

## **ENVIRONMENTAL INTEGRATION IN THE EU'S EXTERNAL RELATIONS**

The book examines the integration of environmental protection requirements into EU external relations focusing on unilateral, bilateral and inter-regional instruments, which have been less explored than the multilateral dimension of EU environmental policy. The book also explores for the first time the complex interplay and mutual influences between EU environmental integration initiatives and environmental multilateralism. On the one hand it identifies the legal and other instruments used by the EU to support the implementation of multilateral environmental agreements in third countries (particularly developing ones). On the other hand, it singles out the legal and other tools employed by the EU as a means to build partnerships with third countries in order to influence ongoing multilateral negotiations concerning the environment and sustainable development, or to contribute to the development of new international environmental norms in the absence of such multilateral negotiations. Ultimately, the book traces the significant evolution of, and complex interaction between, the various tools deployed by the EU to integrate environmental concerns in its external relations, with a view to identifying emerging challenges and future directions.

**Volume 29 in the series Modern Studies in European Law**

## **Modern Studies in European Law**

### **Recent titles in this series:**

Unfair Contract Terms in European Law: A Study in Comparative and EC Law  
*Paolisa Nebbia*

Energy Security: The External Legal Relations of the European Union with Major Oil and Gas Supplying Countries *Sanam S Haghghi*

EU Criminal Law *Valsamis Mitsilegas*

Effective Judicial Protection and the Environmental Impact Assessment Directive in Ireland *Áine Ryall*

Network-Based Governance in EC Law: The Example of EC Competition and EC Communications Law *Maartje de Visser*

Legitimacy in EU Cartel Control *Ingeborg Simonsson*

Mixed Agreements Revisited: The EU and its Member States in the World  
*Edited by Christophe Hillion and Panos Kourakos*

Reflexive Governance: Redefining the Public Interest in a Pluralistic World  
*Edited by Olivier De Schutter and Jacques Lenoble*

The Impact of EU Law on Minority Rights *Tawhida Ahmed*

Direct Investment, National Champions and EU Treaty Freedoms:  
From Maastricht to Lisbon *Frank S Benyon*

The Cyprus Issue: The Four Freedoms in a Member State under Siege *Nikos Skoutaris*

The European Union and Global Emergencies: A Law and Policy Analysis  
*Edited by Antonis Antoniadis, Robert Schütze and Eleanor Spaventa*

Public Liability in EU Law: *Brasserie, Bergaderm* and Beyond *Pekka Aalto*

Professional Services in the EU Internal Market: Quality Regulation and Self-Regulation *Timme Heremans*

Environmental Integration in the EU's External Relations: Beyond Multilateral Dimensions *Gracia Marín Durán and Elisa Morgera*

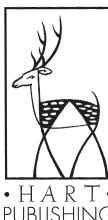
For the complete list of titles in this series, see

'Modern Studies in European Law' link at  
[www.hartpub.co.uk/books/series.asp](http://www.hartpub.co.uk/books/series.asp)

# Environmental Integration in the EU's External Relations

## Beyond Multilateral Dimensions

Gracia Marín Durán  
and  
Elisa Morgera



OXFORD AND PORTLAND, OREGON  
2012

Published in the United Kingdom by Hart Publishing Ltd  
16C Worcester Place, Oxford, OX1 2JW  
Telephone: +44 (0)1865 517530  
Fax: +44 (0)1865 510710  
E-mail: mail@hartpub.co.uk  
Website: <http://www.hartpub.co.uk>

Published in North America (US and Canada) by  
Hart Publishing  
c/o International Specialized Book Services  
920 NE 58th Avenue, Suite 300  
Portland, OR 97213-3786  
USA  
Tel: +1 503 287 3093 or toll-free: (1) 800 944 6190  
Fax: +1 503 280 8832  
E-mail: [orders@isbs.com](mailto:orders@isbs.com)  
Website: <http://www.isbs.com>

© Gracia Marín Durán and Elisa Morgera 2012

Gracia Marín Durán and Elisa Morgera have asserted their right under the Copyright,  
Designs and Patents Act 1988, to be identified as the authors of this work.

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system,  
or transmitted, in any form or by any means, without the prior permission of Hart Publishing,  
or as expressly permitted by law or under the terms agreed with the appropriate reprographic rights  
organisation. Enquiries concerning reproduction which may not be covered by the above should be  
addressed to Hart Publishing Ltd at the address above.

British Library Cataloguing in Publication Data  
Data Available

ISBN: 978-1-84946-187-0

Typeset by Hope Services, Abingdon  
Printed and bound in Great Britain by  
CPI Group (UK) Ltd, Croydon CR0 4YY

*A Firenze, Pretoria ed Edimburgo*



## *Acknowledgements*

This book is the product of a long journey of reflection, which we enthusiastically planned as doctoral students at the European University Institute (EUI) in Florence in 2006 and finally completed at the Edinburgh University School of Law in June 2011, with a crucial stepping-stone at Long Street in Pretoria in 2010. There are certainly many individuals that have inspired and supported us towards the completion of this endeavour, and we remain deeply indebted to each of them individually. In particular, we would like to express our immense gratitude to Prof Bruno de Witte, Prof Marise Cremona and Prof Francesco Francioni at the EUI, for their intellectual guidance and unfailing support throughout the years. In addition, a special debt of gratitude is due to Prof Douglas Brodie, Prof Lesley McAra, Prof Niamh Nic Shuibhne, Dr Rachael Craufurd Smith, and our friends at the Edinburgh University School of Law. Our heartfelt thanks also go to Dr Kati Kulovesi and Dr Annalisa Savaresi, for stimulating exchanges of ideas on critical parts of this book.

Our warm thanks are owed to several other academics for their hospitality and fruitful discussions on our preliminary findings, including: Prof Alessandro Fodella and Prof Antonino Alí, at the Università degli studi di Trento; Prof Anita Rønne and Prof Peter Pagh at the University of Copenhagen; Dr Jacques Hartmann and his colleagues at the Ministry of Foreign Affairs of Denmark; Prof Maxi Schoeman and her colleagues at the University of Pretoria; Fabiano de Andrade Corrêa, Mery Ciacci and the other members of the EUI Working Groups on Environmental Law and on EU External Relations; and Dr Paul James Cardwell and Prof Duncan French at the University of Sheffield. A more mature version of the manuscript greatly benefited from the feedback offered by the participants in the workshop ‘The Environmental Dimension of EU External Relations after Lisbon’ (Edinburgh, 4–5 February 2011).

