

Table of Contents and List of Contributors

(7 July 2021)

(To supplement the individual Authors' Guidelines and Hart Style Guide)

EU External Relations Law: The Cases in Context

Graham Butler & Ramses A. Wessel (Editors)

Oxford: Hart Publishing/Bloomsbury, 2022

Marking the 50th anniversary of the influential *ERTA* doctrine, this book analyses and contextualises the entire breadth of the jurisprudence of EU external relations law through a systematic, case-by-case account of the field.

The entire framework of EU external relations law has been built from the ground up by the jurisprudence of the Court of Justice of the European Union. At the beginning of the field's emergence, the legal questions to be answered concerned the division of powers and competence between, firstly, the Member States and that of the Union; and secondly, the division of powers and competence between the different institutions of the Union. Questions on such matters continue to be asked, but more contemporarily, new legal questions have arisen that have been in need of adjudication, including questions concerning the autonomy of Union law; the relationship between the Union and other international organisations; the relationship between Union law and international law; the scope and breadth of international agreements; amongst others.

The book features established academic scholars, judges, agents of institutions and Member States, and legal practitioners in the field of EU external relations law, analysing over 90 cases in which the Court has legally shaped the theory and practice of the external dimension of legal Europe.

Outline Table of Contents

Outline Table of Contents	2
Detailed Table of Contents	13
1. Implied Powers of the EU, Limits to Political Expediency, and Internationally Inspired Pragmatism: <i>Commission v Council (ERTA)</i>	13
Inge Govaere.....	13
2. International Agreements in the EU Legal Order: <i>International Fruit</i>	13
Alessandro Petti & Joanne Scott	13
3. International Agreements as an Integral Part of EU Law: <i>Haegeman</i>	13
Ramses A. Wessel	13
4. Common Commercial Policy and the Determination of Exclusivity: <i>Opinion 1/75 (Local Cost Standard)</i>	13
Marise Cremona & Jaka Kukavica.....	13
5. The EU Customs Union, International Agreements of EU Member States, and the Doctrine of Substitution: <i>Nederlandse Spoorwegen</i>	14
Graham Butler	14
6. Establishing Direct Effect of Provisions in International Agreements: <i>Bresciani</i>	14
Timothy Roes	14
7. Refining and Expanding Implied Powers of the Union: <i>Kramer</i>	14
Tobias Lock	14
8. Linking Internal and External Trade in a Perfect Customs Union: <i>Donckerwolcke</i>	14
Piet Eeckhout.....	14

9. EU External Competence in the Absence of Internal Rules, and the Sleeping Beauty: <i>Opinion 1/76 (Laying Up Fund for Inland Waterway Vessels)</i>	14
Allan Rosas	14
10. The Birth of the Principle of Close Cooperation, Declaration of Competences, and the Ruling Procedure: <i>Ruling 1/78 (Convention on Nuclear Protection)</i>	15
Anna Södersten	15
11. Defining the Scope of the Treaty-making Competence for the Formulation of the Common Commercial Policy: <i>Opinion 1/78 (Natural Rubber)</i>	15
Per Cramér	15
12. International Agreements Concluded by Member States prior to their EU Accession: <i>Burgoa</i>	15
Panos Koutrakos	15
13. The Purpose of International Agreements and their Direct Effect: <i>Polydor</i>	15
Jan Klabbers	15
14. Implementation of EU International Agreements by Member States: <i>Kupferberg</i> Error! Bookmark not defined.	
Eleftheria Neframi	16
15. The EU’s Common Customs Tariff, Uniform Application of International Agreements, and the Demarcation between EU and Member State ‘spheres of international law’: <i>SPI/SAMI</i>	16
Dylan Geraets	16
16. Direct Effect of Association Agreements and the Meaning of ‘Association’: <i>Demirel</i>	16
Guillaume Van der Loo	16
17. Judicial Review of EU Measures in the Light of WTO Rules: <i>Fediol</i> and <i>Nakajima</i>	16
Tamara Perišin & Ilektra Antonaki.....	16

18. The Integration of Decisions of Association Councils in EU Law: <i>Greece v Commission (Special Aid to Turkey)</i>	16
Fernando Castillo de la Torre	16
19. The Legal Effects of Decisions of Autonomous Bodies established under an International Agreement: <i>Sevince</i>	17
Nathan Cambien	17
20. The Union’s Participation in Legally Binding International Third-party Dispute Settlement: <i>Opinion 1/91 (EEA I)</i> and <i>Opinion 1/92 (EEA II)</i>	17
Esa Paasivirta.....	17
21. Setting the Multiple Functions of Customary International Law in the EU Legal Order: <i>Poulsen</i>	17
Charlotte Beaucillon	17
22. ERTA, Mixity, and the Duty of Co-operation in the Conclusion of International Agreements: <i>Opinion 2/91 (ILO Convention)</i>	17
Mirka Kuisma	17
23. No General Treaty-making Power of the Commission to Conclude International Administrative Agreements: <i>France v Commission I</i>	18
Andrea Ott	18
24. The Scope of the Union’s Exclusive External Competences and the Verification of Competence: <i>Opinion 2/92 (OECD)</i>	18
Daniel Sarmiento	18
25. The Reviewability of Acts Adopted by the Member States meeting within the Council: <i>Parliament v Council and Commission (Bangladesh Aid)</i>	18
Luca Pantaleo	18
26. Legality of the European Development Fund and the European Parliament’s Prerogatives: <i>Parliament v Council (European Development Fund)</i>	18

Sandra Bartelt	18
27. Unrecognised ‘States’ and EU Law: <i>Anastasiou I</i>	18
Alina Tryfonidou	19
28. Consistent Interpretation and Continuous Dialogue between the EU and the WTO: <i>Germany v Council (Bananas)</i>	19
Joseph McMahon.....	19
29. Setting the Limits to External Competences in Relation to the WTO Agreements: <i>Opinion 1/94 (WTO)</i>	19
Enzo Cannizzaro.....	19
30. The First Attempt at EU Accession to the ECHR: <i>Opinion 2/94</i>	19
Stian Øby Johansen.....	19
31. Unilateral Measures of Member States affecting the Internal Market and the Law/Politics Divide in External Relations: <i>Commission v Greece (FYROM)</i>	19
Henri de Waele	19
32. EU Membership in International Organisations and the Joint Exercise of Membership Rights: <i>Commission v Council (FAO)</i>	20
Rita Guerreiro Teixeira & Jan Wouters.....	20
33. Scope of EU Development Policy: <i>Portugal v Council (India Cooperation Agreement)</i>	20
Morten Broberg	20
34. Enforcement of International Sanctions within the EU Legal Order: <i>Bosphorus</i>	20
Aindrias Ó Caoimh.....	20
35. Legal Certainty and Customary International Law: <i>Opel Austria</i>	20
Marcus Klamert	20

