

Legal Sciences Advanced University and European and Global Policies Masters Course 2016-2017	
Subject: <i>European Integration and other Regional Integration Processes</i>	Quarter: 2
	Credits: 4
	Language: English
Professors: Phd. Marta Abegón / Phd. Miguel A. Elizalde https://www.upf.edu/dipri/es/professorat/abegon.html https://www.upf.edu/dipri/es/professorat/elizalde.html	
Office: 401E10 Timetable: Tutorial time: Other days by previous appointment by email. Contact: marta.abegon@upf.edu / miguelangel.elizalde@upf.edu	

Course content
<p><i>Main points</i></p> <p>The concept of regional international integration. Theoretical models of regional integration. Basic regional integration process tools. Current levels of integration. Economic integration areas and the World Trade Organization (WTO). Economic, monetary and political union: the European Union (EU). Common Market: the Caribbean Community (Caricom). Customs Union: The Southern Common Market (Mercosur) and the Andean Community (CAN). Free Trade Zone: the North American Free Trade Area (TLCAN). Other regional integration processes and feasible future projects.</p> <p><i>General Objectives</i></p> <p>Integration processes in recent years are leading to a profound transformation in the international community and its legal framework. The fundamental objective of this course is to analyze and compare the most representative regional economic integration organizations in the World. The first part of the course is designed to provide a general understanding of integration processes from the perspective of Public international law, in particular, the WTO rules. The second and the third part focus on the history, institutions, law, and objectives of the European Union.</p> <p>With the conceptual and normative base acquired as a result of Parts I to III of the course, the specific characteristics of each organization (Mercosur, CAN, NAFTA, etc.) will be analyzed part fourth of the course, with full participation of the students.</p> <p>With this approach, an overall understanding of what Integration Law implies will be developed, permitting the participant to appreciate its position and relevance as a particular legal system of Public International Law.</p> <p>Competences:</p> <ul style="list-style-type: none"> • Review the concept of Integration Law from the general perspective of Public International Law.

- Describe the main features of institutions and legal sources of Integration Law.
- Identify the main economic regional integration processes, their strengths and weaknesses and their reciprocal relationships.
- Improve the analytical capacity and written and oral presentation skills of the participants.

Basic requirements to participate

The participants need a general knowledge of Public International Law and, in particular, international organizations.

To facilitate an overall understanding of the course, it is recommended that participants read one or more of the following academic texts before starting the course:

- DÍEZ DE VELASCO VALLEJO, M., *Las Organizaciones Internacionales*, 16ª ed., reimpres, Madrid: Tecnos, 2013.

Or the equivalent in English, for instance:

- KLABBERS, J., *An introduction to International Institutional Law*, 2nd. Ed., Cambridge: Cambridge University Press, 2009.
- KLABBERS, J.; WALLEND AHL, A. (Eds.), *Research Handbooks on the Law of International Organizations*, Cheltenham (UK): Edward Elgar Publishing Limited, 2011.
- PEASE, K.-K. S., *International Organizations*, 6th. ed., Routledge; 2016.
- HURD, I., *International Organizations: Politics, Law, Practice*, Cambridge: Cambridge University Press, 2011.

Additionally, an advanced level of English and Spanish is required.

Methodology

The course consists of 12 sessions of two hours each one. As a rule, every session would include a theoretical presentation by the teacher of the topics as scheduled in this document. To deepen the understanding of the material content of the course, it is expected active participation of students in discussions, debates, and written exercises as professors may request. In this context of particular importance are the last sessions, which are reserved for oral presentations from students.

If it is possible, an additional session given by a recognized expert in this field will be offered.

Content of the course

Part I: Integration law and the WTO

Session 1	Notion and instruments of economic regional integration processes
Session 2	The integration agreements before the World Trade Organization
Session 3	Main regional integration processes in the world

Obligatory Readings:

- Balassa, B., *The Theory of economic integration*, London: Allen & Unwin, 1962, pgs. 1-10.
- Cienfuegos Mateo, M., "El fenómeno de la integración económica regional", in J.L. Collantes (Coord), *Derecho internacional económico y de las inversiones extranjeras*, Perú: Pallestra, 2009, pgs. 263-302.
- Marceau, G. and Reiman, C., "When and How Is a Regional Trade Agreement Compatible with the WTO?", *Legal Issues of Economic Integration*, vol. 28, 2001, pgs. 297-336.
- 4) Saburi, H., "The GATT/WTO and Regional Integration", *Japanese Ann. Int'l L.*, vol. 44, 2001, pgs. 60-85.

Part II: Institutional, legal and judicial guarantees of the EU

Session 4	History of the European Union and Constitutive Treaties
Session 5	Institutions and Law of the European Union
Session 6	Basic principles and judicial guarantee

Obligatory Readings:

- Borchardt, K., *The ABC of the European Union Law*, Brussels: OPOCE, 2010.
- Cienfuegos Mateo, M., "La integración en Europa: la Unión Europea", in J.L. Collantes (Coord), *Derecho internacional económico y de las inversiones extranjeras*, Perú: Pallestra, 2009, pgs. 333-372.
- Fontaine, P., *Europe in 12 lessons*, Brussels: OPOCE, 2014.
- Xhaferri, Z., "Delegated acts, Implementing acts, and Institutional Balance Implications Post-Lisbon", *Maastricht J. Eur. & Comp. L.*, vol. 20, 2013, pgs. 557-575.