Gracia is profoundly grateful to several officials from the European Union who allowed her to benefit tremendously from their expertise into the complex but fascinating field of EU external relations, while she was working at the EU Delegation to South Africa (February 2009–December 2010) and in contacts thereafter. Elisa sincerely thanks the officials from the European Commission (DG Environment and DG Clima), who generously shared their time and expertise with her during a series of research missions to Brussels in July–August 2010: Andrea Vettori, Julius Langendorff, Matthias Buck, Rok Zvelc, Paolo Caridi, Magnus Gislev, Hans Stielstra, Lars Müller, Jürgen Lefevere, Irina Lazzerini, Andrew Murphy and Flip Van Helden. Equally, Elisa greatly benefitted, during these missions, from meeting with Dr Alessandro Fusacchia, Pawel Swiderek, Kate Dooley (FERN), Jean-Philippe Palasi (Conservation International-Europe)

and Bruna Campos (Birdlife International). We of course remain solely responsible for any errors and omissions in this book.

We further gratefully acknowledge the financial support provided by the Edinburgh University School of Law for our research project and the Christie Law Fellowship 2009–2010 awarded to Elisa, as well as the funding offered by the Europa Institute and the Scottish Centre for International Law of the University of Edinburgh for convening the February 2011 workshop. We are also grateful to Dr Kasey McCall-Smith, Dr Massimo Fichera and Dr Phoebe Hung for their research assistance.

We are, in addition, very grateful to Richard Hart, Rachel Turner, Melanie Hamill, Tom Adams, and their teams at Hart Publishing for their patience, commitment and hard work as the book was finalised.

Last but not least, our ever-lasting gratitude to our families and friends for their vital comfort and love throughout this journey, and for understanding our temporary absences.

Gracia Marín Durán  
Elisa Morgera

# *Table of Contents*

<i>Acknowledgements</i>	vii
<i>List of Abbreviations</i>	xiii
<i>List of Tables</i>	xvii
<i>Table of Cases</i>	xix
<i>Table of Legislation</i>	xxiii
Introduction	1
1. The EU Legal and Policy Framework	5
1. Introduction	5
2. The EU as an International Actor in the Environmental Field	5
3. EU External Competence on Environmental Matters	9
3.1 Emergence and evolution	9
3.2 Substantive scope of EU external environmental competence	13
3.3 Shared nature of EU external environmental competence	17
3.4 Instruments and decision-making procedures	20
3.5 The multilateral dimension of EU environmental action	21
4. The Environmental Integration Requirement	25
4.1 Emergence and evolution	25
4.2 Analysis of Article 11 TFEU	28
4.2.1 Textual analysis	28
4.2.2 Implications	32
4.2.3 Contextual analysis	34
5. Environmental Integration in EU External Relations	43
5.1 Overview of environmental priorities and external policy tools	43
5.2 Environmental integration and EU external trade policy	46
5.3 Environmental integration and EU cooperation policies	52
6. Conclusions	54
2. Environmental Integration in Bilateral/Inter-regional Agreements	56
1. Introduction	56
2. Types of Agreements	57
2.1 Association agreements	57
2.2 Other general agreements	61
3. Environmental Integration in Association as Prelude to EU Membership	64
3.1 Enlargement and its environmental dimension	64
3.2 Stabilisation and association process	67

3.3 General approach to the environment	68
3.4 Environmental cooperation clauses	68
3.5 Environmental integration clauses	69
3.6 Trade and environment	72
3.7 Institutional aspects	73
4. Environmental Integration in Association as Substitute to EU Membership	75
4.1 EU relations with its MENA neighbours	75
4.2 General approach to the environment	77
4.3 Environmental cooperation clauses	78
4.4 Environmental integration clauses	79
4.5 Trade and environment	80
4.6 Institutional aspects	81
5. Environmental Integration in Association as a Development Tool	82
5.1 EU relations with the ACP group	82
5.2 Environmental dimension of the Cotonou Agreement	84
5.2.1 General approach to the environment	85
5.2.2 Environmental cooperation clauses	87
5.2.3 Environmental integration clauses	89
5.2.4 Trade and environment	92
5.2.5 Institutional aspects	94
5.3 Environmental dimension of the CARIFORUM EPA	95
5.3.1 General approach to the environment	97
5.3.2 Trade and environment chapter	98
5.3.3 Environmental integration clauses	104
5.3.4 Institutional aspects	106
6. Association as an Instrument of Inter-regional Cooperation	109
6.1 EU relations with Chile and South Africa	109
6.2 General approach to the environment	110
6.3 Environmental cooperation clauses	111
6.4 Environmental integration clauses	112
6.5 Trade and environment	114
6.6 Institutional aspects	115
7. Other Agreements	117
7.1 2010 Agreements with South Korea	117
7.1.1 Environmental cooperation clauses	118
7.1.2 Environmental integration clauses	120
7.1.3 Trade and environment	121
7.1.4 Institutional aspects	127
7.2 Partnership and cooperation agreements with CIS countries	130
7.2.1 Environmental cooperation clauses	131

7.2.2 Environmental integration clauses	132
8. Assessment and Conclusions	133
8.1 Differentiated emphasis on the environment	134
8.2 Different cooperation priorities and scope of integration	136
8.3 A differentiated approach to trade and environment nexus	138
8.4 Institutional differentiation	139
8.5 Questions arising in relation to implementation	142
<b>3. Environmental Integration in the Generalised System of Preferences</b>	<b>144</b>
1. Introduction	144
2. Origins and History of the EU GSP	145
3. Environmental Integration in the Old EU GSP (2001–05)	148
3.1 General structure and legislative background	148
3.2 Special-incentive arrangement for the protection of the environment	151
3.3 Temporary withdrawal of GSP preferences	153
4. Environmental Integration in the Current GSP (2005–11)	155
4.1 General structure and legislative background	155
4.2 Special-incentive arrangement for sustainable development and good governance	159
4.3 Temporary withdrawal of GSP preferences	168
5. Assessment and Conclusions	169
<b>4. Environmental Integration in External Assistance</b>	<b>173</b>
1. Introduction	173
2. EU External Assistance: Instruments and Actors	174
3. Environmental Integration through Thematic Instruments	177
3.1 Thematic instruments 2000–06	178
3.2 Thematic programme 2007–13	180
3.2.1 Environment under the Development Cooperation Instrument	180
3.2.2 ENRTP Strategy	185
3.3 Assessment	189
4. Environmental Integration through Geographic Instruments	191
4.1 Instrument for Pre-Accession Assistance	191
4.2 European Neighbourhood and Partnership Instrument	193
4.3 Development Cooperation Instrument	195
4.4 European Development Fund	197
4.5 Instrument for Cooperation with High-Income Countries (ICI)	200
4.6 Assessment	201
5. Conclusions and Future Prospects	203

