- A. **EXTERNAL TRADE: introduction (The legal basis of external policy of the EU - The structure of the European Union concerning external relations)**
- B. **THE INTERNATIONAL LEGAL PERSONALITY OF THE EUROPEAN UNION**  
- The EU and the general system of international law (Case Yusuf: Case 306/01)
- C. **PRINCIPAL INSTRUMENTS** of external policy of the EU- Autonomous acts
  - a. Common rules for exports- Export credit insurance- Dual-use goods - Export of cultural goods- Ban on trade in instruments of torture
  - b. Common rules for imports - Common rules for imports from certain third countries - Community procedure for administering quantitative quota - Autonomous tariff suspensions and quotas



- c. Defense measures against the EU- Anti-dumping measures - Anti-subsidy measures- Anti-subsidy measures -Protection against trade barriers - Injurious Pricing Instrument in the area of shipbuilding and air transport
- D. **AGREEMENTS CONCLUDED BY THE EU** - Procedure - Scope - Europe Agreements - Cotonou Agreement -
  - a. Participation in International Organizations: UN, WTO
- E. **PRACTICE IN VARIOUS FIELDS** (External trade - Humanitarian aid - Development - Democratisation, rule of law, respect for human rights and good governance)
- F. **ORGANS INVOLVED** (Commission - Council - European Parliament)
- G. **THE COMMON FOREIGN AND SECURITY POLICY**
  - a. Why Is A Common Foreign And Security Policy Necessary? - How the CFSP works - the organs involved- Instruments of CFSP
  - b. Three fields of task of the CFSP/CSDP: Military Conflict Management- Civil Crisis Management- Conflict Prevention
  - c. Headline Goals
  - d. European Security Strategy
  - e. Collective Security
- H. **SOLIDARITY CLAUSE**

**Basic Texts:** An extensive reader will be provided to the participants.

### III. Teaching Method

This course will consist of a series of introductory lectures and class debates.

### IV. Assessment Method

- A. Class participation is expected. It will be worth 20% of the final course mark.
- B. A final written examination will be held at the end of term.

### Suggested Readings

Piet Eeckhout, *EU External Relations Law* (2011);

Gareis/Hauser/Kernic (ed), *The European Union – A Global Actor?* (2013);

Christine Kaddous, *Role and position of the High Representative of the Union for Foreign Affairs and Security Policy under the Lisbon Treaty*, in Griller/Ziller (ed), *The Lisbon Treaty. EU Constitutionalism without a Constitutional Treaty* (2008) 205

Pieter Jan Kuijper et al (ed), *The Law of EU External Relations: Cases, Materials, and Commentary on the EU as an International Legal Actor* (2016);

Pieter Jan Kuijper/Wouters/Hoffmeister/De Baere/Ramopoulos, *The Law of EU External Relations. Cases, Materials, and Commentary on the EU as an International Legal Actor, Second Edition* (2015);

Frederic Naert, *International law Aspects of the EU's Security and Defence Policy*, 2010

Allan Rosas, *EU External Relations: Exclusive Competence Revisited*, *Fordham International Law Journal* 38 (2015) 1073;