36. Invoking Customary International Law before the Court: <i>Racke</i>	20
Jed Odermatt	20
37. The Effect of WTO Law in the EU Legal Order: <i>Portugal v Council</i>	21
Holger Hestermeyer	21
38. The Member States’ Duty to Denounce Anterior Treaties: <i>Commission v Portugal (Maritime Policies)</i>	21
Hannes Lenk	21
39. The Relationship between the Common Commercial Policy and other External Competences of the EU: <i>Opinion 2/00 (Cartagena Protocol)</i>	21
Koen Lenaerts & Stanislas Adam.....	21
40. Autonomy of the EU Legal Order and International Agreements extending the <i>acquis</i> : <i>Opinion 1/00 (European Common Aviation Area)</i>	21
Cécile Rapoport	21
41. [AWAITING FINAL TITLE]: <i>Open Skies</i>	21
Wybe Th. Douma.....	22
42. Respect for Institutional Balance in the Adoption of Non-legally Binding Agreements: <i>France v Commission II</i>	22
Paula García Andrade	22
43. The Effect of WTO Dispute Settlement Body Decisions in EU Law: <i>Van Parys</i>	22
Karsten Engsig Sørensen	22
44. Direct Effect of Neighbourhood Agreements, Non-discrimination, and the Beautiful Game: <i>Simutenkov</i>	22
Adam Łazowski	22

45. The Indissociable Link between Environmental Policy and the Common Commercial Policy: <i>Commission v Council (Rotterdam Convention I)</i>	22
Geert De Baere	22
46. Lowering the Threshold for Finding Implied Powers: <i>Opinion 1/03 (Lugano Convention)</i> .	23
Merijn Chamon.....	23
47. The Exclusive Jurisdiction of the Court and International Courts: <i>Commission v Ireland (Mox Plant)</i>	23
Andrés Delgado Casteleiro	23
48. Judicial Protection in Autonomous Restrictive Measures Involving Composite Administrative Procedures: <i>OMPI</i>	23
Trevor Redmond.....	23
49. The Autonomy of EU Law vis-à-vis International Law: <i>Kadi I and Kadi II</i>	23
Christina Eckes	23
50. Laying the Foundation for a Broad Scope of EU Development Cooperation Policy and its Delimitation with other EU External Competence: <i>Parliament v Commission (Philippines Border Management)</i>	24
Tina Van den Sanden.....	24
51. The Pre-Lisbon Machinery for the Delimitation of the CFSP: <i>Commission v Council (ECOWAS)</i>	24
Rass Holdgaard & Gustav Krohn Schaldemose	24
52. The Legal Effects of the MARPOL Convention and the UN Convention on the Law of the Sea: <i>Intertanko</i>	24
Mario Mendez.....	24
53. Implied External Exclusivity and the Duty of Loyal Cooperation in International Organisations: <i>Commission v Greece (International Maritime Organisation)</i>	24
Thomas Ramopoulos	24

54. The Application of EU Law in an Unrecognised Entity: <i>Apostolides v Orams</i>	24
Nikos Skoutaris.....	25
55. Visa requirements for Turkish citizens: <i>Soysal & Savatli</i> and <i>Demirkan</i>	25
Bruno De Witte.....	25
56. Potential Incompatibility of International Agreements Concluded by Member States before Accession: <i>Commission v Austria</i> , <i>Commission v Sweden</i> , and <i>Commission v Finland</i>	25
Luigi Lonardo	25
57. The Application of an EU International Agreements to Occupied and Disputed Territories: <i>Brita</i>	25
Paul James Cardwell.....	25
58. Union Loyalty in Mixed External Relations, and the Weight of Informal Preparatory Acts: <i>Commission v Sweden (PFOS)</i>	25
Pieter Jan Kuijper	26
59. [AWAITING FINAL TITLE]: <i>Air Transport Association of America</i>	26
Isabelle Bosse-Platière.....	26
60. The Choice of Legal Basis between the AFSJ and the CFSP: <i>Parliament v Council (Smart Sanctions)</i>	26
José Manuel Cortés Martín & Gloria Fernández Arribas	26
61. Common Commercial Policy or Internal Market Rules as the Legal Basis for the Conclusion of International Agreements after Lisbon: <i>Commission v Council (Conditional Access Convention)</i> 26	
Roberto Mastroianni & Giorgia Lo Tauro.....	26
62. The Choice of Legal Basis for Coordination of Social Security Systems with Associated Third Countries: <i>United Kingdom v Council (EEC-Turkey)</i>	26
Katarina Hyltén-Cavallius	26

63. Jurisdiction of the EU Courts in the CFSP when linked to the EU Budget: <i>Elitaliana</i>	27
Ricardo da Silva Passos	27
64. Intellectual Property and the post-Lisbon Common Commercial Policy: <i>Daiichi Sankyo</i>	27
Joris Larik	27
65. The Application of EU Internal Competences in an External Context: <i>United Kingdom v Council (EEA)</i>	27
Tarjei Bekkedal.....	27
66. Balancing Institutional Powers in Negotiating Directives and EU External Environmental Relations: <i>Commission v Council (Australia ETS)</i>	27
Sanja Bogojević.....	27
67. The Normalisation of CFSP International Agreements in the EU Legal Order: <i>Parliament v Council (Mauritius)</i> and <i>Parliament v Council (Tanzania)</i>	27
Juan Santos Vara	28
68. The Legal Basis for International Agreements in the field of Development Cooperation post-Lisbon, and its potential as a Catch-all Provision: <i>Commission v Council (Philippines PCA)</i>	28
Stephan Marquardt & Soledad Rodriguez Sanchez-Tabernero.....	28
69. Member States as Trustees of the Union in International Organisations: <i>Germany v Council (OIV)</i>	28
Theodore Konstadinides	28
70. The ERTA doctrine post-Lisbon: <i>Opinion 1/13 (Convention on the Civil Aspects of International Child Abduction)</i>	28
Christian Thorning.....	28
71. The Second Attempt at EU Accession to the ECHR: <i>Opinion 2/13</i>	28
Katja S. Ziegler.....	28

72. The Impact of Obligations under International Agreements on the (Judicial) Review of EU Measures: <i>Stichting Natuur en Milieu and Pesticide Action Network Europe</i>	29
Anne Thies.....	29
73. Hybrid Acts of the EU and its Member States concerning International Agreements: <i>Commission v Council (US Air Transport Agreement)</i>	29
Joni Heliskoski	29
74. EU Representation in International Litigation: <i>Council v Commission (International Tribunal for the Law of the Sea)</i>	29
Alexander Kornezov.....	29
75. The Compatibility of EU International Agreements Extending to Occupied Territories with International Law: <i>Front Polisario and Western Sahara Campaign UK</i>	29
Eva Kassoti.....	29
76. The Scope of the Court’s Jurisdiction in the CFSP: <i>H v Council and Others</i>	30
Luca Prete	30
77. Institutional Balance in the Conclusion of Non-binding International Agreements Revisited: <i>Council v Commission (Swiss MoU)</i>	30
Anders Neergaard.....	30
78. The Concept of (Non-)Commerciality and the ERTA Doctrine post-Lisbon: <i>Opinion 3/15 (Marrakesh Treaty)</i>	30
Gesa Kübek.....	30
79. The Absence of Rights to Humanitarian Visas, and Missions of EU Member States in Third Countries: <i>X and X v Belgium</i>	30
Louise Halleskov	30
80. Attribution of Authorship of ‘EU’ Legal Acts: <i>NF and Others v European Council</i>	30
Mauro Gatti.....	31