<b>5. Environmental Integration in Institutionalised Dialogues</b>	207
1. Introduction	207
2. Types and Objectives of Institutionalised Dialogues	208
3. An Overview of Practice	211
3.1 The EU-ACP dialogue	211
3.2 EU-Africa dialogue	213
3.3 The Euro-Med dialogues	216
3.4 Dialogues with Latin America and the Caribbean	218
3.5 Dialogues with Asian countries	222
3.6 Regulatory dialogues with developed countries	225
3.6.1 EU-US dialogue	225
3.6.2 EU-Canada dialogue	227
3.6.3 EU-Japan dialogue	227
4. Thematic Dialogues: The Case of the Global Climate Change Alliance	229
5. Assessment and Conclusions	230
<b>6. Environmental Integration through Sustainability Impact Assessments</b>	234
1. Introduction	234
2. An Introduction to SIAs	235
2.1 Procedural aspects of the SIA exercise	239
3. An Overview of SIA Practice	242
4. Assessment and Conclusions	249
<b>7. Supporting Environmental Multilateralism</b>	254
1. Introduction	254
2. Supporting the Implementation of <i>Existing</i> MEAs	255
2.1 The international climate change regime	258
2.2 Biodiversity-related conventions	261
3. Building Alliances for <i>Ongoing</i> Multilateral Environmental Negotiations	265
3.1 Ongoing climate change negotiations	267
3.2 Biofuels	269
4. Consensus Building in the <i>Absence</i> of Multilateral Environmental Negotiations	271
4.1 Sustainable forest management	272
4.2 Corporate environmental accountability	277
5. Assessment and Conclusions	280
<b>Conclusions</b>	285
<b>Bibliography</b>	289
<b>Index</b>	303

## *List of Abbreviations*

AA	Association Agreement
ACP	African, Caribbean and Pacific Group of States
ASEAN	Association of South-East Asian Nations
ASEM	Asia-Europe meeting
AU	African Union
CARIFORUM	Caribbean Forum
CAP	Common Agricultural Policy
CBD	Convention on Biological Diversity
CCP	Common Commercial Policy
CCS	Carbon Capture and Storage
CDM	Clean Development Mechanism
CIS	Commonwealth of Independent States
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention on the Conservation of Migratory Species of Wild Animals
COP	Conference of the Parties
CSP	Country Strategy Papers
CSR	Corporate Social Responsibility
CTE	WTO Committee on Trade and Environment
DCI	Development Cooperation Instrument
DG	Directorate-General (European Commission)
EC	European Community
EBA	'Everything But Arms'
ECA	European Court of Auditors
ECJ	European Court of Justice
EDF	European Development Fund
EEA	European Economic Area
EEC	European Economic Community
EIA	Environmental Impact Assessments
EIS	Environmental Information Systems
EMAS	Environmental Management and Audit Scheme
EMP	Euro-Mediterranean Partnership
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood and Partnership Instrument
EN RTP	Environment and Sustainable Management of Natural Resources Thematic Programme
EPA	Economic Partnership Agreement

ETS	Emission Trading Scheme
EU	European Union
FA	Framework Agreement
FAO	Food and Agriculture Organization of the United Nations
FDI	Foreign Direct Investment
FLEGT	Forest Law Enforcement, Governance and Trade
FTA	Free Trade Agreement
GATS	General Agreement on Trade in Services
GATT	General Agreement on Tariffs and Trade
GCC	Cooperation Council of the Arab States of the Gulf
GCCA	Global Climate Change Alliance
GDP	Gross Domestic Product
GNI	Gross National Income
GSP	Generalised System of Preferences
IAs	Impact Assessments
ICTSD	International Center for Trade and Sustainable Development
ILO	International Labour Organisation
IPA	Instrument for Pre-Accession
ITPGR	International Treaty on Plant Genetic Resources for Food and Agriculture
ITTO	International Tropical Timber Organisation
JPA	EU-ACP Joint Parliamentary Assembly
LAC	Latin America and the Caribbean
LDC	Least-Developed Country
MDG	Millennium Development Goal
MEA	Multilateral Environmental Agreement
MENA	Mediterranean and North African countries
MERCOSUR	Mercado Común del Sur (Southern Common Market)
MIFF	Multiannual Indicative Financial Framework
MIP	Multiannual Indicative Programmes
MIPD	Multi-Annual Indicative Planning Document
MFN	Most-Favoured Nation
MOP	Meeting of the Parties
NGO	Non-Governmental Organisation
NIEO	New International Economic Order
OCTs	Overseas Countries and Territories
ODA	Official Development Assistance
OECD	Organisation for Economic Co-operation and Development
PCA	Partnership and Cooperation Agreement
POPs	Persistent Organic Pollutants
PPM	Process and Production Method
REDD	Reducing Emissions from Deforestation and Degradation
REIO	Regional Economic Integration Organisation
RSP	Regional Strategy Papers

SADC	Southern African Development Community
SACU	Southern African Customs Union
SAICM	Strategic Approach to International Chemicals Management
SAA	Stabilisation and Association Agreement
SDS	Sustainable Development Strategy
SEA	Single European Act
SEAs	Strategic Environmental Assessments
SIA	Sustainability Impact Assessment
SIDS	Small Island Developing States
SMAP	Short and Medium Term Environmental Action Programme
TEC	Treaty establishing the European Community
TEEB	The Economics of Ecosystems and Biodiversity
TFEU	Treaty on the Functioning of the European Union
TEU	Treaty on the European Union
UfM	Union for the Mediterranean
TRIPS	Trade-Related Intellectual Property Rights
UN	United Nations
UNCCD	United Nations Convention to Combat Desertification
UNCTAD	United Nations Conference on Trade and Development
UNCLOS	United Nations Convention on the Law of the Sea
UNFCCC	United Nations Framework Convention on Climate Change
UNDP	United Nations Development Programme
UNECE	United Nations Economic Commission for Europe
UNEP	United Nations Environment Programme
UNGA	United Nations General Assembly
UNITAR	United Nations Institute for Training and Research
VPA	Voluntary Partnership Agreement (FLEGT)
WIPO	World Intellectual Property Organisation
WSSD	World Summit on Sustainable Development
WTO	World Trade Organisation
WWF	World Wild Fund for Nature



