

## Workshop Series: Current Issues of EU External Relations

# Access to Justice and Restrictive Measures in the Context of the Common Foreign and Security Policy – The *Rosneft* Case

### Presentations by

**Prof Francette Fines** (University of La Rochelle)

*La crise ukrainienne vue de Luxembourg : droits fondamentaux des États versus droits fondamentaux des personnes*

**Prof Sara Poli** (University of Pisa)

*The Turning of Non-State Entities from Objects to Subjects of EU Restrictive Measures after Rosneft*

**Prof Graham Butler** (Aarhus University)

*Common Foreign and Security Policy through a Preliminary Reference: A Jurisdictional Dilemma*

**Dr Elise Daniel** (PhD, University Paris 1)

*Objectifs et compétences de l'Union européenne : Les audaces des Avocats Généraux dans le contexte des mesures restrictives*

### Discussion with

**Prof Allan Rosas** (Judge, Court of Justice of the European Union)

**Prof Isabelle Bosse-Platière** (University of Rennes)

**Prof Federico Casolari** (University of Bologna)

**Dr Stanislas Adam** (Legal Secretary, Court of Justice of the European Union)

**Dr Mauro Gatti** (University of Luxembourg)

### Moderator

**Prof Eleftheria Neframi** (University of Luxembourg)

**Monday, 29 May 2017**  
**15.00 – 19.30**

### Location

University of Luxembourg  
4, rue Alphonse Weicker  
L-2721 Luxembourg  
Weicker Building  
Room B001 – Ground floor

### Language

English, French

### Registration

<http://bit.ly/29MayRosneft>

### Contact

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*The event will be followed by a reception*

## Abstract

Judicial protection is a core EU value, but in the field of Common Foreign and Security Policy (CFSP) the jurisdiction of the Court of Justice is limited. In the *Rosneft* case, the Court interpreted extensively the scope of its jurisdiction with regard to restrictive measures in response to actions of Russia to destabilise the situation in Ukraine, holding that it can give preliminary rulings on the validity of a CFSP act providing for sanctions against individuals and entities or impacting on other EU policies. The round table will address the important legal issues raised in the context of EU restrictive measures, such as judicial review of CFSP acts, EU security objectives, Member States' enforcement powers, discussing the impact of the *Rosneft* judgment.

## Participants

**Stanislas Adam** is Legal Secretary at the EU General Court in the chambers of Judge da Silva Passos. He previously worked in the chambers of Advocate General Sharpston and of the British president of chamber of the EU General Court. He holds a PhD in EU law from the University of Ghent and a LLM from Harvard University.

**Isabelle Bosse-Platière** is Professor of European Law at the University of Rennes 1 and holds a Jean Monnet Chair. She is head of the Centre of European Research (CEDRE) and a member of the direction board of the Centre of Excellence Jean Monnet of Rennes. Her researches focus on the External Relations of the EU in its institutional and judicial dimensions. She is co-responsible for chronicles about EU's External Relations in the *Revue trimestrielle de droit européen* and « Association, Coopération, Partenariat » in the *Annuaire du droit de l'Union européenne*.

**Graham Butler** is Assistant Professor at Aarhus University and Visiting Assistant Professor at the Centre for European and Comparative Legal Studies, Faculty of Law, University of Copenhagen. He wrote his PhD thesis on the limits of the EU's Common Foreign and Security Policy.

**Federico Casolari** is Associate professor of EU Law at the University of Bologna and member of the Faculty of the China-EU School of Law. He held visiting positions at the Université Libre de Bruxelles, the Australian National University College of Law, the Hungarian Academy of Sciences, and Kazguu University (Kazakhstan).

**Elise Daniel** has a PhD in public law from University Paris 1 - Panthéon-Sorbonne, where she defended in 2016 the thesis 'La politique opérationnelle de l'UE dans le cadre de la PESC : singularités et cohérences'. She is a member of the editorial committee of *Revue Europe*.

**Francette Fines** is professor of public law at the University of La Rochelle. She is a specialist of institutional and litigation issues regarding European integration. She co-authored, with H. Gaudin, M. Blanquet et J. Andriantsimbazovina, *Grands arrêts de la Cour de justice de l'Union européenne* (Daloz 2014).

**Mauro Gatti** is Research Associate at the University of Luxembourg. He was formerly adjunct professor and postdoctoral researcher at the University of Bologna and tutor at the China-EU School of Law. He authored *European External Action Service* (Brill 2016).

**Sara Poli** is Associate Professor and Jean Monnet Chair of EU Law at the University of Pisa. She previously was Assistant Professor at the University of Rome 'La Sapienza', Fulbright-Schuman fellow at the Pennsylvania State University and Marie Curie Fellow at the European University Institute.

**Allan Rosas** is Judge at the EU Court of Justice. Formerly he was Deputy Director-General of the European Commission Legal Service, Professor of Law at the University of Turku and at the Åbo Akademi University. He also had expert functions in governmental law commissions and committees of the Finnish Parliament, as well as the UN, Unesco, OSCE, and the Council of Europe.

## The EUGIA Project

The workshop is organised in the framework of the project **The European Union as Global International Actor and the Question of Competence** coordinated by Prof. Eleftheria Neframi, with the participation of Dr. Mauro Gatti.