ESSENTIAL EU LAW IN TEXT

Christa Tobler
Jacques Beglinger

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B. THE DEVELOPMENT OF THE EUROPEAN UNION

I. European integration against the global background

Under the influence of *repeated and devastating wars in Europe*, in particular between Germany and France, renewed efforts were made after the Second World War to bring the European countries closer to each other in order to prevent further wars and to guarantee stability and the welfare of the people ***[Chart 2/1]***. These specifically European efforts have to be seen against the broader background of the development of international cooperation on the global level. After the Second World War, a number of important international organisations were founded, including in particular the UN (United Nations) in the political field, the GATT (General Agreement on Trade and Tariffs) and the OECD (Organisation for Economic Co-operation and Development) in the economic field and the NATO (North Atlantic Treaty Organization) in the field of defence and security ***[Chart 2/2]***.

In 1945, the UN was set up as the successor to the rather unsuccessful League of Nations (which had notably not been able to prevent the Second World War). Global trade saw the setting up of the GATT in 1947 (which today is part of the larger World Trade Organization, WTO). In 1948, the Organization for European Economic Co-operation (OEEC) was set up as the organisational framework for the post-war aid of the USA to Europe (Marshall Plan). Later, it became what is today the broader OECD. On the military plane, the North Atlantic Treaty Organisation (NATO) was founded in 1949.

II. Early steps of integration in Europe: the European Communities

In Europe, some countries aimed at a strong form of integration. This was attempted in three areas, namely politics, defence and economy ***[Chart 2/2, Chart 2/3]***. However, in the 1950s only the latter succeeded. In the field of economic integration, suggestions made by eminent politicians such as Jean Monnet, Robert Schuman and Paul-Henri Spaak led to tangible results.

On 9 May 1950, the French foreign minister, Robert Schuman, presented the so-called Schuman Plan, a proposal for the creation of a single authority to control the production of coal and steel (the industries necessary for warfare at the time) of France and Germany, through an international organisation with membership open to other European countries. The author of the content of this plan was Jean Monnet, then head of France's General Planning Commission.

In 1956, the Intergovernmental Committee on European Integration headed by the Belgian statesman, Paul-Henri Spaak, presented the so-called Spaak Report. The report contained an action plan for bringing the nuclear industry under one supervisory authority and for the creation of a general common market.

Based on these plans, *three European Communities* were established, namely the European Coal and Steel Community (ECSC) in 1951, the European Atomic Energy Community (commonly referred to as "Euratom") in 1957, and the European Economic Community (EEC), as it was called at the time, also in 1957 ***[Chart 2/4]***. (The EEC was later renamed "European Community", EC).[3] These three European Communities represented the beginning of what would later become the European Union ***[Chart 2/5]***.

Of the three Communities, the third Community (i.e. the EEC) was the most important because it covered a much broader field than the others (namely economic integration in general, rather than integration in certain specific fields only). As it could not regulate everything on the Treaty level, the EEC Treaty was set up as a mere *"traité-cadre"* (French for "framework treaty", or: *"traité-fondation"*, i.e. "foundation treaty", or *"traité-constitution"*, i.e. "constitutional treaty"). In addition to the Treaty (which made up the main part of so-called primary law, that is, law directly made by the Member States), there was a need for legislation on a lower level (secondary law, that is, law made by the Community institutions). Accordingly, the law of this third Community was much more than just the Treaty.

The *founding countries* of the three Communities were France, Germany, Italy, Belgium, the Netherlands and Luxembourg. Through this, they achieved a particularly strong form of economic integration whereby considerable powers were transferred to the Communities, where Community law was of immediate relevance

[3] See PART 1, B. III. 1.

to individuals (natural persons as well as companies and firms) and where the system of enforcement was very well developed (the so-called supranational approach).

Other European countries at the time opted for *initiatives that went less far* (the so-called intergovernmental approach, i.e. mere cooperation of the governments of the participating States) ***[Chart 2/6]***. This led to the founding of the EFTA (European Free Trade Association) and, much later, to the setting up of the EEA (European Economic Area).

> The EFTA, founded in 1960, represents a much looser form of economic integration than the Communities with their common markets. With time, many EFTA countries became Community (and later EU) Member States. Following a major revision in 2001, the EFTA Agreement is now much broader in terms of substance matter than it was when it was originally set up.
>
> The EEA comprises the EU and the EFTA States with the exception of Switzerland. The EEA Agreement was signed in 1992. In terms of intensity of economic integration, the EEA is on a higher level than the EFTA but on a lower level than the EU.