## *List of Tables*

- Table 1. *Environmental Integration in Bilateral and Inter-regional Agreements*  
Table 2. *List of Countries Qualifying for ‘GSP-plus’*  
Table 3. *EU Environment Thematic Funding (2000–13)*  
Table 4. *EU Environment Funding under Geographic Instruments (2007–13)*  
Table 5. *Timing of Sustainability Impact Assessments*  
Table 6. *MEAs and EU Environmental Priorities*



# *Table of Cases*

## EU Cases

AETR <i>see</i> Commission v Council (Case 22/70)	
ARCO Chemie Nederland Ltd v Minister Van Volkshuisvesting (Joined Cases C-418/97 and C-419/97) [2000] ECR I-4475 .....	31
Artegodian GmbH v Commission (Joined Cases T-74, 76, 83, 85, 132, 137 and 141/00) [2002] ECR II-4945.....	29, 30
Bellio Elli Srl v Prefettura di Treviso (Case C-286/02) [2004] ECR I-3465 .....	24
Bettati v Safety Hi-Tech (Case C-341/95) [1998] ECR I-4355.....	32–33
Cartagena Protocol, Article 300(6) EC (Opinion 2/00) [2001] ECR I-9713.....	32
Chernobyl I <i>see</i> Greece v Council (Case C-62/88)	
Commission v Belgium (Case C-2/90) [1992] ECR I-4431 .....	16
Commission v Council (Case C-22/70) [1971] ECR 263.....	10
Commission v Council (Case C-155/91) [1993] ECR I-939 .....	32
Commission v Council (re Rotterdam Convention) (Case C-94/03) [2006] ECR I-1 .....	32
Commission v Parliament and Council (Case C-178/03) [2006] ECR I-107.....	32
Commission v France (Etang de Berre) (Case C-239/03) [2004] ECR I-9325....	19
Commission v Germany (re International Dairy Agreement) (Case C-61/94) [1996] ECR I-3989 .....	24
Commission v Germany (re Inland Waterways Agreement) (Case C-433/03) [2005] ECR I-6985 .....	19
Commission v Ireland (Case C-459/03) [2006] ECR I-4635 .....	9
Commission v Luxembourg (re Inland Waterways Agreement) (Case C-266/03) [2005] ECR I-4805 .....	19
Commission v Sweden (re POPs Convention) (Case C-246/07) [2010] ECR I-3317 .....	19
Demirel v Stadt Schwäbisch Gmünd (Case 12/86) [1987] ECR 3719.....	60, 61
Deutsche Shell AG v Hauptzollamt Hamburg-Harburg (Case C-188/91) [1993] ECR I-363 .....	61
Draft Agreement establishing a Laying-up Fund for Inland Waterway Vessels (Opinion 1/76) [1977] ECR 741 .....	10–11
Etablissements Armand Mondet v Société Armement Islai (Case C-405/92) [1993] ECR I-6133 .....	14, 29, 32
Fornasar and others (Case C-318/98) [2000] ECR I-4785 .....	31
Greece v Commission (Case 30/88) [1989] ECR 3711 .....	61
Greece v Council (Case C-62/88) [1990] ECR I-1527 .....	29, 32
Haegeman v Belgium (Case C-181/73) [1974] ECR 449 .....	24

IATA and ELFAA v Department of Transport (Case C-344/04) [2006]	
ECR I-403 .....	24
International Fruit Company NV et al v Productschap voor Groenten en	
Fruit (Joined Cases 21–24/72) [1972] ECR I-1219 .....	24
Kramer (Cornelis) and others (Joined Cases 3, 4 and 6/76) [1976] ECR 1279....	14
Lesoochranárske zoskupenie (re Aarhus Convention) (Case C-240/09),	
judgment 8 March 2011 .....	24
Lirussi and Bizzaro (Joined Cases C-175/98 and C-177/98) [1999]	
ECR I-6881 .....	31
Ministère de l'Économie, des Finances et de l'Industrie v GEMO SA	
(Case C-126/01) [2003] ECR I-13769 .....	30
Missouri v Holland 252 US 416 (1920) .....	8
Mondiet <i>see</i> Etablissements Armand Mondiet v Société Armement Islai	
(Case C-405/92)	
National Farmers Union <i>see</i> Queen and Ministry of Agriculture, Fisheries	
and Food, Commissioners of Customs & Excise ex parte National Farmers	
Union (Case C-157/96)	
Opel Austria GmbH v Council (Case T-115/94) [1997] ECR II-39 .....	24
Parliament v Council (re Lomé IV) (Case 316/91) [1994] ECR I-625 .....	19
Portugal v Council (Case C-268/94) [1996] ECR I-06177 .....	52
Portugal v Council (Case C-149/96) [1999] ECR I-8395 .....	24
Preussen-Elektra AG v Schleswag AG (Case C-379/98) [2001] ECR I-2099 .....	30
Queen v Minister of Agriculture, Fisheries and Food Secretary of	
State for Health, ex parte Fedesa and others (Case C-331/88) [1990]	
ECR I-4023 .....	32
Queen v Secretary of State for Environment, Transport and the Regions,	
ex parte First Corporate Shipping Ltd (Case C-371/98) [2000]	
ECR-I 9235 .....	36
Queen v Secretary of State, Minister of Agriculture, Fisheries and Food,	
ex parte HA Standley and others and DGD Metson and others	
(Case C-293/97) [1999] ECR I-2603 .....	16–17
Queen and Ministry of Agriculture, Fisheries and Food, Commissioners	
of Customs & Excise, ex parte National Farmers Union (Case C-157/96)	
[1998] ECR I-2211 .....	16, 29
Queen (on the application of International Association of Independent	
Tanker Owners (Intertanko) and others) v Secretary of State for Transport	
(Case C-308/06) [2008] ECR I-4057 .....	25
Queen (on the application of Mayer Parry Recycling Ltd) v The Environment	
Agency and Secretary of State for Environment, Transport and the Regions	
(Case C-444/00) [2003] ECR I-6163 .....	30
Racke GmbH & Co v Hauptzollamt Mainz (Case C-162/96) [1998]	
ECR I-3655 .....	24
Republik Österreich v Martin Huber (Case C-336/00) [2002]	
ECR I-7699 .....	32

