

Third Edition



# European Union Law

Koen Lenaerts  
Piet Van Nuffel

**SWEET & MAXWELL**

# EUROPEAN UNION LAW

Third edition

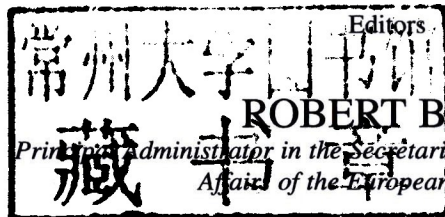
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**SWEET & MAXWELL**



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2011

# PREFACE

Since December 1, 2009—the date when the Lisbon Treaty entered into force—the European Union has been operating on the basis of new constitutional foundations. Those foundations are the Treaty on European Union, as modified by the Lisbon Treaty, the Treaty on the Functioning of the European Union and the Charter of Fundamental Rights of the European Union. These are the texts that now determine the competences and govern the functioning of the Union and that define the fundamental rights enjoyed by the Union's citizens and other subjects of Union law.

We have sought to provide readers with a comprehensive and systematic analysis of the Union's constitutional law, in the broadest sense of that expression. We deal not only with the Union's competences, institutional structure, procedures and legal instruments, but also with the main substantive provisions of Union law. In considering each aspect of that law, we have endeavoured to concentrate on those issues which lawyers are likely to encounter in practice, and have included numerous references to documents available on the Internet, realising that this new medium is invaluable as a freely-available source of materials for practitioners, academics and students world-wide.

Our work opens with an historical survey covering the converging paths taken towards integration in the European Union and culminating in its current structure, the procedure for amending the Treaties and the conditions for accession to the Union (Part I). This is followed by an outline of the Union's jurisdiction (Part II). The starting point is a discussion of the objectives of the Union, followed by an examination of the general principles of Union law encompassing conferral of competences, subsidiarity, proportionality, sincere cooperation and equal treatment, which together constitute the overarching legal framework within which the Union exercises its competences in order to achieve those objectives. Part II goes on to provide an extensive overview of substantive Union law, which follows the order of the Treaties themselves and places particular emphasis on citizenship of the Union, the free movement of goods, persons, services and capital and the area of freedom, security and justice. Owing to space constraints, certain discrete fields of Union law that are worthy of study in their own right (such as competition law) are dealt with only in outline, but those sections are accompanied by numerous references to learned articles and textbooks, should readers wish to learn more.

Part III identifies the actors that shape the European Union and its activities, that is, the institutions, bodies, offices and agencies of the Union (with detailed overviews of its political and other institutions and of its administrative organisation) and the Member States (with particular reference to the increasingly important role played by national parliaments in monitoring the Union's activities). Part IV sets out the decision-making process in the European Union, which

includes—but is not limited to—the adoption of legislative acts and the implementation of legislation.

In our survey of the sources of Union law (Part V), efforts have been made not only to explain the principles of primacy and direct effect of that law, but to provide clear, practical guidance concerning their application, with particular attention being paid to the way in which each of the twenty-seven Member States ensures the implementation of Union law at national level.

Regarding European Union action in the international arena, Part VI comprehensively explores the Union's external competences and its external representation—an area where significant changes have been introduced by the Lisbon Treaty. In that context, we discuss the Union's only remaining “intergovernmental” area of activity—the common foreign and security policy.

The question of judicial protection within the European Union continues to be dealt with in a companion volume: Koen Lenaerts, Dirk Arts and Ignace Maselis (Robert Bray and Kathleen Gutman, eds), *Procedural Law of the European Union*.

For this third edition, the authors are very grateful for the contribution of a special editor, Nathan Cambien, research fellow at the Institute for European Law of Leuven University, who provided invaluable assistance with the meticulous adaptation of the text to reflect the changes introduced by the Lisbon Treaty and other recent legal developments. Furthermore, we would like to express our gratitude to Robert Bray, principal administrator at the European Parliament, whose English translation of our Dutch-language handbook formed at the time the basis of the first edition of this work and who so kindly volunteered to be associated with its second and third editions as general editor.

This book reflects the state of the law on November 1, 2010.

All views expressed are our own and should not be ascribed to the institutions to which we belong.