81. Securing a Coherent System of Judicial Protection in Relation to Restrictive Measures: <i>Rosneft</i>	31
Peter Van Elsuwege	31
82. The Competence to Conclude the New Generation of EU Free Trade Agreements and the Scope of the Common Commercial Policy: <i>Opinion 2/15 (EU-Singapore FTA)</i>	31
Christine Kaddous	31
83. International Agreements accessed through the Prism of the Charter of Fundamental Rights: <i>Opinion 1/15 (EU-Canada PNR)</i>	31
Suzanne Kingston	31
84. The Unitary Representation of the Union in an International Forum and Clarification of Shared Competence and Facultative Mixity post-Lisbon: <i>Germany v Council (COTIF I)</i> and <i>Commission v Germany (COTIF II)</i>	31
Maciej Szpunar & Roland Klages	31
85. The Web of Autonomy of the EU Legal Order: <i>Achmea</i>	32
Xavier Groussot & Marja-Liisa Öberg	32
86. The Delineation between CFSP and non-CFSP Matters: <i>Commission v Council (Kazakhstan)</i>	32
Thomas Verellen.....	32
87. Mixity and Exercising Shared Competence in International Fora: <i>Commission v Council (Antarctic Marine Protected Areas)</i>	32
Frederik Naert.....	32
88. Investor-State Dispute Tribunals Established under EU International Agreements: <i>Opinion 1/17 (EU-Canada CETA)</i>	32
Kieran Bradley.....	32

89. Ensuring Respect for International Humanitarian Law through Labelling Requirements: <i>OJE and Vignoble Psagot</i>	32
Sara Poli.....	32
90. <i>Inter se</i> Agreements between Member States, and the Outer Limits of the Court’s Jurisdiction in Infringement Proceedings: <i>Slovenia v Croatia</i>	33
Federico Casolari.....	33
91. Jurisdiction of the Court for Non-Contractual Liability and Actions for Damages Claims within the CFSP: <i>Bank Refah Kargaran</i>	33
Graham Butler & Ramses A. Wessel	33
List of Contributors.....	34

Detailed Table of Contents

(Chronological, by date of delivery)

1. Implied Powers of the EU, Limits to Political Expediency, and Internationally Inspired Pragmatism: *Commission v Council (ERTA)*

Case 22/70, *Commission of the European Communities v Council of the European Communities*, ECLI:EU:C:1971:32, delivered 31 March 1971.

Inge Govaere

2. International Agreements in the EU Legal Order: *International Fruit*

Joined Cases 21/72 to 24/72, *International Fruit Company NV and others v Produktschap voor Groenten en Fruit*, ECLI:EU:C:1972:115, delivered 12 December 1972.

Alessandro Petti & Joanne Scott

3. International Agreements as an Integral Part of EU Law: *Haegeman*

Case 181/73, *R. & V. Haegeman v Belgian State*, ECLI:EU:C:1974:41, delivered 30 April 1974.

Ramses A. Wessel

4. Common Commercial Policy and the Determination of Exclusivity: *Opinion 1/75 (Local Cost Standard)*

Opinion 1/75, Draft understanding on a local cost standard, ECLI:EU:C:1975:145, delivered 11 November 1975.

Marise Cremona & Jaka Kukavica

5. The EU Customs Union, International Agreements of EU Member States, and the Doctrine of Substitution: *Nederlandse Spoorwegen*

Case 38/75, *Douaneagent der NV Nederlandse Spoorwegen v Inspecteur der Invoerrechten en Accijnzen*, ECLI:EU:C:1975:154, delivered 19 November 1975.

Graham Butler

6. Establishing Direct Effect of Provisions in International Agreements: *Bresciani*

Case 87/75, *Conceria Daniele Bresciani v Amministrazione Italiana delle Finanze*, ECLI:EU:C:1976:18, delivered 5 February 1976.

Timothy Roes

7. Refining and Expanding Implied Powers of the Union: *Kramer*

Joined Cases 3, 4, 6/76, *Cornelis Kramer and Others*, ECLI:EU:C:1976:114, delivered 14 July 1976.

Tobias Lock

8. Linking Internal and External Trade in a Perfect Customs Union: *Donckerwolcke*

Case 41/76, *Suzanne Criel, née Donckerwolcke and Henri Schou v Procureur de la République au tribunal de grande instance de Lille and Director General of Customs*, ECLI:EU:C:1976:182, delivered 15 December 1976.

Piet Eeckhout

9. EU External Competence in the Absence of Internal Rules, and the Sleeping Beauty: *Opinion 1/76 (Laying Up Fund for Inland Waterway Vessels)*

Opinion 1/76, Draft Agreement establishing a European laying-up fund for inland waterway vessels, ECLI:EU:C:1977:63, delivered 26 April 1977.

Allan Rosas

10. The Birth of the Principle of Close Cooperation, Declaration of Competences, and the Ruling Procedure: *Ruling 1/78 (Convention on Nuclear Protection)*

Ruling 1/78, Draft Convention of the International Atomic Energy Agency on the Physical Protection of Nuclear Materials, Facilities and Transports, ECLI:EU:C:1978:202, delivered 14 November 1978.

Anna Södersten

11. Defining the Scope of the Treaty-making Competence for the Formulation of the Common Commercial Policy: *Opinion 1/78 (Natural Rubber)*

Opinion 1/78, International Agreement on Natural Rubber, ECLI:EU:C:1979:224, delivered 4 October 1979.

Per Cramér

12. International Agreements Concluded by Member States prior to their EU Accession: *Burgoa*

Case 812/79, *Attorney General v Juan C. Burgoa*, ECLI:EU:C:1980:231, delivered 14 October 1980.

Panos Koutrakos

13. The Purpose of International Agreements and their Direct Effect: *Polydor*

Case 270/80, *Polydor Limited and RSO Records Inc. v Harlequin Records Shops Limited and Simons Records Limited*, ECLI:EU:C:1982:43, delivered 9 February 1982.

Jan Klabbers

14. Status and Enforceability of EU International Agreements within the Domestic Legal Systems of the Member States: *Kupferberg*

Case 104/81, *Hauptzollamt Mainz v C.A. Kupferberg & Cie KG a.A.*, ECLI:EU:C:1982:362, delivered 26 October 1982.

Eleftheria Neframi

- 15. The EU’s Common Customs Tariff, Uniform Application of International Agreements, and the Demarcation between EU and Member State ‘spheres of international law’: *SPI/SAMI***

Joined Cases 267/81, 268/81, and 269/81, *Amministrazione delle Finanze dello Stato v Società Petrolifera Italiana SpA (SPI) and SpA Michelin Italiana (SAMI)*, ECLI:EU:C:1983:78, delivered 16 March 1983.

Dylan Geraets

- 16. Direct Effect of Association Agreements and the Meaning of ‘Association’: *Demirel***

Case 12/86, *Meryem Demirel v Stadt Schwäbisch Gmünd*, ECLI:EU:C:1987:400, delivered 30 September 1987.

Guillaume Van der Loo

- 17. Judicial Review of EU Measures in the Light of WTO Rules: *Fediol* and *Nakajima***

Case 70/87, *Fédération de l'industrie de l'huilerie de la CEE (Fediol) v Commission of the European Communities*, ECLI:EU:C:1989:254, delivered 22 June 1989; and, Case C-69/89, *Nakajima All Precision Co. Ltd v Council of the European Communities*, ECLI:EU:C:1991:18, delivered 7 May 1991.

Tamara Perišin & Ilektra Antonaki

- 18. The Integration of Decisions of Association Councils in EU Law: *Greece v Commission (Special Aid to Turkey)***

Case 30/88, *Hellenic Republic v Commission of the European Communities*, ECLI:EU:C:1989:422, delivered 14 November 1989.

Fernando Castillo de la Torre

19. The Legal Effects of Decisions of Autonomous Bodies established under an International Agreement: *Sevince*

Case C-192/89, *S. Z. Sevince v Staatssecretaris van Justitie*, ECLI:EU:C:1990:322, delivered 20 September 1990.