Safety High-Tech v S & T Srl (Case C-284/95) [1998] ECR I-4301 ....	15, 32–33, 100
Sevinc v Staatssecretaris van Justitie (Case C-192/89) [1990] ECR I-3461.....	61
Standley <i>see</i> Queen v Secretary of State, Minister of Agriculture, Fisheries and Food, ex parte HA Standley and others and DGD Metson and others (Case C-293/97)	
Sydhavnens Sten & Grus (Case C-209/98) [2000] ECR I-3743.....	16
United Kingdom v Commission (Case C-180/96) [1998] ECR I-2265 .....	33
Upjohn v The Licensing Authority (Case C-120/97) [1999] ECR I-223 .....	33
Waste Directive <i>see</i> Commission v Council (Case C-155/91)	

**GATT/WTO Cases:**

European Communities-Conditions for the Granting of Tariff Preferences to Developing Countries, Panel Report (adopted 20 April 2004 as modified by Appellate Body Report) WT/ DS246/R.....	156–58, 165
European Communities-Conditions for the Granting of Tariff Preferences to Developing Countries, Appellate Body Report (adopted 20 April 2004) WT/DS246/AB/R .....	156,
United States—Import Prohibition on Certain Shrimp and Shrimp Products, Appellate Body Report (adopted 6 November 1998) WT/DS58/AB/R.....	115
United States—Restrictions on Imports of Tuna (Mexico), GATT Panel Report (3 September 1991, unadopted) BISD 39S/155.....	115
United States—Tuna (Canada), GATT Panel Report (adopted 22 February 1982) BISD 29S/91.....	115



# *Table of Legislation*

## **International Treaties**

International Agreement Creating the Office International des Epizooties, 25 January 1924, <a href="http://www.oie.int/about-us/key-texts/basic-texts/">www.oie.int/about-us/key-texts/basic-texts/</a> .....	94
International Labour Organisation Convention 29 on Forced Labour, 28 June 1930, ILO/C29 .....	149, 160
General Agreement on Trade and Tariffs (GATT) 1947 .....	7, 145
art I:1 .....	146
art XIV .....	115, 124
(a) .....	115
(b) .....	115
art XX .....	102, 115, 124, 125, 138, 141, 150, 153
(b) .....	49, 102, 124
(g) .....	49, 102, 124
art XXIV .....	46
International Labour Organisation Convention 87 on Freedom of Association and Protection of the Right to Organise 9 July 1948, ILO/C87 .....	149, 160
Convention on the Prevention and Punishment of the Crime of Genocide, 9 December 1948, 78 UNTS 277 .....	160
International Labour Organisation Convention 98 on the Right to Organise and Collective Bargaining 1 July 1949, ILO /C98.....	149, 160
International Labour Organisation Convention 100 on Equal Remuneration 29 June 1951, ILO/C100 .....	149, 160
International Labour Organisation Convention 105 on the Abolition of Forced Labour, 25 June 1957, ILO /C105.....	149, 160
International Labour Organisation Convention 111 on Discrimination (Employment and Occupation) 25 June 1958, ILO/C111 .....	149, 160
Single Convention on Narcotic Drugs, 30 March 1961, 520 UNTS 151 .....	160
International Convention on the Elimination of All Forms of Racial Discrimination, 7 March 1966, 660 UNTS 195 .....	160
International Convention on the Conservation of Atlantic Tuna, 14 May 1966, 673 UNTS 63 .....	154
International Covenant on Civil and Political Rights, 26 December 1966, 999 UNTS 171.....	160
International Covenant on Economic, Social and Cultural Rights, 16 December 1966, 993 UNTS 3 .....	160
Convention on Wetlands of International Importance, 2 February 1971, 996 UNTS 245.....	41, 161, 262, 280

Convention on Psychotropic Substances, 21 February 1971, 1019 UNTS 175....	160
Convention on International Trade in Endangered Species of Wild Fauna and Flora, 3 March 1973, 993 UNTS 243.....	23, 41, 100, 104, 119, 123, 125, 160, 161, 163, 168, 169, 170, 172, 215, 262, 264, 273, 280
International Labour Organisation Convention 138 on Minimum Age for Admission to Employment 26 June 1973, ILO/C138.....	149, 160
International Convention on the Suppression and Punishment of the Crime of Apartheid, 30 November 1973, 1015 UNTS 243.....	160
Convention on the Protection of the Marine Environment of the Baltic Sea Area, 22 March 1974, 1507 UNTS 167.....	23
Barcelona Convention for the Protection of the Mediterranean Sea against Pollution, 16 February 1976, 1102 UNTS 44.....	24, 78, 141, 194, 216, 255
Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, 24 October 1978, 1135 UNTS 369.....	154
Convention on the Conservation of Migratory Species of Wild Animals, 23 June 1979, 1651 UNTS 333.....	11, 23, 161, 262
Convention on the Conservation of European Wildlife and Natural Habitats, 19 September 1979, 1284 UNTS 290 .....	11
Convention on Long-range Transboundary Air Pollution, 13 November 1979, 1302 UNTS 217.....	11, 23
Convention on the Elimination of All Forms of Discrimination against Women, 18 December 1979, 1249 UNTS 13 .....	160
Convention on the Conservation of Antarctic Marine Living Resources, 20 May 1980, 1329 UNTS 47 .....	11
Convention on Future Multilateral Cooperation in the North-East Atlantic Fisheries, 18 November 1980, 1285 UNTS 129 .....	154
Convention for the Conservation of Salmon in the North Atlantic Ocean, 2 March 1982, 1338 UNTS 33 .....	154
UN Convention on the Law of the Sea, 10 December 1982, 1833 UNTS 3.....	22, 25, 42
Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, 10 December 1984, 1465 UNTS 85 .....	160
Vienna Convention for the Protection of the Ozone Layer, 22 March 1985, 1513 UNTS 293.....	22, 41, 161
Montreal Protocol on Substances that Deplete the Ozone Layer, 16 September 1987, 1522 UNTS 3 .....	22, 41, 100, 123, 160, 161, 163, 170, 280
art 5.....	171
art 7.....	163
art 9.....	171
art 10(1)–(3) .....	171
UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 20 December 1988, 1582 UNTS 95 .....	160