The intergovernmental approach is also reflected in other European organisations that were set up after the Second World War, most notably the Council of Europe and the WEU (Western European Union) ***[Chart 2/3]***.

> On the political plane, the Council of Europe was founded in 1949 in order to develop common and democratic principles in Europe. Today, it unites 47 Member States, including all Member States of the European Union. Its most important and most powerful instrument is the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). After having exhausted national remedies, individuals whose rights under the ECHR have been infringed can bring actions to the Court of Human Rights in Strasbourg, France.
>
> On the defence plane (military and security), the WEU was founded in 1948 as a defence treaty and revised in 1954.

As a result of this development, different European organisations reflect different approaches to integration.

III. From the Communities to the larger construct of the EU

1. The creation of the EU through the Maastricht Treaty

Much later, the three European Communities were taken as the starting point for a larger construct, namely the *European Union* (EU) ***[Chart 2/5]***. The EU was set up through the revision of Maastricht ("Maastricht Treaty", signed in 1992 and in force since 1 November 1993) ***[Chart 2/7]***. At the same time, the Maastricht Treaty provided for amendments to the pre-existing Community Treaties. In this context, the name of the third Community was changed from "European Economic Community" (EEC) to the shorter *"European Community"* (EC) ***[Chart 2/8]***.

> The deletion of the component "economic" was intended to reflect substantive developments over the past decennia that had made this third Community much more than an enterprise of *economic* integration (e.g. environmental law, consumer protection and social law). At the same time, it meant that there were now three European Communities, one of which was called "the European Community".

The EU as set up through the Maastricht Treaty was a complex international organisation. The picture often used for describing its structure following the Maastricht Treaty was a *temple with three pillars* ***[Chart 2/9]***. In this metaphor, the pre-existing Communities with their separate Treaties formed the first and strongest (supranational) pillar of the EU.

> The metaphor was based on the third section of Art. A of the EU Treaty which stated: "The Union shall be founded on the European Communities, supplemented by the policies and forms of cooperation established by this Treaty […]."
>
> Note that under the Maastricht Treaty, the EU did not replace the Communities. Rather, the Communities continued to exist alongside the EU. They remained international organisations in their own right.

To the pre-existing Communities, which formed the EU's first pillar, *two new fields of action* were added, namely "Common Foreign and Security Policy" (CFSP; second pillar) and "Cooperation in the Fields of Justice and Home Affairs" (JHA; third pillar; this pillar later changed its name). The instruments and decision making procedures used in the second and third pillars differed from those used in the first pillar.[4] More generally, in terms of intensity of integration the second and the third pillars were much weaker (intergovernmental approach) than the first pillar (supranational approach).

The pillar structure of the Union as based on the Maastricht Treaty was reflected in the structure of the EU Treaty ***[Chart 2/10]***.

> First pillar: Titles II, III and IV of the EU Treaty, containing changes to the Community Treaties. (It should be remembered that each Community had its own treaty).
>
> Second pillar: Title V in the EU Treaty, containing provisions on the Common Foreign and Security Policy.
>
> Third pillar: Title VI in the EU Treaty, containing provisions on Justice and Home Affairs.
>
> The common provisions (roof) could be found in Titles I and VII. Titles I and VII described the larger framework of the Union (e.g. the idea behind the EU, its objectives and foundations, amendment of the Treaty, accession of new Member States, languages of EU law).

The EU as created through the Maastricht Treaty *united elements of the original three strands* in which integration was attempted in the 1950s, namely economy (formerly the first pillar), defence/security (formerly the second pillar) and politics (formerly the third pillar as well as the overall structure of the EU). Further, the EU's top political institution, namely the European Council (Art. 13 TEU), has informal origins that date back to the time when the founding of a European Political Community had failed ***[Chart 2/3]***.