Nathan Cambien

20. The Union's Participation in Legally Binding International Third-party Dispute Settlement: *Opinion 1/91 (EEA I)* and *Opinion 1/92 (EEA II)*

Opinion 1/91, Draft agreement between the Community, on the one hand, and the countries of the European Free Trade Association, on the other, relating to the creation of the European Economic Area, ECLI:EU:C:1991:490, delivered 14 December 1991; and, *Opinion 1/92*, Draft agreement between the Community, on the one hand, and the countries of the European Free Trade Association, on the other, relating to the creation of the European Economic Area, ECLI:EU:C:1992:189, delivered 10 April 1992.

Esa Paasivirta

21. Setting the Multiple Functions of Customary International Law in the EU Legal Order: *Poulsen*

Case C-286/90, *Anklagemyndigheden v Peter Michael Poulsen and Diva Navigation Corp*, ECLI:EU:C:1992:453, delivered 24 November 1992.

Charlotte Beaucillon

22. ERTA, Mixity, and the Duty of Co-operation in the Conclusion of International Agreements: *Opinion 2/91 (ILO Convention)*

Opinion 2/91, International Labour Organization concerning safety in the use of chemicals at work, ECLI:EU:C:1993:106, delivered 19 March 1993.

Mirka Kuisma

23. No General Treaty-making Power of the Commission to Conclude International Administrative Agreements: *France v Commission I*

Case C-327/91, *French Republic v Commission of the European Communities*, ECLI:EU:C:1994:305, delivered 9 August 1994.

Andrea Ott

24. The Scope of the Union's Exclusive External Competences and the Verification of Competence: *Opinion 2/92 (OECD)*

Opinion 2/92, Third Revised Decision of the OECD on national treatment, ECLI:EU:C:1995:83, delivered 24 March 1995.

Daniel Sarmiento

25. The Reviewability of Acts Adopted by the Member States meeting within the Council: *Parliament v Council and Commission (Bangladesh Aid)*

Joined Cases C-181/91 and C-248/91, *European Parliament v Council of the European Communities and Commission of the European Communities*, ECLI:EU:C:1993:271, delivered 30 June 1993.

Luca Pantaleo

26. Legality of the European Development Fund and the European Parliament's Prerogatives: *Parliament v Council (European Development Fund)*

Case C-316/91, *European Parliament v Council of the European Union*, ECLI:EU:C:1994:76, delivered 2 March 1994.

Sandra Bartelt

27. Unrecognised 'States' and EU Law: *Anastasiou I*

Case C-432/92, *The Queen v Minister of Agriculture, Fisheries and Food, ex parte S. P. Anastasiou (Pissouri) Ltd and others*, ECLI:EU:C:1994:277, delivered 5 July 1994.

Alina Tryfonidou

- 28. Consistent Interpretation and Continuous Dialogue between the EU and the WTO: *Germany v Council (Bananas)***

Case C-280/93, *Federal Republic of Germany v Council of the European Union*, ECLI:EU:C:1994:367, delivered 5 October 1994.

Joseph McMahon

- 29. A Setback in a Never-Ending Expansion to External Competence? *Opinion 1/94 (WTO)***

Opinion 1/94, Competence of the Community to conclude international agreements concerning services and the protection of intellectual property, ECLI:EU:C:1994:384, delivered 15 November 1994.

Enzo Cannizzaro

- 30. The First Attempt at EU Accession to the ECHR: *Opinion 2/94***

Opinion 2/94, Accession by the Community to the European Convention for the Protection of Human Rights and Fundamental Freedom, ECLI:EU:C:1996:140, delivered 28 March 1996.

Stian Øby Johansen

- 31. Unilateral Measures of Member States affecting the Internal Market and the Law/Politics Divide in External Relations: *Commission v Greece (FYROM)***

Case C-120/94 and Case C-120/94 R, *Commission of the European Communities v Hellenic Republic*, ECLI:EU:C:1994:275 and ECLI:EU:C:1996:116, delivered 29 June 1994 and 19 March 1996.

Henri de Waele

32. EU Membership in International Organisations and the Joint Exercise of Membership Rights: *Commission v Council (FAO)*

Case C-25/94, *Commission of the European Communities v Council of the European Union*, ECLI:EU:C:1996:114, delivered 19 March 1996.

Rita Guerreiro Teixeira & Jan Wouters

33. Scope of EU Development Policy: *Portugal v Council (India Cooperation Agreement)*

Case C-268/94, *Portuguese Republic v Council of the European Union*, ECLI:EU:C:1996:461, delivered 3 December 1996.

Morten Broberg

34. Enforcement of International Sanctions within the EU Legal Order: *Bosphorus*

Case C-84/95, *Bosphorus Hava Yollari Turizm ve Ticaret AS v Minister for Transport, Energy and Communications and others*, ECLI:EU:C:1996:312, delivered 30 July 1996.

Aindrias Ó Caoimh

35. Legal Certainty and Customary International Law: *Opel Austria*

Case T-115/94, *Opel Austria GmbH v Council of the European Union*, ECLI:EU:T:1997:3, delivered 22 January 1997.

Marcus Klamert

36. Invoking Customary International Law before the Court: *Racke*

Case C-162/96, *A. Racke GmbH & Co. v Hauptzollamt Mainz*, ECLI:EU:C:1998:293, delivered 16 June 1998.

Jed Odermatt

37. The Effect of WTO Law in the EU Legal Order: *Portugal v Council*

Case C-149/96, *Portuguese Republic v Council of the European Union*, ECLI:EU:C:1999:574, delivered 23 November 1999.

Holger Hestermeyer

38. The Member States' Duty to Denounce Anterior Treaties: *Commission v Portugal (Maritime Policies)*

Case C-62/98, *Commission of the European Communities v Portuguese Republic*, ECLI:EU:C:2000:358, delivered 4 July 2000, and, Case C-84/98, *Commission of the European Communities v Portuguese Republic*, ECLI:EU:C:2000:359, delivered 4 July 2000.

Hannes Lenk

39. The Relationship between the Common Commercial Policy and other External Competences of the EU: *Opinion 2/00 (Cartagena Protocol)*

Opinion 2/00, Cartagena Protocol on Biosafety, ECLI:EU:C:2001:664, delivered 6 December 2001.

Koen Lenaerts & Stanislas Adam

40. Autonomy of the EU Legal Order and International Agreements extending the *acquis*: *Opinion 1/00 (European Common Aviation Area)*

Opinion 1/00, Proposed agreement between the European Community and non-Member States on the establishment of a European Common Aviation Area, ECLI:EU:C:2002:231, delivered 18 April 2002.

Cécile Rapoport

41. [AWAITING FINAL TITLE]: *Open Skies*

Joined Cases C-466/98, C-467/98, C-468/98, C-469/98, C-471/98, C-472/98, C-475/98 and C-476/98, *Commission v United Kingdom, Denmark, Sweden, Finland, Belgium, Luxembourg, Austria, Germany*, ECLI:EU:C:2002:624, ECLI:EU:C:2002:625,

ECLI:EU:C:2002:626, ECLI:EU:C:2002:627, ECLI:EU:C:2002:628, ECLI:EU:C:2002:629, ECLI:EU:C:2002:630, ECLI:EU:C:2002:631, delivered 5 November 2002.

Wybe Th. Douma

42. Respect for Institutional Balance in the Adoption of Non-legally Binding Agreements: *France v Commission II*

Case C-233/02, *French Republic v Commission of the European Communities*, ECLI:EU:C:2004:173, delivered 23 March 2004.