Koen Lenaerts  
Piet Van Nuffel

Luxembourg and Brussels  
November 30, 2010

# INTRODUCTION TO THE SOURCE MATERIAL

## A. OFFICIAL PUBLICATIONS

<http://europa.eu>

The Internet is the easiest way to find information about the European Union. The “europa” website is a source of news and information about the history and activities of the Union and leads visitors to the websites of the various institutions and to several databases containing official information, including “Eur-Lex”:

<http://eur-lex.europa.eu>

The “Eur-Lex” site is the starting point for any enquiry for legal information about the European Union. This site provides access in all official languages to the Treaties on which the Union is based and to legislation and to the case law of the Union Courts. It is also a conduit to a number of other official documents, including the *Official Journal of the European Union*.

### 1. Treaties

Under the heading “Treaties” of the “Eur-Lex” site, can be found the text of the Treaty on European Union (TEU, as amended by the Treaty of Lisbon) and the Treaty on the Functioning of the European Union (TFEU, the new name of the EC Treaty since the Treaty of Lisbon), the Charter of Fundamental Rights of the European Union, as well as the original EC Treaty, EU Treaty and the amending treaties, including the Treaty of Lisbon.

In the United Kingdom, the legislation necessary to implement EU Treaties and acts can be found on the site of Her Majesty’s Stationery Office:

<http://www.hmsso.gov.uk/>

### 2. Legislation

The “Eur-Lex” provides access to the *Official Journal of the European Union*, which is the official source for acts of the European Union (before February 1, 2003, its official name was *Official Journal of the European Communities*).

The *Official Journal* is published in all of the official languages (before May 1, 2004, the English version could be recognised by its mauve-coloured spine). As from the 1998 issues, it is available free of charge from “Eur-Lex”. It is also available monthly or annually on CD ROM. The paper version is still available.



Before 1968, the *Official Journal* appeared in one part, whose page numbers initially ran on from one issue to the next ([1962] O.J. 1). Since July 1, 1967, the pagination of each volume starts from page 1 (e.g. [1967] O.J. 100/1). Since January 1, 1968, the *Official Journal* has been published in two parts and a supplement.

The *English Special Editions of the Official Journal* cover the period before the United Kingdom and Ireland joined the Community (until the end of 1972), but not all acts adopted were published therein.<sup>1</sup> Furthermore, there is no official list of *English Special Editions* and they have never been codified.<sup>2</sup>

<sup>1</sup> If an English version of a measure exists, the *English Special Edition* is cited in the European Court Reports. Otherwise the practice is to cite the French *Journal Officiel* reference.

<sup>2</sup> However, the list below (drawn up by the English Translation Division of the ECJ over the years) is believed to be complete.

*First series*

1952–1958

1959–1962

1963–1964

1965–1966

1965–1972 (omissions)

1966–1972

1967

1968 (I)

1968 (II)

1969 (I)

1969 (II)

1970 (I)

1970 (II)

1970 (III)

1971 (I)

1971 (II)

1971 (III)

1972 (I)

1972 (II)

1972 (III)

1972 (March 27) = J.O. L. 73 (documents concerning accession)

1972 (October 10–31)

1972 (November)

1972 (December 1–8)

1972 (December 9–28)

1972 (December 28–30)

1972 (December 30–31) = J.O. L. 297–299

1972 (December 31) = J.O. L. 296

1972 (December 31) = J.O. L. 300

1972 (December 31) = J.O. L. 301

1972 (December 31) = J.O. L. 302

1972 (December 31) = J.O. L. 303 & 306

1972 (December 31) = J.O. L. 307 (Budget 1973)

The *Official Journals* whose numbers are preceded by the letter L (*législation*, Legislation, cited as [2008] O.J. L14/1) contain decisions of the institutions and bodies, divided into “legislative acts” (inter alia, regulations, directives and decisions addressed to all Member States) and “non-legislative acts” (international agreements, other regulations, directives and decisions, recommendations, guidelines, rules of procedure and acts adopted by bodies created by international agreements).

The *Official Journals* whose numbers are preceded by the letter C (*communications*, Information and Notices, cited as [2008] O.J. C12/1) publish resolutions, recommendations and opinions; information (section with inter alia interinstitutional agreements); preparatory acts (initiatives or proposals of the Member States or the Institutions); notices from the institutions, bodies, offices and agencies and announcements (such as summaries of judgments of the Union Courts and notices of cases brought before the Union Courts). C-series issues indicated with a terminal “A” or “E” (e.g. [2002] O.J. C 228 E/1) exist only in electronic form and contain inter alia administrative notices (such as competitions organised for recruitment of staff) and minutes of the sittings of the European Parliament, preparatory acts (such as positions adopted by the Council in the course of the legislative procedure) and written questions put by MEPs and their answers.