2. Subsequent changes in the structure of the EU

a) The EU after the Amsterdam Treaty

The *structure of the EU changed* somewhat with the Amsterdam revision ("Amsterdam Treaty", signed in 1997 and in force since 1 May 1999) ***[Chart 2/11]***. Through this revision, part of the original third pillar of the EU was moved into its first pillar (more specifically: into the EC Treaty, where it became Title IV of Part Three) ***[Chart 2/12]***. This caused the first pillar to grow and the third pillar to shrink. As a result of this operation, the reduced third pillar was renamed as "Police and Judicial Cooperation in Criminal Matters" (PJCCM). The name of the second pillar remained the same, namely "Common Foreign and Security Policy". Further, the Amsterdam revision introduced a new title on "closer cooperation" into the EU Treaty***[Chart 2/13, Chart 1/7]***.

> "Closer cooperation" gives the Member States the option of pursuing integration at "different speeds". This means that not all Member States necessarily share the same EU law; there may be differences. This is a fact that developed historically even before Title VII was introduced into the Treaty. Examples are the common currency of the EU, the euro (which is not shared by all Member States),[5] the so-called Schengen law on the abolition of border controls for persons (not all Member States are part of the Schengen area), and the former Social Agreement, which led to the adoption of certain social law measures (these measures were not then binding on the UK; they have since become binding on the UK).[6]

Again, the pillar structure of the EU as based on the Amsterdam Treaty was reflected in the structure of the EU Treaty ***[Chart 2/10]***.

> As compared to the previous structure, there were two differences: first, the common part (roof) included a new title, namely Title VII on closer cooperation. Second, the third pillar had a new name, namely "Police and Judicial Cooperation on Criminal Matters" (rather than the previous "Justice and Home Affairs").

[4] PART 1, D. III. 1. a).
[5] See PART 1, C. IV. 1.
[6] See PART 3, A. II.

b) A failed attempt: the Constitutional Treaty

In 2001, the so-called Laeken Declaration (officially "Declaration on the Future of the European Union") committed the EU to becoming more democratic, transparent and effective. In this context, the Member States decided to revise the Treaties in order to simplify the complex structure of the EU and to adapt the institutions and the workings of the EU to the enlarged Union. A draft text for the *Constitutional Treaty* was prepared by the so-called Convention, a body specially designed to consider the next Treaty revision. In its draft text, the Convention suggested far-reaching changes notably in the structure of the EU and the EC, namely the merging of the EU and of the EC, as well as the merging of the two Treaties into a single Treaty. This draft Treaty also provided for constitutional symbols such as a European flag, anthem and motto. It also suggested that certain legislative acts of the EU should be called "European laws". The Member States signed the Constitutional Treaty in 2004 in Rome. However, the Treaty did not enter into force, due in particular to negative popular votes in France and in the Netherlands in 2005 ***[Chart 2/15]***.

c) The EU after the Lisbon Treaty

To date the latest revision that has entered into force is the *Lisbon revision* ("Lisbon Treaty", signed in 2007 and in force since 1 December 2009). After the failure of the Constitutional Treaty, the Member States signed a new revising treaty in Lisbon, which, in terms of its content, is largely based on the Constitutional Treaty (minus the elements pointing to a "constitution") ***[Chart 2/16]***. The Lisbon Treaty contains the changes to the pre-existing Treaties (both the EU Treaty and the Community Treaties, i.e. the EC Treaty and the Euratom Treaty) brought about by the Lisbon revision ***[Chart 2/17]***. The Lisbon Treaty transforms the fundamental documents of the EU ***[Chart 2/18]***. First, it fundamentally revises the EU Treaty (TEU). Second, it revises and renames the EC Treaty, which is now called the Treaty on the Functioning of the European Union (TFEU). Third, it transforms the Charter of Fundamental Rights[7] into a binding document and gives it the same legal value as the Treaties.

These changes have had consequences for the *structure of the EU*. Most notably, through the Lisbon revision, the EC has been incorporated into the EU and therefore has ceased to exist under this name. The only remaining Community, namely Euratom, continues to exist alongside the EU, though in a more detached form (i.e. less closely linked to the EU than was formerly the case). In its revised form, the TEU no longer reflects a pillar structure in the way that it used to do it before the Lisbon revision ***[Chart 2/19]***. Except for the provisions on the Common Foreign and Security Policy, the TEU no longer contains provisions on specific areas of activities but focuses instead on constitutional issues. The detailed provisions on the institutions, substantive law and other provisions on the various areas of activity of the EU, including the provisions on judicial cooperation in criminal matters and on police cooperation, can be found in the TFEU ***[Chart 2/20]***.