Paula García Andrade

43. The Effect of WTO Dispute Settlement Body Decisions in EU Law: *Van Parys*

Case C-377/02, *Léon Van Parys NV v Belgisch Interventie- en Restitutiebureau (BIRB)*, ECLI:EU:C:2005:121, delivered 1 March 2005.

Karsten Engsig Sørensen

44. Direct Effect of Neighbourhood Agreements, Non-discrimination, and the Beautiful Game: *Simutenkov*

Case C-265/03, *Igor Simutenkov v Ministerio de Educación y Cultura and Real Federación Española de Fútbol*, ECLI:EU:C:2005:213, delivered 12 April 2005.

Adam Łazowski

45. The Indissociable Link between Environmental Policy and the Common Commercial Policy: *Commission v Council (Rotterdam Convention I)*

Case C-94/03, *Commission of the European Communities v Council of the European Union*, ECLI:EU:C:2006:2, delivered 10 January 2006.

Geert De Baere

46. Lowering the Threshold for Finding Implied Powers: *Opinion 1/03 (Lugano Convention)*

Opinion 1/03, Competence of the Community to conclude the new Lugano Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, ECLI:EU:C:2006:81, delivered 7 February 2006.

Merijn Chamon

47. The Exclusive Jurisdiction of the Court and International Courts: *Commission v Ireland (Mox Plant)*

Case C-459/03, *Commission of the European Communities v Ireland*, ECLI:EU:C:2006:345, delivered 30 May 2006.

Andrés Delgado Casteleiro

48. Judicial Protection in Autonomous Restrictive Measures Involving Composite Administrative Procedures: *OMPI*

Case T-228/02, *Organisation des Modjahedines du peuple d'Iran v. Council of the European Union*, ECLI:EU:T:2006:384, delivered 12 December 2006.

Trevor Redmond

49. The Autonomy of EU Law vis-à-vis International Law: *Kadi I and Kadi II*

Case T-315/01, *Yassin Abdullah Kadi v Council of the European Union and Commission of the European Communities*, ECLI:EU:T:2005:332, delivered 21 September 2005, and, Case C-402/05 P, *Yassin Abdullah Kadi and Al Barakaat International Foundation v Council of the European Union and Commission of the European Communities*, ECLI:EU:C:2008:461, delivered 3 September 2008, and, Case T-85/09, *Yassin Abdullah Kadi v European Commission*, ECLI:EU:T:2010:418, delivered 30 September 2010, and Case C-584/10, *European Commission and Others v Yassin Abdullah Kadi*, ECLI:EU:C:2013:518, delivered 18 July 2013.

Christina Eckes

50. Laying the Foundation for a Broad Scope of EU Development Cooperation Policy and its Delimitation with other EU External Competence: *Parliament v Commission (Philippines Border Management)*

Case C-403/05, *European Parliament v Commission of the European Communities*, ECLI:EU:C:2007:624, delivered 23 October 2007.

Tina Van den Sanden

51. The Pre-Lisbon Machinery for the Delimitation of the CFSP: *Commission v Council (ECOWAS)*

Case C-91/05, *Commission of the European Communities v Council of the European Union*, ECLI:EU:C:2008:288, delivered 30 May 2008.

Rass Holdgaard & Gustav Krohn Schaldemose

52. The Legal Effects of the MARPOL Convention and the UN Convention on the Law of the Sea: *Intertanko*

Case C-308/06, *The Queen, on the application of International Association of Independent Tanker Owners (Intertanko) and Others v Secretary of State for Transport*, ECLI:EU:C:2008:312, delivered 3 June 2008.

Mario Mendez

53. Implied External Exclusivity and the Duty of Loyal Cooperation in International Organisations: *Commission v Greece (International Maritime Organisation)*

Case C-45/07, *Commission of the European Communities v Hellenic Republic*, ECLI:EU:C:2009:81, delivered 12 February 2009.

Thomas Ramopoulos

54. The Application of EU Law in an Unrecognised Entity: *Apostolides v Orams*

Case C-420/07, *Meletis Apostolides v David Charles Orams and Linda Elizabeth Orams*, ECLI:EU:C:2009:271, delivered 28 April 2009.

Nikos Skoutaris

55. Visa requirements for Turkish citizens: *Soysal & Savatli and Demirkan*

Case C-228/06, *Mehmet Soysal and Ibrahim Savatli v Bundesrepublik Deutschland*, ECLI:EU:C:2009:101, delivered 19 February 2009; and Case C-221/11, *Leyla Ecem Demirkan v Bundesrepublik Deutschland*, ECLI:EU:C:2013:583, delivered 24 September 2013.

Bruno De Witte

56. Potential Incompatibility of International Agreements Concluded by Member States before Accession: *Commission v Austria, Commission v Sweden, and Commission v Finland*

Case C-205/06, *Commission of the European Communities v Republic of Austria*, ECLI:EU:C:2009:118; Case C-249/06, *Commission of the European Communities v Kingdom of Sweden*, ECLI:EU:C:2009:119, delivered 3 March 2009; and Case C-118/07, *Commission of the European Communities v Republic of Finland*, ECLI:EU:C:2009:715, delivered 19 November 2009.

Luigi Lonardo

57. The Application of an EU International Agreements to Occupied and Disputed Territories: *Brita*

Case C-386/08, *Firma Brita GmbH v Hauptzollamt Hamburg-Hafen*, ECLI:EU:C:2010:91, delivered 25 February 2010.

Paul James Cardwell

58. Union Loyalty in Mixed External Relations, and the Weight of Informal Preparatory Acts: *Commission v Sweden (PFOS)*

Case C-246/07, *European Commission v Kingdom of Sweden*, ECLI:EU:C:2010:203, delivered 20 April 2010.

Pieter Jan Kuijper

59. [AWAITING FINAL TITLE]: *Air Transport Association of America*

Case C-366/10, *Air Transport Association of America and Others v Secretary of State for Energy and Climate Change*, ECLI:EU:C:2011:864, delivered 21 December 2011.

Isabelle Bosse-Platière

60. The Choice of Legal Basis between the AFSJ and the CFSP: *Parliament v Council (Smart Sanctions)*

Case C-130/10, *European Parliament v Council of the European Union*, ECLI:EU:C:2012:472, delivered 19 July 2012.

José Manuel Cortés Martín & Gloria Fernández Arribas

61. Common Commercial Policy or Internal Market Rules as the Legal Basis for the Conclusion of International Agreements after Lisbon: *Commission v Council (Conditional Access Convention)*

Case C-137/12, *European Commission v Council of the European Union*, ECLI:EU:C:2013:675, delivered 22 October 2013.

Roberto Mastroianni & Giorgia Lo Tauro

62. The Choice of Legal Basis for Coordination of Social Security Systems with Associated Third Countries: *United Kingdom v Council (EEC-Turkey)*

Case C-81/13, *United Kingdom of Great Britain and Northern Ireland v Council of the European Union*, ECLI:EU:C:2014:2449, delivered 18 December 2014.

Katarina Hyltén-Cavallius

63. Jurisdiction of the EU Courts in the CFSP when linked to the EU Budget: *Elitaliana*

Case T-213/12, *Elitaliana SpA v Eulex Kosovo*, ECLI:EU:T:2013:292, delivered 4 June 2013, and Case C-439/13 P, *Elitaliana SpA v Eulex Kosovo*, ECLI:EU:C:2015:753, delivered 12 November 2015.