The Supplement to the *Official Journal* (numbers preceded by the letter S) publishes public procurement contracts exceeding specified limits. Since July 1998 the supplement may be consulted only electronically either through the “Eur-Lex” site (TED database) or on CD ROM.

On the “Eur-Lex” site, the heading “Legislation in force” leads to the *Directory of European Union legislation in force*, a list of all legislation in force including

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Supplement to the first series of Special Editions (1952–72) Consolidated edition of corrigenda

*Second series*

- I External Relations (1)  
External Relations (2)
- II Agriculture and Food Aid
- III European Agricultural Guidance and Guarantee Fund
- IV Transport
- V Euratom
- VI Competition (a) and (b)
- VII Institutional Questions
- VIII European Coal and Steel Community
- IX Resolutions of the Council and of the Representatives of the Member States
- X Miscellaneous

*Supplement*

- 1959–1962 (Court of Justice)
- (1959 J.O. 18 Rules of Procedure
- 1962 J.O. 34 Supplementary Rules
- 1960 J.O. 72 Instructions to the Registrar)



consolidated legislation, which is available in full. The *Directory* is also published in paper form half-yearly with a chronological index and an index of key words.

The link on “Eur-Lex” to “Preparatory acts” leads to proposals for legislation of the Commission and to opinions provided by other institutions and bodies in the legislative process. Documents originating with the Commission are classified as “COM-documents” or “SEC-documents”. In order to find out where matters stand with a given proposal for legislation, it is possible to consult the “PreLex” database (“Monitoring the decision-making process between institutions”) in any official language or “OEIL”, the “legislative observatory” of the European Parliament (in English or French only).

### 3. Case law

Since June 1997 the most important decisions of the Court of Justice, the General Court (previously the Court of First Instance) and (since 2006) the Civil Service Tribunal are available on the day of pronouncement from the “curia” website: <http://curia.europa.eu/>. A search form allows users to search for cases by case number, date or name of the parties, fields and words in the text. All decisions (including those from before June 17, 1997) can be found on the “Eur-Lex” website under the heading “Case law” (search for case number, date or the names of parties).

A paper version of the case law of the Court of Justice and the General Court is published in all the official languages in the *Reports of Cases before the Court of Justice of the European Union* (*European Court Reports* or *E.C.R.*—the English version is mauve).

Since 1990 the reports have been in two, separately paginated parts—Part I containing reports of cases of the Court of Justice, Part II those of the General Court (previously Court of First Instance). The case number is preceded by the letter C (*Cour*) where the proceedings were brought before the Court of Justice, by the letter T (*Tribunal*) where they were brought before the General Court and by the letter F (*Fonction publique*) where they were brought before the Civil Service Tribunal. Where the case number is followed by “- P” (*pourvoi*), the case is an appeal against a decision of the General Court, where it is followed by “- R” (*référé*), the decision relates to an application for interim measures.

Since January 1, 1994 staff cases (proceedings brought by officials before the Civil Service Tribunal or before the General Court under European Union civil-service law) are no longer reported in the *European Court Reports* (except where they are of general interest or important in principle), but separately in the language of the case, with an abstract in the other languages, in the *European Court Reports—Reports of European Staff Cases* (ECR-SC).

The “curia” website is also a source of other useful information. Under the heading “case law” links are provided to the Digest of case law (systematic summaries of judgments and orders) an alphabetical index of subject-matter and a useful survey of annotations of judgments.

#### 4. Other documents

The “europa.eu” portal guides the site visitor to a number of official documents which have been available for some years in both paper and electronic form.

Each month the Commission publishes the *Bulletin of the European Union* (EU Bull., prior to 1994: *Bulletin of the European Communities*, EC Bull.). That publication provides an overview of major events at Union level, describes the activities of the institutions and embodies a “documentation” section, including a list of infringement proceedings brought by the Commission against Member States alleged to be in breach of their obligations. Additionally, there are regular supplements to the *Bulletin* dealing with specific subjects. Issues of the *Bulletin* since 1996 are available in electronic form.

Each year the Commission issues a *General Report on the Activities of the European Union* (available in electronic form since 1997), together with other reports, including the *Report on Competition Policy*, which is available from the website of the Commission’s Competition Directorate General: <http://ec.europa.eu/competition/>.

An interesting feature is the catalogue of the Commission’s library, which contains references to more than 200,000 publications and gives access to a search engine: <http://ec.europa.eu/eclas/>.