> The rules on decision-making in the field of Common Foreign and Security Policy are somewhat different from the other fields ***[Chart 7/8]***. In that sense, the former second pillar of the EU has kept its intergovernmental nature. In contrast, the former third pillar of the EU has been adapted to follow the mechanisms and rules of what used to be Community law.

As a result of these far-reaching changes, the traditional metaphor of a temple with three pillars no longer appears appropriate for the European Union. The metaphor now suggested instead is that of a large planet around which Euratom circles like a satellite ***[Chart 2/21, Chart 2/22]***. In this metaphor, the three fundamental texts of the EU, namely the TEU, the TFEU and the Charter of Fundamental Rights, can be compared to the core, the mantle and the crust of the planet ***[Chart 2/23]***.

IV. Changing the reach and content of the Treaties

Over time, the reach and content of the original Treaties (both the Community Treaties and the EU Treaty) were changed in two ways, first though the accession of new Member States and second, through formal Treaty revisions.

[7] See PART 2, A. III. 1. a) i.

1. EU membership

According to Art. 49 TEU, any European State that respects the fundamental principles of the EU may apply *to become a member of the Union*. On a general level, the accession criteria have been further explained by the Member States (as the so-called Copenhagen Criteria). On an individual level, negotiations with the interested State are carried out by the European Commission (which is one of the institutions of the EU).[8]

The Copenhagen Criteria result from the Copenhagen meeting of the European Council (which is also one of institutions of the EU)[9] held in June 1993, and which were strengthened by the Madrid Council meeting held in December 1995. According to Art. 49 TEU, any European State which respects the principles set out in Art. 6(1) TEU may apply to become a member of the European Union. The Copenhagen Council specified that in order to join the EU, a new Member State must meet three specific criteria: political criteria (stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities), economic criteria (existence of a functioning market economy and the capacity to cope with competitive pressure and market forces within the Union) and acceptance of the Union acquis (ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union). The pre-accession strategy and accession negotiations provide the necessary framework and instruments. The Copenhagen Council decided that in order to make a decision to open accession negotiations, the political criterion must be satisfied.

Through the course of time, membership of the European Communities, and later of the European Union, has grown from six to the present 27 Member States. Further states have applied to become members ***[Chart 2/25]***.

The present Member States are: Austria, Belgium, Bulgaria, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and the UK.

Official candidate states at present are: Turkey, Croatia and Macedonia.

A number of further countries have applied for membership but have not yet reached the stage of official candidates, namely Albania, Montenegro, Iceland and, most recently, Serbia. In 1992, Switzerland applied for membership to the then three European Communities. However, as a consequence of political developments (negative popular vote on membership in the less far-reaching European Economic Area), the application was in effect frozen and remains in suspense to this day.

2. Changing the content of the Treaties

a) Treaty revisions

Even before the Lisbon revision, the Community and EU Treaties had been *revised on various occasions* ***[Chart 2/26]***. This led to important changes on the substantive level and on the level of the institutional system, but also on the level of the very structure of the EU, as already mentioned.[10]

The process of Treaty revision is described in the TEU. Unlike prior to the Lisbon revision, the TEU makes a distinction between the ordinary revision procedure (Art. 48(1)-(5) TEU), on the one hand, and simplified revision procedures (Art. 48(6) and (7) TEU), on the other hand. In the case of the *ordinary revision procedure*, a so-called Convention and an intergovernmental conference of representatives of the governments of the Member States must be convened in order to determine the amendments. Treaty revisions through the ordinary procedure require the unanimous vote of all Member States as well as ratification within the individual Member States according to their own national laws. Unless all Member States ratify it, a revising treaty (or indeed any treaty) cannot enter into force (Art. 48 TEU). Experience up to and including the Lisbon revision has shown that ratification is not always easy. In particular, popular votes (referenda) may be decisive in this context.

Whether there are referenda on Treaty revisions depends upon the respective national law of, or the political decisions in, the various Member States. At present, only the national law of Ireland requires a popular vote on Treaty revisions. The votes held in France and in the Netherlands in respect of the Constitutional Treaty were of a merely consultative nature. However, their political weight was so considerable that the Constitutional Treaty was doomed as a consequence.

[8] See PART 1, C. II. 4.
[9] See PART 1, C. II. 1.
[10] See PART 1, B. III. 2. c).

In the cases of the Maastricht, Nice and Lisbon Treaties, difficulties in the ratification process were eventually overcome ***[Chart 2/7, Chart 2/16]***.

