

## Differentiated EU Legal Integration (B001367)

**Course size** *(nominal values; actual values may depend on programme)*

**Credits** 4.0      **Study time** 120 h      **Contact hrs** 30.0 h

**Course offerings and teaching methods in academic year 2022-2023**

A (semester 1)	Dutch	Gent	seminar	15.0 h
			guided self-study	5.0 h
			lecture	10.0 h

**Lecturers in academic year 2022-2023**

Van Elsuwege, Peter	RE22	lecturer-in-charge
Maresceau, Marc	RE22	co-lecturer

**Offered in the following programmes in 2022-2023**

	crdts	offering
<a href="#">Master of Science in Teaching in Social Sciences (main subject Laws)</a>	4	A
<a href="#">Master of Laws in Laws</a>	4	A

**Teaching languages**

Dutch

**Keywords**

EU integration and disintegration (Brexit), EU legal personality, bilateral and multilateral agreements (Turkey, Russia, Switzerland, European Economic Area), division of competences, direct effect

**Position of the course**

This course focuses on the phenomenon of "EU integration without membership". This implies that third countries incorporate and apply specific aspects of EU law in their legal order. The agreement establishing the European Economic Area, certain bilateral agreements with Switzerland and the EU-Ukraine Association Agreement provide examples of such an integration without membership. Also other forms of intra-European cooperation will be examined in the course (a.o. in relation to Russia and Turkey). Finally, the implications of Brexit will be discussed.

**Contents**

Various models of EU integration without membership will be studied from a comparative perspective. This includes: the European Economic Area, the EU-Swiss bilaterals; the relations EU-Turkey; the Stabilisation and Association Agreements with the Western Balkan countries; the legal relations with the micro-states; the Association Agreements in the framework of the European Neighbourhood Policy, such as the EU-Ukraine Association Agreement. This implies that also attention is devoted to the EU-Russia relations. Finally, the legal framework of Brexit will be analysed.

**Initial competences**

A basic understanding of EU law is required

**Final competences**

1 Having an insight into the specific aspects of the EU legal order, in particular as far as relations with third countries are concerned

- 2 Ability to distinguish and analyse various forms of EU integration without membership and far-reaching forms of cooperation between third countries and the EU
  - 3 Knowing and understanding the division of competences in the field of external relations, the legal basis for the conclusion of agreements, the direct effect of agreements.
  - 4 Ability to analyse the EU's treaty practice from a comparative perspective
  - 5 Acknowledge the broader historical, political and economic context of the EU's treaty practice
- 6 Ability to analyse critically primary and secondary sources in the light of relevant doctrine and recent developments.

#### **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**

Access to this course unit via an exam contract is unrestricted

#### **Teaching methods**

Guided self-study, lecture, seminar

#### **Extra information on the teaching methods**

Various models of EU integration without membership and of intra-European cooperation will be discussed during classes. Students are expected to read the relevant documents of the reader in preparation of the classes.

#### **Learning materials and price**

Reader with relevant primary and secondary sources is distributed via the Ufora online platform. Lecture notes are required to complement this information.

#### **References**

M. Maresceau, 'The Role of the EU in international relations with special regard to the neighbourhood', in: G. Bandi, P. Darak and K. Debisso (eds.), XXVII FIDE Congress Proceedings, Vol. 4, Wolters Kluwer, Budapest, 2016, pp. 97-106.

P. Van Elsuwege, R. Petrov, (ed.), Legislative approximation and application of EU law in the Eastern neighbourhood of the European Union. Towards a Common Regulatory Space, Routledge, 2014.

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#### **Course content-related study coaching**

Interactive support via Ufora, professor and academic assistants available on appointment

#### **Evaluation methods**

end-of-term assessment

#### **Examination methods in case of periodic evaluation during the first examination period**

Written examination

#### **Examination methods in case of periodic evaluation during the second examination period**

Written examination

#### **Examination methods in case of permanent evaluation**

#### **Possibilities of retake in case of permanent evaluation**

not applicable

#### **Extra information on the examination methods**

Written exam with open questions concerning the characteristics and evolution of the various forms of EU integration without membership.

#### **Calculation of the examination mark**

100 % schriftelijk examen