Ricardo da Silva Passos

64. Intellectual Property and the post-Lisbon Common Commercial Policy: *Daiichi Sankyo*

Case C-414/11, *Daiichi Sankyo Co. Ltd and Sanofi-Aventis Deutschland GmbH v DEMO Anonimos Viomikhaniki kai Emporiki Etairia Farmakon*, ECLI:EU:C:2013:520, delivered 18 July 2013.

Joris Larik

65. The Application of EU Internal Competences in an External Context: *United Kingdom v Council (EEA)*

Case C-431/11, *United Kingdom of Great Britain and Northern Ireland v Council of the European Union*, ECLI:EU:C:2013:589, delivered 26 September 2013.

Tarjei Bekkedal

66. Balancing Institutional Powers in Negotiating Directives and EU External Environmental Relations: *Commission v Council (Australia ETS)*

Case C-425/13, *European Commission v Council of the European Union*, ECLI:EU:C:2015:483, delivered 16 July 2015.

Sanja Bogojević

67. The Normalisation of CFSP International Agreements in the EU Legal Order: *Parliament v Council (Mauritius) and Parliament v Council (Tanzania)*

Case C-658/11, *European Parliament v Council of the European Union*, ECLI:EU:C:2014:2025, delivered 24 June 2014, and, Case C-263/14, *European Parliament v Council of the European Union*, ECLI:EU:C:2016:435, delivered 14 June 2016.

Juan Santos Vara

68. The Legal Basis for International Agreements in the field of Development Cooperation post-Lisbon, and its potential as a Catch-all Provision: *Commission v Council (Philippines PCA)*

Case C-377/12, *European Commission v Council of the European Union*, ECLI:EU:C:2014:1903, delivered 11 June 2014.

Stephan Marquardt & Soledad Rodriguez Sanchez-Tabernero

69. Member States as Trustees of the Union in International Organisations: *Germany v Council (OIV)*

Case C-399/12, *Federal Republic of Germany v Council of the European Union*, ECLI:EU:C:2014:2258, delivered 7 October 2014.

Theodore Konstadinides

70. The ERTA doctrine post-Lisbon: *Opinion 1/13 (Convention on the Civil Aspects of International Child Abduction)*

Opinion 1/13, Convention on the Civil Aspects of International Child Abduction, ECLI:EU:C:2014:2303, delivered 14 October 2014.

Christian Thorning

71. The Second Attempt at EU Accession to the ECHR: *Opinion 2/13*

Opinion 2/13, Accession of the European Union to the European Convention for the Protection of Human Rights and Fundamental Freedoms, ECLI:EU:C:2014:2454, delivered 18 December 2014.

Katja S. Ziegler

72. The Impact of Obligations under International Agreements on the (Judicial) Review of EU Measures: *Stichting Natuur en Milieu and Pesticide Action Network Europe*

Joined Cases C-404/12 P and C-405/12 P, *Council of the European Union and European Commission v Stichting Natuur en Milieu and Pesticide Action Network Europe*, ECLI:EU:C:2015:5, delivered 13 January 2015.

Anne Thies

73. Hybrid Acts of the EU and its Member States concerning International Agreements: *Commission v Council (US Air Transport Agreement)*

Case C-28/12, *European Commission v Council of the European Union*, ECLI:EU:C:2015:282, delivered 28 April 2015.

Joni Heliskoski

74. EU Representation in International Litigation: *Council v Commission (International Tribunal for the Law of the Sea)*

Case C-73/14, *Council of the European Union v European Commission*, ECLI:EU:C:2015:663, delivered 6 October 2015.

Alexander Kornezov

75. The Compatibility of EU International Agreements Extending to Occupied Territories with International Law: *Front Polisario and Western Sahara Campaign UK*

Case T-512/12, *Front populaire pour la libération de la saquia-el-hamra et du rio de oro (Front Polisario) v Council of the European Union*, ECLI:EU:T:2015:953, delivered 10 December 2015; Case C-104/16 P, *Council of the European Union v Front populaire pour la libération de la saquia-el-hamra et du rio de oro (Front Polisario)*, ECLI:EU:C:2016:973, delivered 21 December 2016; and, Case C-266/16, *Western Sahara Campaign UK v Commissioners for Her Majesty's Revenue and Customs and Secretary of State for Environment, Food and Rural Affairs*, ECLI:EU:C:2018:118, delivered 27 February 2018.

Eva Kassoti

76. The Scope of the Court’s Jurisdiction in the CFSP: *H v Council and Others*

Case C-455/14 P, *H v Council of the European Union, European Commission and European Union Police Mission (EUPM) in Bosnia and Herzegovina*, ECLI:EU:C:2016:569, delivered 19 July 2016.

Luca Prete

77. Institutional Balance in the Conclusion of Non-binding International Agreements Revisited: *Council v Commission (Swiss MoU)*

Case C-660/13, *Council of the European Union v European Commission*, ECLI:EU:C:2016:616, delivered 28 July 2016.

Anders Neergaard

78. The Concept of (Non-)Commerciality and the ERTA Doctrine post-Lisbon: *Opinion 3/15 (Marrakesh Treaty)*

Opinion 3/15, Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled, ECLI:EU:C:2017:114, delivered 14 February 2017.

Gesa Kübek

79. The Absence of Rights to Humanitarian Visas, and Missions of EU Member States in Third Countries: *X and X v Belgium*

Case C-638/16 PPU, *X and X v État belge*, ECLI:EU:C:2017:173, delivered 7 March 2017.

Louise Halleskov

80. Attribution of Authorship of ‘EU’ Legal Acts: *NF and Others v European Council*

Case T-192/16, *NF v European Council*, ECLI:EU:C:2017:762, delivered 28 February 2017; and, Joined Cases C-208/17 P to C-210/17 P, *NF and Others v European Council*, ECLI:EU:C:2018:705, delivered 12 September 2018.

Mauro Gatti

- 81. Securing a Coherent System of Judicial Protection in Relation to Restrictive Measures: *Rosneft***

Case C-72/15, PJSC *Rosneft Oil Company v Her Majesty's Treasury and Others*, ECLI:EU:C:2017:236, delivered 28 March 2017.

Peter Van Elsuwege

- 82. The Competence to Conclude the New Generation of EU Free Trade Agreements and the Scope of the Common Commercial Policy: *Opinion 2/15 (EU-Singapore FTA)***

Opinion 2/15, Free Trade Agreement between the European Union and the Republic of Singapore, ECLI:EU:C:2017:376, delivered 16 May 2017.

Christine Kaddous

- 83. International Agreements accessed through the Prism of the Charter of Fundamental Rights: *Opinion 1/15 (EU-Canada PNR)***

Opinion 1/15, Draft Agreement between Canada and the European Union on the transfer and processing of Passenger Name Record data, ECLI:EU:C:2017:592 delivered 26 July 2017.

Suzanne Kingston

- 84. The Unitary Representation of the Union in an International Forum and Clarification of Shared Competence and Facultative Mixity post-Lisbon: *Germany v Council (COTIF I)* and *Commission v Germany (COTIF II)***

Case C-600/14, *Federal Republic of Germany v Council of the European Union*, ECLI:EU:C:2017:935, delivered 5 December 2017; and, Case C-620/16, *European Commission v Federal Republic of Germany*, ECLI:EU:C:2019:256, delivered 27 March 2019.

Maciej Szpunar & Roland Klages

85. The Web of Autonomy of the EU Legal Order: *Achmea*

Case C-284/16, *Slowakische Republik v Achmea BV*, ECLI:EU:C:2018:158, delivered 6 March 2018.