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, 22 March 1989, 1673 UNTS 57.....	22, 42, 93, 100, 123, 131, 160, 161, 163, 170, 172, 188, 198, 256
art 10(3)–(4) .....	171
art 13(3).....	163
Convention on the Rights of the Child, 20 November 1989, 1577 UNTS 3 .....	160
Convention on Environmental Impact Assessment in a Transboundary Context, 25 February 1991, 1989 UNTS 309.....	24, 131, 255
Convention on the Protection of the Alps, 7 November 1991	
1917 UNTS 135.....	23
UN Framework Convention on Climate Change, 9 May 1992,	
1771 UNTS 107.....	22, 42, 44, 119, 161, 196, 198, 212, 214, 220, 257, 264
art 2.....	119
art 3(5).....	172
art 4(2).....	163
(3)–(4) .....	172
art 12.....	163
Annex I .....	120
Kyoto Protocol, 11 December 1997, 2303 UNTS 148 .....	22, 42, 69, 100, 120, 123, 160, 161, 163, 169, 170, 221, 259, 267
art 6.....	120
art 7.2.....	163
art 10.....	161
art 12.....	120
art 17.....	120
Annex B .....	120
Convention on Biological Diversity, 5 June 1992,	
1760 UNTS 79.....	23, 42, 44, 45, 94, 100, 105, 123, 126, 160, 161, 163, 168, 170, 196, 198, 215, 219, 228, 257, 259, 262–64, 266, 269, 271
art 8(j).....	105, 126, 263
art 12.....	171
art 17.....	171
art 20(2).....	171
(4) .....	171, 204
art 21.....	172
art 26.....	163
art 39.....	172
Cartagena Protocol on Biosafety, 29 January 2000,	
2226 UNTS 208.....	23, 42, 44, 100, 123, 160, 163, 167, 170, 172, 262
art 20(1)(b) .....	171
art 22(2).....	171
art 28(2).....	172
art 33.....	163

art 34.....	163
Nagoya Protocol on Access and Benefit-Sharing, 29 October 2010, UNEP/CBD/COP/DEC/X/1 .....	126, 215, 263, 264, 265, 266
Convention on the Protection and Use of Transboundary Watercourses and International Lakes, 17 March 1992, 1936 UNTS 269 .....	23
Convention on the Transboundary Effects of Industrial Accidents, 17 March 1992, 2105 UNTS 457 .....	24
Convention for the Protection of the Marine Environment of the North-East Atlantic, 22 September 1992, 2354 UNTS 67 .....	23
Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, 24 November 1993, 2221 UNTS 91 .....	42
General Agreement on Trade in Services, 15 April 1994 art XIV(b).....	49
WTO Agreement on Agriculture, 15 April 1994 Annex 2.....	48
WTO Agreement on Sanitary and Phytosanitary Measures, 15 April 1994 .....	94
WTO Agreement on Trade-Related Aspects of Intellectual Property Rights, 15 April 1994.....	48, 105
art 27.2.....	49
art 27.3.....	49
Convention on Cooperation for the Protection and Sustainable Use of the Danube River, 29 June 1994, [1997] OJ L342/19.....	23
Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of Sea of 10 December 1982, 28 July 1994, 1836 UNTS 3.....	22
UN Convention to Combat Desertification in Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, 14 October 1994, 1954 UNTS 3 .....	22, 42, 44, 196, 198, 257, 264
Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, 4 August 1995, 2167 UNTS 3 .....	22, 42, 104, 137, 283–84
International Plant Protection Convention, 17 November 1997, 2367 UNTS 223.....	94
Convention on Access to Information, Public Participation in Decision- Making and Access to Justice in Environmental Matters, 25 June 1998, 2161 UNTS 447 .....	24, 253, 255
Rotterdam Convention on the Prior Informed Consent for Certain Hazardous Chemicals and Pesticides, 10 September 1998, 2244 UNTS 337 .....	22, 42, 44, 100, 123, 161, 187, 189, 198, 256
Convention on the Protection of the Rhine, 12 April 1999 [2000] OJ L289/31 .....	23

International Labour Organisation Convention 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 17 June 1999, ILO/C182.....	149, 160
Stockholm Convention on Persistent Organic Pollutants, 22 May 2001, 2256 UNTS 119..22, 42, 44, 100, 123, 160, 161, 163, 167, 170, 187, 189, 198, 256 art 4(7).....	171
art 11(2)(c).....	171
art 12(5).....	171
art 13.....	172
(5) .....	171
art 14.....	171
art 15.....	163
International Treaty on Plant Genetic Resources for Food and Agriculture, 3 November 2001, 2400 UNTS 303.....	23, 42, 161, 262
UN Convention against Corruption, 31 October 2003, 2349 UNTS 41 .....	160
Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, 22 November 2009 (2009) FAO Doc C2009/REP .....	104

## EU Treaties

Treaty establishing the European Economic Community, Bulletin EC 1972, No 10 .....	8, 9, 11, 57
pt IV.....	82
title II ch 3 .....	46
art 9.....	46
Single European Act 1986 [1987] OJ L169/1 .....	9, 10, 11, 13, 17, 25
title VII .....	11
art 130r(2) .....	26, 29
(5) .....	11
Treaty on European Union (Treaty of Maastricht)1992 [1992] OJ C191/1 .....	11–12, 26
art 2.....	12
art 3(k).....	12
art 130r .....	26
(2).....	26
Treaty of Amsterdam 1997 [1997] OJ C340/1 .....	12, 26
art 2.....	12
art 3c.....	12
art 130s(a) .....	12
(b).....	12
Treaty of Nice 2001 [2001] OJ C80/1.....	47

Treaty establishing the European Community (consolidated text) [2006]	
OJ C321E/1.....	12
art 2.....	35
art 3(2).....	27
art 6.....	30, 32, 47
art 131.....	46
art 133(1).....	46
(2).....	47
(4).....	47
art 177(1).....	52
(2).....	52
art 203(2).....	210
art 300(3).....	47, 61
art 310.....	60
Treaty of Lisbon <i>see</i> Treaty on European Union and Treaty on the Functioning of the European Union	
Treaty on European Union (consolidated text) [2010] OJ C83/13	
recital 9 .....	35
art 1.....	21, 27
art 2.....	64
art 3.....	35
(3) .....	15, 35
(5) .....	2, 12, 35, 42, 55
art 4(3).....	19
art 5(2).....	7
(3) .....	8, 15
(4) .....	8, 14
art 6(1).....	27, 64
art 8 .....	76
art 15(5)–(6) .....	211
(6).....	211
art 16(6).....	43
(9).....	210
art 18(2).....	211
(4).....	211
art 21.....	25
(1).....	35, 208
(2).....	2, 42, 47, 52, 53, 55
(d).....	13, 42, 52, 147, 208
(f).....	13, 35, 42, 52, 208
(g).....	42
(h).....	208, 254
(3).....	43
art 23.....	13