The Maastricht Treaty led initially to a negative popular vote in Denmark. Similarly, the Nice Treaty led initially to a negative referendum in Ireland. In the case of both referenda, a second vote was held which led to a positive outcome. In addition, the compatibility of the Maastricht Treaty with the German Constitution was challenged before the German constitutional court (the *Bundesverfassungsgericht*). This led to the carefully crafted and now famous "Maastricht Judgment", in which the German constitutional court found the Maastricht Treaty to be compatible with the German constitution.
In the case of the Lisbon Treaty, the process of ratification was particularly difficult. Most notably, the people in Ireland rejected the revision in a vote in 2008. After certain concessions had been granted to Ireland (namely the assurance that it would continue to be able to send an Irish member to the Commission), a second referendum was held on 2 October 2009, which led to a positive outcome. As in the case of the Maastricht Treaty, the compatibility of the Lisbon Treaty with the German constitution was challenged before the German *Bundesverfassungsgericht*. In June 2009, this court handed down an important decision that will probably be termed the "Lisbon Judgment", in which it essentially held that the Lisbon Treaty is compatible with the German constitution, provided that the German national law introduce certain safeguards, notably in relation to the role of the German parliament. The German national law was changed accordingly in 2009. In the end, the completion of the ratification process was delayed by a second challenge in the Czech Constitutional (which had ruled already on the Treaty revision in 2008). The court gave its judgment in early November 2009. Essentially, it held that the Lisbon Treaty is consistent with the Czech constitutional order. That, together with the granting of an opt-out for the Czech Republic from the Charter of Fundamental Rights[11] cleared the way for completing the ratification process. In November 2009, the Czech Republic ratified the Treaty as the last of the 27 Member States to do so.

Post-Lisbon, the TEU also provides for *simplified revision procedures* in two contexts: first, a simplified procedure applies for revising all or part of the provisions of Part Three of the TFEU relating to the internal policies and action of the EU. In this case, the European Council – which is the top political institution of the EU[12] – acts by unanimity after consulting certain other institutions of the EU. The decision by the European Council must be approved by the Member States in accordance with their respective constitutional requirements. Second, a simplified procedure also applies for certain changes of the procedures to adopt secondary acts, including voting in the Council (of Ministers). In this case, the European Council acts by unanimity after obtaining the consent of the European Parliament. National Parliaments may express their opposition, in which case the revising decision shall not be adopted.

b) Renumbering of the Treaties

On a practical note, the Amsterdam revision (1997/1999) led to a major *renumbering of the Treaties* ***[Chart 2/14]***, as did the Lisbon revision (2007/2009) ***[Chart 2/24]***. In the course of the Amsterdam revision, old and otherwise irrelevant provisions were deleted and the remaining provisions renumbered. The ECJ at the time made suggestions as to how to refer to the Articles of the Treaties in their various versions.

The Lisbon revision led not only to a change in the numbers of many Treaty provisions, but – as already mentioned – also to a change in the name of one particular Treaty, namely the (revised) EC Treaty. Following the Lisbon revision, it is called "Treaty on the Functioning of the European Union" (TFEU). The name of the "Treaty on European Union" (TEU) remains.

In the present text, the following citations are used:

Pre-Amsterdam: "Art. A of the EU Treaty", post-Amsterdam: "Art. 1 EU", post-Lisbon: "Art. 1 TEU".

Pre-Maastricht: "Art. 1 of the EEC Treaty", post-Maastricht but pre-Amsterdam: "Art. 1 of the EC Treaty", post-Amsterdam: "Art. 1 EC", post-Lisbon: "Art. 1 TFEU".

For practical purposes, the old numbers remain relevant for two reasons in particular. First, they appear in the preambles of secondary measures (e.g. regulations, directives) where their legal basis is mentioned, if these measures were adopted under a previous version of a particular Treaty. Second, old numbering is used in the ECJ's case law relating to previous versions of the Treaties, including in particular the landmark cases. An illustrative example is provided by the *Van Gend en Loos* case.[13]

[11] See PART 2, A. III. 1. a) i.
[12] See PART 1, C. II. 1.
[13] See PART 1, E. III. 2. a).

V. The global background of European integration revisited

As a result of their historical development, the global as well as the European "legal landscapes" are rather complex, with different levels of cooperation and integration within the various level of activities ***[Chart 2/28]***. The relevant Treaty that applies in a given case will depend on the subject matter and on the countries involved.