Xavier Groussot & Marja-Liisa Öberg

86. The Delineation between CFSP and non-CFSP Matters: *Commission v Council (Kazakhstan)*

Case C-244/17, *European Commission v Council of the European Union*, ECLI:EU:C:2018:662, delivered 4 September 2018.

Thomas Verellen

87. Mixity and Exercising Shared Competence in International Fora: *Commission v Council (Antarctic Marine Protected Areas)*

Joined Cases C-626/15 and C-659/16, *European Commission v Council of the European Union*, ECLI:EU:C:2018:925, delivered 20 November 2018.

Frederik Naert

88. Investor-State Dispute Tribunals Established under EU International Agreements: *Opinion 1/17 (EU-Canada CETA)*

Opinion 1/17, EU-Canada CET Agreement, ECLI:EU:C:2019:341, delivered 30 April 2019.

Kieran Bradley

89. Ensuring Respect for International Humanitarian Law through Labelling Requirements: *OJE and Vignoble Psagot*

Case C-363/18, *Organisation juive européenne and Vignoble Psagot Ltd v Ministre de l'Économie et des Finances*, ECLI:EU:C:2019:954, delivered 12 November 2019.

Sara Poli

90. *Inter se* Agreements between Member States, and the Outer Limits of the Court’s Jurisdiction in Infringement Proceedings: *Slovenia v Croatia*

Case C-457/18, *Republic of Slovenia v Republic of Croatia*, ECLI:EU:C:2020:65, delivered 31 January 2020.

Federico Casolari

91. Jurisdiction of the Court for Non-Contractual Liability and Actions for Damages Claims within the CFSP: *Bank Refah Kargaran*

Case C-134/19 P, *Bank Refah Kargaran v Council of the European Union*, ECLI:EU:C:2020:793, delivered 6 October 2020.

Graham Butler & Ramses A. Wessel

List of Contributors

(Alphabetically, by surname)

Stanislas Adam, Legal Secretary (*Référéndaire*), Court of Justice of the European Union, Luxembourg; and Professor of European Union Law, Ghent European Law Institute, Ghent University, Belgium.

Ilektra Antonaki, Legal Secretary (*Référéndaire*), General Court, Court of Justice of the European Union, Luxembourg.

Sandra Bartelt, Deputy Head of Cabinet, Commissioner for International Partnerships, European Commission, Brussels, Belgium.

Tarjei Bekkedal, Professor of Law and Vice-Dean of Law, Centre for European Law, University of Oslo, Norway.

Sanja Bogojević, Fellow and Associate Professor of Law, Lady Margaret Hall and Faculty of Law, University of Oxford, United Kingdom.

Isabelle Bosse-Platière, Professor of Law, University of Rennes, France.

Charlotte Beaucillon, Professor of Law, University of Lille, France.

Kieran Bradley, Former Judge, EU Civil Service Tribunal, Court of Justice of the European Union, Luxembourg; former Special Adviser to the Court of Justice on Brexit; Adjunct Professor, School of Law, Trinity College, University of Dublin, Ireland.

Morten Broberg, Professor and Honorary Jean Monnet Professor, University of Copenhagen, Denmark; and Judge of the Court of Appeal of Eastern Denmark (*Østre Landsret*) (*ad interim*), Denmark.

Graham Butler, Associate Professor of Law, Aarhus University, Denmark.

Nathan Cambien, Legal Secretary (*Référéndaire*), General Court, Court of Justice of the European Union, Luxembourg; and Associate Professor, University of Antwerp, Belgium.

Enzo Cannizzaro, Professor of International and European Law, Sapienza University of Rome, Italy.

Paul James Cardwell, Professor of Law, City, University of London, United Kingdom.

Federico Casolari, Associate Professor of EU Law, University of Bologna, Italy.

Fernando Castillo de la Torre, Director, Legal Service, European Commission, Brussels, Belgium.

Merijn Chamon, Assistant Professor of European Union Law, Maastricht University, The Netherlands; and Visiting Professor, College of Europe, Bruges, Belgium.

José Manuel Cortés Martín, Professor of Public International Law, University Pablo de Olavide, Seville, Spain.

Per Cramér, Professor of International Law, Jean Monnet Professor of European Integration Law and Dean, School of Business, Economics and Law, University of Gothenburg, Sweden.

Marise Cremona, Professor Emeritus, European University Institute, Florence, Italy.

Ricardo da Silva Passos, Judge, General Court, Court of Justice of the European Union, Luxembourg; former Director of Institutional and Parliamentary Affairs, Legal Service, European Parliament, Brussels, Belgium.

Geert De Baere, Judge, General Court, Court of Justice of the European Union, Luxembourg; and Associate Professor of EU Law and International Law, KU Leuven, Belgium.

Henri de Waele, Professor of International and European Law, Radboud University, Nijmegen, The Netherlands; Guest Professor of EU External Relations Law, University of Antwerp, Belgium.

Bruno De Witte, Professor of European Law, Maastricht University, Netherlands; and European University Institute, Florence, Italy.

Andrés Delgado Casteleiro, Assistant Professor, Autonomous University of Chile, Santiago, Chile.

Wybe Th. Douma, Senior Legal Advisor, Ministry of Social Affairs and Employment, The Hague, The Netherlands.

Christina Eckes, Professor of European Law and Director of the Amsterdam Centre for European Law and Governance, University of Amsterdam, The Netherlands.

Piet Eeckhout, Professor of EU Law and Dean, Faculty of Laws, University College London, United Kingdom.

Gloria Fernández Arribas, Associate Professor of Public International Law, University Pablo de Olavide, Seville, Spain.

Paula García Andrade, Associate Professor of Public International Law and European Union Law, Comillas Pontifical University, Madrid, Spain.

Mauro Gatti, Assistant Professor of European Union Law, University of Bologna, Italy.

Dylan Geraets, Associate, Mayer Brown Europe-Brussels LLP, Brussels, Belgium; Docent in World Trade Law, University of Eastern Finland, Joensuu, Finland; and Associate Fellow, Leuven Centre for Global Governance Studies, KU Leuven, Belgium.

Inge Govaere, Professor of EU Law and Director, Ghent European Law Institute, Ghent University, Belgium; and Director, European Legal Studies Department, College of Europe, Bruges, Belgium.

Xavier Groussot, Professor of European Law and Vice-Dean of Law, Lund University, Sweden.

Rita Guerreiro Teixeira, Doctoral Researcher, Leuven Centre for Global Governance Studies and Institute for International Law, KU Leuven, Belgium.

Louise Halleskov, Associate Professor of Law, Aarhus University, Denmark.

Joni Heliskoski, Justice, Supreme Administrative Court, Helsinki, Finland; formerly Agent of the Government of Finland before Court of Justice of the European Union.

Holger Hestermeyer, Professor of International and EU Law, King's College London, United Kingdom.

Rass Holdgaard, Partner, Kammeradvokaten, Law Firm Poul Smith (Legal Adviser to the Government), Copenhagen, Denmark.

Katarina Hyltén-Cavallius, Assistant Professor of EU Law, Aarhus University, Denmark.

Stian Øby Johansen, Associate Professor, Centre for European Law, University of Oslo, Norway.

Christine Kaddous, Professor of European Union Law, University of Geneva, Switzerland.

Eva Kassoti, Senior Researcher in European and International Law, Academic Coordinator of the Centre for the Law of European External Relations (CLEER), T.M.C. Asser Institute, The Hague, Netherlands.