Part III: EU objectives and policies	
Session 7	EU general goals and means of action
Session 8	The internal market and the common policies
Session 9	The foreign relations of the European Union
<p>Obligatory Readings:</p> <ul style="list-style-type: none"> • Bomberg, E., Peterson, J. and Corbett, R., <i>The European Union. How does it work?</i>, 3rd. ed., 2012, pp. Oxford: Oxford University Press, 2012, chapters 8-10. • Connor, T., "Goods, Persons, Services and Capital in the European Union: Jurisprudential Routes to Free Movement", <i>German L.J.</i>, vol. 11, 2010, pgs. 159-209. • Lopandic, D., "Foreign Trade Policy of the European Union-EU Agreements on free trade", <i>10 Rev. Eur. L.</i> vol 5, 2008, pgs. 10-38. • Noronha Rodrigues, J., "European Common Foreign and Security Policy", <i>AGORA International Journal of Juridical Sciences</i>, 2012, no.1, pgs. 129-148. 	
Part IV: Regional Integration in Latin America and other World areas	
Session 10 & Session 11	The MERCOSUR and the Andean Community The Caribbean Community and the NAFTA The ASEAN and other integration processes in the World
<p>Obligatory Readings:</p> <ul style="list-style-type: none"> • Cienfuegos Mateo, M. and Jovtis, I., "Procesos de integración regional en América Latina y el Caribe", in J. L. Collantes S (Coord), <i>Derecho internacional económico y de las inversiones extranjeras</i>, Perú: Pallestra, 2009, pgs. 373-441. • Das, D.K. "Regional Trading Agreements: The Contemporary Scenario", <i>J. World Investment</i>, vol. 2, 2001, pgs. 333-396. • Hung, L.Ch, "ASEAN Charter: Deeper Regional Integration under International Law? ", <i>Chinese J. Int'l L.</i>, vol. 9, 2010, pgs.821-837. • Mecham, M., "Mercosur: A Failing Development Project?", <i>International Affairs (Royal Institute of International Affairs 1944-)</i>, vol. 79, 2003, no. 2, pgs. 369-387. 	
Session 12	Written exam

Assessment

The assessment system is based on continuous evaluation. To this purpose, all the activities carried out during the course will be taken into account, according to the following ratio:

10%: active participation during sessions (oral questions, information search, oral and written answers to reading reviews, oral presentation of written essays, etc.).

40%: group research and presentations.

50%: written exam.

Retake exam

Students who fail the course will have a resit exam, according to the following conditions:

100%: individual report on a course topic assigned by the professors.

Activities

Previous readings of recommended bibliography before each session.

Discussion of practical cases related to each subject.

Questions on obligatory readings.

Debates on current topics related to Integration Law.

Participation in practical exercises in class.

Research and oral presentations of the most relevant international regional integration process webpages (MERCOSUR, CAN, NAFTA, etc...).

Tutorials for participants to clarify doubts, recommend specific bibliography, focus on written report preparation...

Special seminar with a recognized expert on European or Latin American integration processes (to be confirmed).

Assistance to external specialized seminars offered in Barcelona during the course.

General bibliography and materials

The recommended readings before the course and the obligatory readings for each session have been previously specified. Both represent an absolutely necessary tool to fully take advantage of the course. They are all available at Pompeu Fabra (UPF) Library and usually also uploaded in the Aula Global by the Professor if the Intellectual Property Rights permit.

During the course, the teacher will also offer through AG additional materials (a set of slides in Pwp format, normative texts and practical cases...).

In addition, the following general bibliography complements all the readings previously recommended. This list offers a general overview of the major part of European Integration and other Regional Integration Processes content. It also provides the opportunity to develop with special detail concrete elements of a specific topic or opens up the possibility for new analytical perspectives. As a rule, these publications are available in the UPF Library.

- Craig, P. and De Burca, G. (Eds), *The Evolution of EU Law*, 2^a ed., Oxford: Oxford University Press, 2011.
- Chalmers, D. and Arnull, A., (Ed.), *The Oxford handbook of European Union Law*, Oxford: Oxford University Press, 2015.
- Chalmers, D., Davies, G. and Monti, G., *European Union law: cases and materials*, 2nd. ed, Cambridge: Cambridge University Press, 2010.
- Moussis, N., *Access to European Union : law, economics, policies*, Rixensart : European Study Service, 2008.
- Weatherill, S., *Cases and materials on EU law*, Oxford: Oxford University Press, 2010.
- WTO, *Understanding the WTO*, Geneva, 2015.

In addition, here is a list of websites of the principal international financial institutions, regional economic integration organizations and other related international bodies which will be referred to during the course.

- ALADI: <http://www.aladi.org>
- ALCA: <http://www.ftta-alca.org>
- ANDEAN COMMUNITY: <http://comunidadandina.org>
- ASSOCIATION OF CARIBBEAN STATES: <http://www.acs-aec.org/>
- APEC: <http://www.apecsec.org.sg>
- ASEAN: <http://www.asean.or.id>
- BENELUX: <http://www.benelux.org>
- BM: <http://www.worldbank.org>
- CARICOM: <http://www.caricom.org>
- CEPAL : <http://www.eclac.cl>
- EFTA: <http://www.efta.int>
- EU: <http://europa.eu>

- IADB: <http://www.iadb.org>
- IMF: <http://www.imf.org>
- INTAL: <http://www.iadb.org/intal>
- MERCOSUR: <http://www.MERCOSUR.org.uy>
- NAFTA: <http://www.nafta.net>
- OECD: <http://www.oecd.org>
- OAS: <http://www.oas.org>
- OMA: <http://www.wcoomd.org>
- SADC (Comunidad de Desarrollo de África del Sur): <http://www.sadc.int>
- SELA: <http://www.sela.org>
- UN: <http://www.un.org>
- UNCTAD: <http://www.unctad.org>
- UNIDO: <http://www.unido.org>
- WCO: <http://www.wco.org>
- WIPO: <http://www.wipo.org>
- WTO: <http://www.wto.org>