Besides the EU, *the Member States of the EU are also signatories to numerous other international treaties,* both on the global and on the regional (i.e. European) level. Accordingly, they are bound by these global rules.

> In the field of trade, an illustrative example is provided by the dispute on the (regional) EU banana import regime against the background of the (global) WTO law. In the case of the WTO, not only are the EU Member States signatories, but also the EU itself (through its succession of the EC, which was the original signatory). The EC had set up rules on the importation of bananas from third countries into the EU in 1993. This regime was examined in the framework of the WTO dispute resolution mechanism. In 1997, the WTO ruled that the system infringed the GATT/WTO rules because it favoured certain importing countries (former colonies of some EU Member States) over others. In fact, it was only in 2009 that this dispute (the longest-running trade dispute in history so far) ended based on a compromise agreement between the EU and the Latin-American countries involved in the dispute.
>
> Another example of a "multi-level" field is human rights law, where there is important international law on several levels, including in particular several UN Conventions and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) of the Council of Europe. Before the Lisbon revision, neither the EU nor the EC were signatories to these Conventions, but their Member States were (and still are). The Lisbon Treaty envisages that the EU will become a signatory to the ECHR.

Further, the Treaties make (direct or indirect) *reference to other specific international organisations,* both global and European, that were set up earlier in the fields of politics and defence/security.[14] These include in particular the Council of Europe, the UN, the OECD, NATO and the WEU. In Part Four, the TFEU contains a general title on the Union's relations with international organisations and third countries and also on Union delegations (Title VI).

> The following are some examples:
>
> References to the Council of Europe can be found in different contexts. Most notably, according to Art. 6 TEU the Union shall respect fundamental rights, as guaranteed, among others, by the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). Further, Art. 151 TFEU in the chapter on social policy refers to the European Social Charter of 1961, which is also an instrument of the Council of Europe.
>
> Regarding the UN, the TEU contains several references to "the principles of the United Nations Charter" which need to be respected, for example in Art. 3(5) TEU on the EU's relations with the wider world. According to Art. 21 TEU, the EU "shall promote multilateral solutions to common problems, in particular in the framework of the United Nations". Further, Art. 34 TEU refers to the work of the UN Security Council, and Art. 220(1) TFEU mentions the cooperation of the EU with the organs of the United Nations and its specialised agencies.
>
> In the same context, Art. 220(1) TFEU also mentions the OECD and the Organization for Security and Co-operation in Europe (OSCE), an international forum that includes European and non-European countries.
>
> NATO is mentioned in Art. 42 TEU, in the part of the TEU on the Common Foreign and Security Policy.
>
> Regarding the WEU, Arts. 42 and 43 TEU incorporate the so-called "Petersberg tasks", which were set out in the Petersberg Declaration adopted at the Ministerial Council of the WEU in 1992 ***[Chart 7/8]***. The Petersberg tasks cover humanitarian and rescue tasks, peace-keeping tasks and tasks of combat forces in crisis management, including peacemaking. The WEU itself is mentioned in Protocol No 11 on Article 42 of the Treaty on European Union.
>
> In contrast, the Treaties do not contain any explicit reference to the World Trade Organization (WTO) as the most important international economic organisation. However, according to Art. 206 TFEU the EU "shall contribute, in the common interest, to the harmonious development of world trade, the progressive abolition of restrictions on international trade and on foreign direct investment, and the lowering of customs and other barriers". As was already stated, the EC was a signatory to the WTO. Since the EU has succeeded the EC, it has taken its place.

[14] See PART 1, B. I.

VI. Exercises

1. There is a (not very serious) booklet with the title “Bluff your way in the EEC, EC, EU”, in which both the words “EEC” and “EC” are crossed out. Using this title, please explain briefly the development from the EEC to the EU in legal terms.

2. In a letter to the editor published in the news magazine “The Economist” of 14 May 2005, a reader wrote the following: “I believe that the citizens of the European Union would be best served if the next expansion of the EU was not to the east but rather to the west, to incorporate Canada [...]. The advantages for both parties are too significant to ignore.” What do you think about the chances of applications for membership from countries such as Canada, Ukraine and Israel, in the event that they should wish to apply?

"Essential EU Law in Charts" and "Essential EU Law in Text"

Bibliography

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