The historical archives may be consulted (partially also via the internet) at the European University Institute in Florence: <http://www.iue.it/ECArchives/>. Interesting historic documents are also to be found at the websites of the European Navigator (<http://ena.lu>) and the Archive of European Integration (<http://aei.pitt.edu>).

#### B. FURTHER INFORMATION

In most of the Member States there are a number of learned journals specialising in European law. Those published in English include principally *Common Market Law Review* (C.M.L.Rev.), *European Law Review* (E.L.Rev.), *Columbia Journal of European Law* (Col.J.E.L.) and *Legal Issues of European Integration* (L.I.E.I.). Among other journals, there are *Cahiers de droit européen* (C.D.E.), *Europarecht* (EuR.), *Journal de droit européen* (J.Dr.Eur.), *Revue du Marché Commun et de l’Union européenne* (R.M.C.U.E.), *Revue trimestrielle de droit européen* (R.T.D.E.) and *Sociaal-Economische Wetgeving* (S.E.W.). Major European Union and national judicial decisions are reported in many of those journals and especially in *Common Market Law Reports* (C.M.L.R.). General and specialist law journals increasingly contain articles on European law. A number of daily newspapers, including *The Times* and the *Financial Times* regularly report cases of the Court of Justice.

Up-to-date information on the activities of the European Union can be found in *Europe*, a daily publication in several languages (including English) of the press agency *Agence Europe*. The weekly publication *European Voice*

gives an excellent insight into current events on the European scene. The very latest news can be found on the web page *EU news*, which publishes press releases from the institutions as they are issued. This web page also provides links to the press services of the institutions and bodies: [http://europa.eu/press\\_room/index\\_en.htm](http://europa.eu/press_room/index_en.htm).

### C. SOURCES CITED IN ABBREVIATED FORM

Lenaerts, Arts and Maselis (Bray and Gutman eds), *Procedural Law of the European Union* (3rd edn, London, Sweet and Maxwell, 2012): Lenaerts, Arts and Maselis, *Procedural Law of the European Union*.

- |                       |  |
|-----------------------|--|
| Accession Treaty 1972 | Treaty of January 22, 1972 between the Member States of the European Communities, the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland concerning the accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Economic Community and to the European Atomic Energy Community (see para. 6–002) |
| Accession Treaty 1979 | Treaty of May 28, 1979 between the Member States of the European Communities and the Hellenic Republic concerning the accession of the Hellenic Republic to the European Economic Community and to the European Atomic Energy Community (see para. 6–003)  |
| Accession Treaty 1985 | Treaty of June 12, 1985 between the Member States of the European Communities and the Kingdom of Spain and the Portuguese Republic concerning the accession of the Kingdom of Spain and the Portuguese Republic to the European Economic Community and to the European Atomic Energy Community (see para. 6–004)   |
| Accession Treaty 1994 | Treaty of June 24, 1994 between the Member States of the European Union and the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden concerning the accession of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union (see para. 6–005)  |
| Accession Treaty 2003 | Treaty of April 16, 2003 between the Member States of the European Union and the Czech   |

	<p>Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union (see para. 6–006)</p>
Accession Treaty 2005	<p>Treaty of April 25, 2005 between the Kingdom of Belgium, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland (Member States of the European Union) and the Republic of Bulgaria and Romania, concerning the accession of the Republic of Bulgaria and Romania to the European Union, [2005] O.J. L157/11 (see para. 6–007)</p>
Act of Accession 1972	<p>Act appended to the 1972 Accession Treaty (see para. 6–002)</p>
Act of Accession 1979	<p>Act appended to the 1979 Accession Treaty (see para. 6–003)</p>
Act of Accession 1985	<p>Act appended to the 1985 Accession Treaty (see para. 6–004)</p>
Act of Accession 1994	<p>Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the Union is founded (see para. 6–005)</p>
Act of Accession 2003	<p>Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary,</p>