art 47.....	7
art 49.....	64, 65, 66
Treaty on the Functioning of the European Union (consolidated text)	
[2010] OJ C83/47	
pt V title III.....	52
art 3.....	47
arts 3–6 .....	27, 30
art 4(2)(e).....	17
(3) .....	17
(4) .....	54
art 7.....	27, 28, 43
arts 7–13 .....	27
art 8.....	27, 29
art 9.....	27, 29
art 10.....	27, 29
art 11.....	1, 3, 5, 13, 19, 25, 28–43, 47, 52–55, 56, 144, 147, 173, 174, 182, 249, 285–86
art 12.....	27
art 13.....	27, 29
art 36.....	73, 81, 114, 138, 141, 150
art 114.....	10
(3).....	10
art 167(4).....	28
art 191.....	13–14, 29, 30, 31, 32, 33, 55
(1).....	13–14, 17, 88, 181
(2).....	13, 15, 17, 29, 100
(3).....	17, 29
(4).....	8, 17, 18, 20, 28
art 192.....	14, 20, 28
(1).....	20
(2).....	20
art 193.....	18, 19
art 194(1).....	27
art 207.....	62, 144
(1).....	47
(2).....	47, 156
(3).....	47
art 208(1).....	52, 54
(2).....	54, 181
art 209(1).....	52, 53, 174
(2).....	18, 52
art 212.....	53, 200
(2).....	53, 174
art 216(2).....	24, 61

art 217.....	58, 60
art 218.....	20
(6)(v).....	47
art 228.....	288
art 263.....	32, 33
arts 286–87.....	177
art 294.....	20
art 296.....	33
art 312.....	174
arts 318–19.....	177
art 352.....	10, 62
Charter of Fundamental Rights of the European Union [2010] OJ C83/389.....	27
art 37.....	15, 27
art 44.....	288

## EU Agreements

Agreement creating an Association between the European Economic Community and Turkey [1964] OJ L217/3687 .....	58
Convention of Yaoundé I between the European Economic Community and its Member States and the Associated African and Malgache Countries [1964] OJ L93/1431 .....	82
Convention of Yaoundé II between the European Economic Community and its Member States and the Associated African and Malgache Countries [1970] OJ L 282/2 .....	82
First Lomé Convention between the European Economic Community and the African, Caribbean and Pacific States [1976] OJ L25/2 .....	82
Framework Agreement for commercial and economic cooperation between the European Communities and Canada [1976] OJ L260/2 .....	209, 227
Cooperation Agreement between the European Economic Community and Indonesia, Malaysia, the Philippines, Singapore and Thailand (member countries of ASEAN) [1980] OJ L144/2 .....	63, 222
Second Lomé Convention between the European Economic Community and the African, Caribbean and Pacific States [1980] OJ L347/1.....	82
Agreement on Trade and Economic Cooperation between the European Economic Community and the People's Republic of China [1985] OJ L250/2 .....	209
Third Lomé Convention between the European Economic Community and the African, Caribbean and Pacific States [1986] OJ L86/3.....	82
Cooperation Agreement between the European Economic Community, of the one part, and the countries parties to the Charter of the Cooperation Council for the Arab States of the Gulf (the State of the United Arab Emirates, the State of Bahrain, the Kingdom of Saudi Arabia, the Sultanate	

of Oman, the State of Qatar and the State of Kuwait), of the other part [1989] OJ L54/3 .....	64
Agreement between the European Economic Community and the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation [1990] OJ L68/3.....	130
Fourth Lomé Convention between the European Economic Community and the African, Caribbean and Pacific States [1991]	
OJ L229/3 .....	82–83, 92–93, 95, 110
art 174.....	93
Agreement on the European Economic Area (EEA) [1994] OJ L1/3.....	58
Cooperation Agreement between the European Community and the Republic of India on partnership and development [1994] OJ L223/24.....	63
Framework Agreement for Cooperation between the European Economic Community and the Federative Republic of Brazil [1995] OJ L262/54.....	219
Interregional Framework Cooperation Agreement between the European Community and its Member States, of the one part, and the Southern Common Market and its Party States, of the other part [1996] OJ L69/4.....	63
Euro–Mediterranean Interim Association Agreement on Trade and Cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO ) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part [1997]	
OJ L187/3 .....	59, 77–81
titles I–II .....	77
title II .....	80
title III.....	77
title VI.....	81
art 1.....	77
art 2.....	77
art 24.....	81
art 35(2).....	79
art 36(4).....	79
art 37.....	77
art 41.....	77
art 44.....	79
art 48.....	80
art 50.....	78
art 55.....	78
art 61.....	77
Agreement on Partnership and Cooperation between the European Communities and their Member States, of one part, and the Russian Federation, of the other part [1997] OJ L327/3 .....	62, 130–133, 255
art 1.....	130, 131
art 2.....	130

art 55(2).....	131
art 56(2).....	132
art 57.....	133
art 61.....	133
art 64.....	132
art 65(2).....	133
art 68.....	133
art 69(1).....	131
(2) .....	131
(3) .....	131, 132
art 84.....	133
Cooperation Agreement between the European Community and the Lao People's Democratic Republic [1997] OJ L334/15.....	63
Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Ukraine, of the other part [1998] OJ L49/3 .....	62, 255
art 1.....	130
art 2.....	130
Cooperation Agreement between the European Community and the Republic of Yemen [1998] OJ L72/18.....	64
Euro–Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part [1998] OJ L97/2.....	59, 77–81
title I.....	77
title II .....	80
titles II–IV .....	77
title III.....	80
title V .....	77
title VIII .....	81
art 1.....	77
art 2.....	77
art 28.....	81
art 42(2).....	79
art 43(4).....	79
art 44.....	77
art 45.....	78
art 48.....	78
art 52.....	77
art 75.....	77
Framework Agreement on Cooperation between the European Economic Community and the Cartagena Agreement and its member countries, namely the Republic of Bolivia, the Republic of Colombia, the Republic of Ecuador, the Republic of Peru and the Republic of Venezuela [1998] OJ L127/11.....	63

