

## CONTENTS

Selected Publications of Marc Maresceau (1972–May 2013) .....	xiii
Preface .....	xxi
Forewords	
A Tribute to a Colleague and a Friend .....	xxiii
<i>by Hubert Bocken</i>	
Tribute to Marc Maresceau—Hommage à Marc Maresceau .....	xxix
<i>by Paul Demaret</i>	
Hommage à Marc Maresceau au regard du Prix Nobel de la paix attribué à l’Union européenne .....	xxxiii
<i>by Jean Raux</i>	
A Tale of Ghent Bibliophiles—An Homage to the Intellect by the Intellect .....	xliii
<i>by Guy Schrans</i>	
List of Contributors .....	lxix
List of Abbreviations and Acronyms .....	lxiii

## PART I

### GENERAL PRINCIPLES OF EU EXTERNAL ACTION

The Continuing Bipolarity of EU External Action .....	3
<i>Alan Dashwood</i>	
Exclusive, Shared and National Competence in the Context of EU External Relations: Do Such Distinctions Matter? .....	17
<i>Allan Rosas</i>	
Direct Applicability and Direct Effect of International Law in the EU Legal Order .....	45
<i>Koen Lenaerts</i>	

The Legal Basis of International Agreements of the European Union in the Post-Lisbon Era .....	65
<i>Stanislas Adam</i>	

The European Convention on Human Rights and Fundamental Freedoms as an Integral Part of EU Law—Some Reflections on Status and Effect ...	87
<i>Piet Eeckhout</i>	

Loyauté du commerce et défense des intérêts des Etats membres et de l'Union européenne .....	101
<i>Christine Kaddous</i>	

## PART II

### THE INSTITUTIONAL FRAMEWORK OF EU EXTERNAL ACTION

The European External Action Service: Challenges in a Complex Institutional Framework .....	117
<i>Peter-Christian Müller-Graff</i>	

Can the EU Replace its Member States in International Affairs? An International Law Perspective .....	129
<i>Ramses A. Wessel</i>	

La procédure de conclusion des accords externes de l'Union européenne : quelle unité après Lisbonne? .....	149
<i>Cécile Rapoport</i>	

The European Parliament and International Trade Agreements: Practice after the Lisbon Treaty .....	171
<i>Youri Devuyst</i>	

The Euro Area and Multilateral Financial Institutions and Bodies: An Update .....	191
<i>Jean-Victor Louis</i>	

## PART III

### EU EXTERNAL ACTION IN PRACTICE: CONTEMPORARY ISSUES

The Status of the European Union at the United Nations General Assembly .....	211
<i>Jan Wouters, Jed Odermatt and Thomas Ramopoulos</i>	

Novel Issues Pertaining to EU Member States Membership of Other International Organisations: The OIV Case .....	225
<i>Inge Govaere</i>	
Member States of the European Union before the International Court of Justice .....	245
<i>Francis G. Jacobs</i>	
La juridiction unifiée du brevet: le nouvel oxymoron du droit européen ....	259
<i>Franklin Dehousse</i>	
La singularité de la décision dans le domaine de la Politique étrangère et de sécurité commune .....	275
<i>Claude Blumann</i>	
L'application provisoire des accords de l'Union européenne .....	293
<i>Catherine Flaesch-Mougin et Isabelle Bosse-Platière</i>	
Complémentarité et coopération entre la Cour de justice de l'Union européenne et les juges nationaux en matière de séjour dans l'Union des citoyens d'Etats tiers .....	325
<i>Paolo Mengozzi</i>	
The Costa Concordia Incident and Liability for Passenger Damage: An International and European Law Approach .....	341
<i>Eduard Somers</i>	

## PART IV

## THE EXTERNAL DIMENSION OF EU COMPETITION POLICY

EU Competition Law in 3D .....	365
<i>Anne-Marie Van den Bossche</i>	
Competition Policy: The Poor Relation in the European Union Free Trade Agreements .....	381
<i>Jacques H. J. Bourgeois</i>	
Bilateral Treaties in the Field of Competition Law .....	399
<i>Piet Jan Slot</i>	
The European Economic Area and State Aid .....	417
<i>Tony Joris</i>	

## PART V

## THE EU'S BILATERAL RELATIONS WITH THIRD COUNTRIES

- The Legal Framework of EU-Russia Relations: *Quo Vadis?* ..... 443  
*Peter Van Elsuwege*

- The Transatlantic Partnership—A Legal and Institutional Appraisal ..... 461  
*Günter Burghardt*

- The EU-South Korea Free Trade Agreement: Implications in the First Year  
of Implementation ..... 477  
*Philippe Vlaeminck*

## PART VI

## THE ENLARGEMENT AND PROXIMITY POLICIES OF THE EUROPEAN UNION

- Elargissements et politiques de proximité de l'UE : libres propos sur  
l'intégration différenciée ..... 495  
*Erwan Lannon*

- Libres propos sur les élargissements de l'Union européenne ..... 505  
*Jean-Claude Gautron*

- Enlargement Conditionality of the European Union and Future  
Prospects ..... 523  
*Péter Balázs*

- Overestimating Conditionality ..... 541  
*Dimitry Kochenov*

- Enlarging the European Union and its Fundamental Rights Protection ..... 557  
*Christophe Hillion*

- Universal Human Rights and EuroMed—An Agenda ..... 575  
*Peter G. Xuereb*

- Accession to the EU, but to which EU? The Legal Impact of the  
Constantly Evolving EMU *acquis* on the EU Enlargement Process ..... 589  
*Jenő Czuczai*

The End of Spheres of Influence by Encroachment of Rivals: The Case of the EU and the US .....	607
<i>Alfred Tovias</i>	
Index .....	623