	the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded (see para. 6–006)
Act of Accession 2005	Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the Treaties on which the European Union is founded (see para. 6–006)
Act on the Direct Election of the European Parliament	Act concerning the election of the European Parliament by direct universal suffrage (see para. 13–017)
Amsterdam Treaty	Treaty of Amsterdam of October 2, 1997 amending the Treaty on European Union, the Treaties establishing the European Communities and certain related acts (see para. 3–020)
Brussels Convention	Convention of September 27, 1968 on jurisdiction and the enforcement of judgments in civil and commercial matters (see para. 10–017)
Charter of Fundamental Rights	Charter of Fundamental Rights of the European Union of December 7, 2000 (see para. 22–021)
CFI Decision	Council Decision 88/591/ECSC, EEC, Euratom of October 24, 1988 establishing a Court of First Instance of the European Communities (see para. 13–077)
Comitology Decision	Council Decision 1999/468/EC of June 28, 1999 laying down the procedures for the implementing powers conferred on the Commission (see para. 17–012)
Comitology Regulation	Regulation (EU) No. 182/2011 of the European Parliament and of the Council of February 16, 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (see para. 17–012)
Commission Rules of Procedure	Rules of Procedure of the Commission (see para. 13–074)
Conditions of Employment	Conditions of employment of other servants of the European Union (see para. 13–158)
Council Rules of Procedure	Rules of Procedure of the Council (see para. 13–033)
Decision on Provisional Location	Decision of the Representatives of the Governments of the Member States on the provisional location of certain institutions and departments of the Communities (see para. 13–152)
EAEC Treaty	Treaty establishing the European Atomic Energy Community (see para. 1–014)

EC Treaty	Treaty establishing the European Community (see para. 1–013)
ECHR	European Convention for the Protection of Human Rights and Fundamental Freedoms (see para. 1–006)
ECJ Rules of Procedure	Rules of Procedure of the Court of Justice (see para. 13–094)
ECJ Statute	Protocol on the Statute of the Court of Justice of the European Union (see para. 13–077)
ECSC Treaty	Treaty establishing the European Coal and Steel Community (see para. 1–008)
EEA Agreement	Agreement on the European Economic Area (see para. 25–029)
EEC Treaty	Treaty establishing the European Economic Community (see para. 1–013)
EIB Statute	Protocol on the Statute of the European Investment Bank (see para. 13–116)
EMI Statute	Protocol on the Statute of the European Monetary Institute (see para. 13–096)
EP Rules of Procedure	Rules of Procedure of the European Parliament (see para. 13–020)
ESC Rules of Procedure	Rules of Procedure of the European Economic and Social Committee (see para. 13–109)
ESCB Statute	Protocol on the Statute of the European System of Central Banks and of the European Central Bank (see para. 13–001)
EU Constitution	Treaty establishing a Constitution for Europe (see para. 4–003)
EU Treaty	Treaty on European Union, as applicable until the entry into force of the Lisbon Treaty (see para. 13–010; “TEU” is used for references to the Treaty on European Union as amended by the Lisbon Treaty)
European Council Rules of Procedure Financial Regulation	Rules of Procedure of the European Council (see para. 13–032) Financial Regulation applicable to the general budget of the European Communities (see para. 13–129)
First Decision on Own Resources	Council Decision 70/243 of April 21, 1970 on the replacement of financial contributions from Member States by the Communities’ own resources (see para. 13–134)
First Decision on the Seats of the Institutions	Decision of December 12, 1992 taken by common agreement between the Representatives of the Governments of the Member States on the location of the seats of the institutions and of certain bodies

	and departments of the European Communities (see para. 13–153)
First Treaty on Budgetary Provisions	Treaty of April 22, 1970 amending certain Budgetary Provisions of the Treaties establishing the European Communities and of the Treaty establishing a Single Council and a Single Commission of the European Communities (see para. 13–141)
Fourth Decision on Own Resources	Council Decision 94/728 of October 31, 1994 on the system of the Communities' own resources (see para. 13–134)
Fifth Decision on Own Resources	Council Decision 2000/597 of September 29, 2000 on the system of the Communities' own resources (see para. 13–134)
General Court Rules of Procedure	Rules of Procedure of the General Court (see para. 13–094)
Lisbon Treaty	Treaty of December 13, 2007 amending the Treaty on European Union and the Treaty establishing the European Community (see para. 4–008)
Merger Treaty	Treaty establishing a Single Council and a Single Commission of the European Communities (see para. 1–016)
Nice Treaty	Treaty of Nice of February 26, 2001 amending the Treaty on European Union, the Treaties establishing the European Communities and certain related acts (see para. 3–024)
Ombudsman Regulations	Decision of the European Parliament of March 9, 1994 on the regulations and general conditions governing the performance of the Ombudsman's duties (see para. 13–118)
Protocol on Privileges and Immunities	Protocol on the Privileges and Immunities of the European Union (see para. 13–128)
Protocol on Seats	Protocol on the location of the seats of the institutions and of certain bodies, offices, agencies and departments of the European Union (see para. 13–153)
Rome Convention	Convention of June 19, 1980 on the law applicable to contractual obligations (see para. 10–018)
Rules of Procedure—Court of Auditors	Rules of Procedure of the Court of Auditors (see para. 13–105)
Schengen Protocol	Protocol integrating the Schengen acquis into the framework of the European Union (see para. 10–011)
Second Decision on Own Resources	Council Decision 85/257 of May 7, 1985 on the system of the Communities' own resources (see para. 13–134)
Second Decision on the Seats of the Institutions	Decision of October 29, 1993 taken by common agreement between the Representatives of the