Agreement amending the fourth ACP–EC Convention of Lomé [1998]	
OJ L156/3 .....	82
Partnership and Cooperation Agreement between the European Communities	
and their Member States, of the one part, and the Republic of Moldova,	
of the other part [1998] OJ L181/3 .....	62, 130–33, 255
art 1.....	130, 131
art 2.....	130
art 50(2).....	131
art 51(2).....	132
art 52.....	133
art 56.....	133
art 59.....	132
art 60(2).....	133
art 61(1).....	131
(2) .....	131
(3) .....	131, 132
Framework Cooperation Agreement between the European Economic	
Community and the Republics of Costa Rica, El Salvador, Guatemala,	
Honduras, Nicaragua and Panama [1999] OJ L63/39 .....	63
Inter-regional Framework Cooperation Agreement between the European	
Community and its Member States, of the one part, and the Southern	
Common Market and its Party States, of the other part [1999]	
OJ L112/66 .....	219, 244, 245
Partnership and Cooperation Agreement between the European Communities	
and their Member States, of the one part, and the Republic of Kazakhstan,	
of the other part [1999] OJ L196/3 .....	62, 130–33, 255
preamble.....	130
art 1.....	130
art 2.....	130
art 44(2).....	132
art 45.....	133
art 49.....	133
art 52.....	132
art 53.....	133
art 54(1).....	131
(2) .....	131
(3) .....	131
art 61.....	132
art 70.....	133, 256
Partnership and Cooperation Agreement establishing a partnership	
between the European Communities and their Member States,	
of the one part, and the Kyrgyz Republic, of the other part [1999]	
OJ L196/48 .....	62, 131–33, 255
preamble.....	130

art 1.....	130
art 2.....	130
art 45(2).....	132
art 46.....	133
art 50.....	133
art 53.....	132
art 54.....	133
art 55(1).....	131
(2).....	131
(3).....	131
art 61.....	132
Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Georgia, of the other part [1999] OJ L205/3 .....	62, 130–33, 255
art 1.....	130, 131
art 2.....	130
art 43(2).....	131
art 45(2).....	132
art 47.....	133
art 48.....	133
art 52.....	133
art 55.....	132
art 56.....	133
art 57(1).....	131
(2) .....	131, 272
(3) .....	131, 132
art 72.....	133
Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part [1999] OJ L229/3.....	63, 130–33, 255
preamble.....	130
art 1.....	130
art 2.....	130
art 43(2).....	132
art 45.....	133
art 49.....	133
art 52.....	132
art 53.....	133
art 54(1).....	131
(2) .....	131
(3) .....	131
art 60.....	132
art 69.....	133

Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Armenia, of the other part [1999] OJ L239/3 .....	62, 130–33, 255
art 1.....	130, 131
art 2.....	130
art 44(2).....	132
art 46.....	133
art 53.....	132
art 54.....	133
art 55(1).....	131
(2) .....	131, 262
(3) .....	131, 132
art 69.....	133
Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Azerbaijan, of the other part [1999] OJ L246/3 .....	62, 130–33, 255
art 1.....	130, 131
art 2.....	130
art 43(2).....	131
art 44(2).....	132
art 46.....	133
art 47.....	133
art 51.....	133
art 54.....	132
art 55.....	133
art 56(1).....	131
(2) .....	131
(3) .....	131, 132
art 72.....	133
Cooperation Agreement between the European Community and the Kingdom of Cambodia [1999] OJ L269/18.....	63
Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part [1999] OJ L311/3 .....	60, 109–16, 135, 213, 256
preamble para 4 .....	110
title I.....	110
title II .....	110
title III.....	110
title IV.....	110
title V .....	110
title VI.....	110, 112
title VII .....	110
art 1(c) .....	110
art 3.....	116

art 27.....	115
art 51(b) .....	113, 277
art 57.....	260
(1) .....	113
art 58.....	113
art 59.....	114
art 60(1).....	114
art 61.....	113
art 65.....	111
(2).....	111
art 66(3).....	111
art 84.....	262, 272
(1).....	112
(2).....	112
(2)–(3).....	112
(3).....	112
art 93(1).....	111
art 97.....	116
art 104.....	116
Euro–Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Kingdom of Morocco, of the other part [2000] OJ L70/2 .....	59, 77–81
title I.....	77
title II .....	80
titles II–IV .....	77
title IV.....	80
title V .....	77
title VIII .....	81
art 1.....	77
art 2.....	77
art 28.....	81
art 42(2).....	79
art 43(4).....	79
art 44.....	77
art 45.....	78
art 48.....	78
art 52.....	77
art 57.....	80
art 75.....	77
Joint Declaration on art 90.....	81
Euro–Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the State of Israel, of the other part [2000] OJ L147/3.....	59, 77–81
title I.....	77

title II .....	80
titles II–IV .....	77
title III.....	80
title VI.....	77
title IX.....	81
art 1.....	77
art 2.....	77
art 27.....	81
art 42(2).....	79
art 43.....	77
art 46.....	79
art 50.....	78
(2) .....	78
art 51.....	80
art 55.....	77
Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part [2000]	
OJ L276/45 .....	63, 219, 221
(Cotonou) Partnership Agreement between the Members of the African, Caribbean and Pacific Group of States of the one part and the European Community and its Member States of the other [2000]	
OJ L317/3 .....	59, 82–98, 103, 110, 111, 124, 135, 137, 140, 142, 144, 197, 199, 211, 263
preamble para 12 .....	84, 85
para 13bis .....	84, 85
part I title I .....	85
title II.....	85
part III title I.....	85, 87, 96
title II.....	85, 92, 96
ch 5 .....	93
part IV .....	85, 197
title I .....	96
art 1.....	84, 87, 260
(2).....	83
(3).....	86
(4).....	86
art 2.....	83, 84
art 4.....	84
art 6.....	84, 260
(1)(b) .....	213
art 8.....	87
(3) .....	86
(4)–(5) .....	84

art 9(2)–(3) .....	84
art 10.....	84
art 11.....	84, 88, 260
(3).....	86
art 12.....	84
art 15(2).....	94
(d).....	95
(3).....	94, 212
art 16.....	95
art 17.....	95
art 19.....	84
art 20(1)(e).....	89
(2) .....	86, 87, 88
(3) .....	83
art 23(e).....	90
(f) .....	90
(m) .....	90
art 23a.....	89
art 28(2)(c).....	90
art 29(3)(a)–(b) .....	91
art 30(1)(b) .....	90
art 32.....	87, 272
(1) .....	87, 256, 262
(2) .....	87
art 32bis.....	84, 88, 136, 260, 276
arts 34–37 .....	92
art 34(4).....	92
art 36(1).....	92
art 37.....	92
art 38.....	95
art 39.....	94
art 42.....	90
art 46(2).....	94, 263
art 48(2).....	94
art 49.....	93
(1).....	93
(2).....	93
(3).....	93
art 53(1).....	89
art 58.....	84
art 72(2).....	91
art 83.....	95
art 95(3).....	84
art 96.....	95