Jan Klabbers, Professor of International Law, University of Helsinki, Finland.

Marcus Klamert, Professor of European Law, University of Graz, Austria; Legal Advisor, Federal Chancellery, Vienna, Austria.

Suzanne Kingston, Professor of Law, University College Dublin, Ireland; Senior Counsel, Bar of Ireland.

Roland Klages, Member of the Legal Service, European Court of Auditors, Luxembourg.

Theodore Konstadinides, Professor of Law, University of Essex, United Kingdom.

Alexander Kornezov, Judge, General Court, Court of Justice of the European Union, Luxembourg.

Panos Koutrakos, Professor of EU Law and Jean Monnet Professor of EU Law, City, University of London, United Kingdom.

Gesa Kübek, Assistant Professor in European Law, University of Groningen, The Netherlands; and Visiting Research Fellow, Leuphana University, Lüneburg, Germany.

Pieter Jan Kuijper, Professor Emeritus, Faculty of Law University of Amsterdam, The Netherlands; Former Director of the Legal Affairs Division, WTO Secretariat, Geneva, Switzerland, and Director, Trade and International Relations Division, Legal Service, European Commission, Brussels Belgium.

Mirka Kuisma, Judicial Secretary (*Oikeussihteeri*), Supreme Administrative Court, Helsinki, Finland.

Jaka Kukavica, PhD Researcher, European University Institute, Florence, Italy.

Joris Larik, Assistant Professor of Comparative, EU and International Law, Leiden University, The Netherlands.

Koen Lenaerts, President, Court of Justice of the European Union, Luxembourg; and Professor of European Union Law, KU Leuven, Belgium.

Adam Łazowski, Professor of EU Law, University of Westminster, London, United Kingdom.

Hannes Lenk, Assistant Professor of Law, Aarhus University, Denmark.

Tobias Lock, Professor of Law and Jean Monnet Chair in EU Law, Maynooth University, Maynooth, Ireland.

Luigi Lonardo, Lecturer in EU Law, University College Cork, Ireland.

Giorgia Lo Tauro, PhD Candidate in EU Law, University of Catania, Italy.

Stephan Marquardt, Head of the Legal Affairs Division, European External Action Service, Brussels, Belgium.

Roberto Mastroianni, Judge, General Court, Court of Justice of the European Union, Luxembourg; and Professor of European Union Law, University of Naples ‘Federico II’, Italy.

Mario Mendez, Reader in Law, Queen Mary, University of London, United Kingdom.

Joseph McMahon, Professor of Commercial Law and former Dean, Sutherland School of Law, University College Dublin, Ireland.

Frederik Naert, Member of the Legal Service, Council of the European Union, Brussels, Belgium; Affiliated Senior Researcher, KU Leuven, Belgium.

Anders Neergaard, Head of Unit, Legal Service, European Parliament, Brussels, Belgium.

Eleftheria Neframi, Professor of Law, University of Luxembourg, Luxembourg.

Aindrias Ó Caoimh, Former Judge, Court of Justice, Court of Justice of the European Union, Luxembourg; former Judge, High Court of Ireland, Dublin, Ireland.

Jed Odermatt, Lecturer in Law, City, University of London, United Kingdom.

Andrea Ott, Professor of EU External Relations Law and Jean Monnet Chair in EU law, Maastricht University, The Netherlands.

Marja-Liisa Öberg, Senior Lecturer of EU Law, Lund University, Sweden.

Esa Paasivirta, Adjunct Professor, University of Helsinki, Finland; and Former Legal Adviser, European Commission, Brussels, Belgium.

Luca Pantaleo, Assistant Professor of European Union Law, University of Cagliari, Italy.

Tamara Perišin, Judge, General Court, Court of Justice of the European Union, Luxembourg; and Professor of EU and WTO Law, University of Zagreb, Croatia.

Alessandro Petti, Max Weber Fellow, Department of Law, European University Institute, Florence, Italy.

Sara Poli, Professor of EU Law, University of Pisa, Italy.

Luca Prete, Legal Secretary (*Référéndaire*), Court of Justice of the European Union, Luxembourg; and Guest Professor, Vrije Universiteit, Brussels, Belgium.

Thomas Ramopoulos, Member of the Legal Service, European Commission, Brussels, Belgium.

Cécile Rapoport, Professor of Law, University of Rennes, France.

Trevor Redmond, Legal Counsellor, Department of Foreign Affairs, Dublin, Ireland.

Soledad Rodriguez Sanchez-Taberner, Legal Adviser, Legal Affairs Division, European External Action Service, Brussels, Belgium.

Timothy Roes, Assistant Professor of Law, Leiden University, The Netherlands.

Allan Rosas, President of the Article 255 TFEU panel; former Judge, Court of Justice, Court of Justice of the European Union, Luxembourg; former Deputy Director-General, Legal Service, European Commission, Brussels, Belgium; former Professor of Law, University of Turku and Åbo Akademi University, Finland.

Juan Santos Vara, Professor of Public International Law and Jean Monnet Professor in EU External Action, University of Salamanca, Spain.

Daniel Sarmiento, Professor of EU Law, Complutense University, Madrid, Spain.

Gustav Krohn Schaldemose, Deputy Head of Division, Ministry of Justice, Copenhagen, Denmark.

Joanne Scott, Professor of European Law and Head, Department of Law, European University Institute, Florence, Italy.

Nikos Skoutaris, Associate Professor in EU Law, University of East Anglia, Norwich, United Kingdom.

Maciej Szpunar, First Advocate General, Court of Justice of the European Union, Luxembourg; Professor of Law, University of Silesia, Katowice, Poland.

Karsten Engsig Sørensen, Professor of Law, Aarhus University, Denmark.

Anna Södersten, Senior Researcher, Swedish Institute for European Policy Studies, Stockholm, Sweden.

Anne Thies, Associate Professor in Law, Deputy Head of School, School of Law, University of Reading, United Kingdom.

Christian Thorning, Ambassador, Ministry of Foreign Affairs, Copenhagen, Denmark; formerly Agent of Denmark before the Court of Justice of the European Union.

Alina Tryfonidou, Professor of European Law, Neapolis University Paphos, Cyprus; and Visiting Professor of Law, University of Reading, United Kingdom.

Guillaume Van der Loo, Research Fellow, European Policy Centre and Egmont (Royal Institute for International Relations), Brussels, Belgium; and, Visiting Professor, Ghent University, Belgium.

Tina Van den Sanden, Legal Officer, Directorate-General for International Cooperation and Development, European Commission, Brussels, Belgium; and Senior Affiliated Researcher, Institute for European Law, KU Leuven, Belgium.

Peter Van Elsuwege, Professor of EU law and Jean Monnet Chair, Ghent European Law Institute, Ghent University, Belgium.

Thomas Verellen, Assistant Professor of European Union and International Law, Utrecht University, The Netherlands; and Research Fellow, Institute for European Law, KU Leuven, Belgium.

Ramses A. Wessel, Professor of European Law and Vice-Dean, University of Groningen, The Netherlands.

Jan Wouters, Professor of International Law and International Organisations, Jean Monnet Chair *ad personam*, and Director, Leuven Centre for Global Governance Studies and Institute for International Law, KU Leuven, Belgium.

Katja S. Ziegler, Sir Robert Jennings Professor of International Law, and Co-Director, Centre for European Law and Internationalisation, University of Leicester, United Kingdom.