	Governments of the Member States, meeting at Head of State and Government level, on the location of the seats of certain bodies and departments of the European Communities and of Europol (see para. 13–153)
Second Treaty on Budgetary Provisions	Treaty of July 22, 1975 amending Certain Budgetary Provisions of the Treaties establishing the European Communities and of the Treaty establishing a Single Council and a Single Commission of the European Communities (see para. 13–141)
Single European Act	Single European act (para. 3–006)
Sixth Decision on Own Resources	Council Decision 2007/436/EC, Euratom of June 7, 2007 on the system of the European Communities' own resources, [2007] O.J. L163/17 (see para. 13–134)
Social Agreement	Agreement on social policy concluded between the Member States of the European Community with the exception of the United Kingdom of Great Britain and Northern Ireland (see para. 11–043)
Social Protocol	Protocol on social policy (see para. 11–043)
Staff Regulations	Staff Regulations of Officials of the European Union (see para. 13–158)
TEU	Treaty on European Union as amended by the Lisbon Treaty (see para. 4–009)
TFEU	Treaty on the Functioning of the European Union (see para. 4–009)
Third Decision on Own Resources	Council Decision 88/376 of June 24, 1988 on the system of the Communities' own resources (see para. 13–134)
Third Decision on the Seats of the Institutions	Decision taken by common agreement between the Representatives of the Member States, meeting at Head of State or Government level, of December 13, 2003 on the location of the seats of certain offices and agencies of the European Union (see para. 13–154)

# LIST OF ABBREVIATIONS

A.A.	Judgments of the Belgian <i>Arbitragehof/Cour d'arbitrage</i>
A.Ae.	<i>Ars Aequi</i>
ACP	African, Caribbean, Pacific
A.D.	<i>Actualités du droit</i>
A.J.C.L.	<i>American Journal of Comparative Law</i>
A.J.D.A.	<i>L'actualité juridique—droit administratif</i>
A.J.I.L.	<i>American Journal of International Law</i>
A.J.T.	<i>Algemeen Juridisch Tijdschrift</i>
Ann.Dr.Louv.	<i>Annales de droit de Louvain</i>
Ann.Dr.Lux.	<i>Annales du droit luxembourgeois</i>
Ann.Fac.Dr.Liège	<i>Annales de la Faculté de droit, d'économie et de sciences sociales de Liège</i>
A.ö.R.	<i>Archiv des öffentlichen Rechts</i>
Arr.Cass.	Judgments of the Belgian <i>Hof van Cassatie/Cour de Cassation</i>
A.Völkerr.	<i>Archiv des Völkerrechts</i>
B.S.	<i>Belgisch Staatsblad/Moniteur belge</i>
B.T.I.R.	<i>Belgisch Tijdschrift voor internationaal recht</i>
BVerfGE	Decisions of the <i>Bundesverfassungsgericht</i>
B.Y.I.L.	<i>British Yearbook of International Law</i>
Cambridge L.J.	<i>Cambridge Law Journal</i>
C.D.E.	<i>Cahiers de droit européen</i>
CFI	Court of First Instance of the European Communities
CFSP	Common foreign and security policy
C.M.L.Rep.	<i>Common Market Law Reports</i>
C.M.L.Rev.	<i>Common Market Law Review</i>
Cm	Command paper
Col.J.E.L.	<i>Columbia Journal of European Law</i>
Col.L.Rev.	<i>Columbia Law Review</i>
Coreper	Committee of Permanent Representatives
Cornell I.L.J.	<i>Cornell International Law Journal</i>
CSCE	Conference for Security and Cooperation in Europe
C.Y.E.L.P.	<i>Croatian Yearbook of European Law &amp; Policy</i>
D.ö.V.	<i>Die öffentliche Verwaltung</i>
D.R.	Decisions and Reports of the European Commission on Human Rights
D.Vbl.	<i>Deutsches Verwaltungsblatt</i>