Course Specifications
Valid as from the academic year 2019-2020

Advanced EU External Relations Law (B001384)

Course

Lecturers in academic year 2019-2020
Govaere, Inge

RE22 lecturer-in-charge

Course offerings and teaching methods in academic year 2019-2020

A (semester 1) English

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Offered in the following programmes in 2019-2020

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Teaching languages

English

Keywords

EU external relations, EU legal personality, EU external competence, bilateral and multilateral agreements, direct effect, Common Foreign and Security Policy.

Position of the course

The External relations of the EU have developed as an important area of EU law. The EU has become an important actor on the international scene. This course will provide an overview and analysis of the main concepts and principles of EU external relations law.

Contents

In this course a thorough insight is provided to the legal setting of the EU as an international actor. It addresses issues related to the external legal personality and competences of the EU after the Lisbon Treaty. The legal basis for the conclusion of agreements with third countries is extensively examined. So is the participation of the EU in other International Organisations. Particular attention is payed to the implications also for the Member States as international actors and third countries. The analysis also includes the doctrine of “implied powers”, as well as an examination of the concepts “exclusive” and “shared” competences. The procedure for the conclusion and termination of agreements, as well as their effect in the EU and Member States legal order is studied. Finally, specific attention is devoted to the so-called 'security exceptions', including EU Common Foreign and Security Policy (CFSP) and economic and financial sanctions. Special attention is devoted to the autonomy of the EU legal order in its interconnection with other international legal systems such as the UN (Kadi cases) and the ECHR (Opinion 2/13).

Part of the topic is dealt with through a students conference “by and for the students" on an actual topic of EU external relations. The LLM students, together with the professor, design the structure of the students conference and take the lead in preparing the various conference sessions.

(Approved)
Initial competences

Students should be acquainted with legal reasoning and terminology in general. They should have a basic understanding of EU law. Prior knowledge of EU external relations law is not required.

Final competences

1. understanding and explaining the procedure for the conclusion of international agreements on behalf of the EU
2. explaining the horizontal and vertical division of competences in the field of EU external relations on the basis of relevant case law
3. critically analysing relevant case law in the field of EU external relations
4. critically analysing the evolutions of the institutional framework of EU external relations
5. judging the relationship between the CFSP and the other external policy areas of the EU
6. following recent developments concerning EU external relations
7. putting the political relations between the EU and third countries in their legal context
8. applying legal principles on EU external relations (direct effect, implied powers) to topical issues
9. Orally presenting key and novel issues of EU external relations and engaging in well-founded discussion.

Conditions for credit contract

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in ‘Starting Competences’

Conditions for exam contract

This course unit cannot be taken via an exam contract

Teaching methods

Guided self-study, group work, seminar, lecture: plenary exercises

Extra information on the teaching methods

Prior to each class, students are informed via Minerva what relevant doctrine and/or relevant case law of the CJEU to read. Students are required to prepare a reading schedule of a recent case and present it in class in the form of a short ppt presentation which serves as a basis for class discussion.

Each class is interactive and contains group discussions about a given topic. Part of the topic is dealt with through a groupwork in small groups, resulting in a students conference “by and for the students” on an actual topic of EU external relations. All groups present their work on the basis of a ppt presentation and actively engage in a panel discussion.

The LLM students, together with the professor, design the structure of the students conference and take the lead in preparing the various conference sessions.

Learning materials and price

A syllabus with legal doctrine and primary sources (legislation and judgments) will be made available via Minerva

References


(Approved)
Course content-related study coaching
   The Professors is available after the lecture and during office hours; possibility to contact assistants.

Evaluation methods
   continuous assessment

Examination methods in case of periodic evaluation during the first examination period
   Participation, assignment

Examination methods in case of periodic evaluation during the second examination period
   Participation, assignment

Examination methods in case of permanent evaluation

Possibilities of retake in case of permanent evaluation
   examination during the second examination period is possible

Extra information on the examination methods
   100% non periodic evaluation. Evaluations on the basis of the reading schedules, the ppt presentations, group work, participation in class discussions, participation in students conference.

Calculation of the examination mark
   100% non periodic evaluation. Participation in all evaluation modules (see above) is compulsory in order to receive a final mark.
   Students who do not participate in all evaluations will be declared as unsuccessful for this course. In concrete terms, this means that if the final score is nevertheless a figure of ten or more out of twenty, the final score will be reduced to a figure of 7/20.

Facilities for Working Students
   Possibility of alternative tasks upon agreement.