

External Competence of the European Union: between Commercial Policy and Harmonisation

Opinion 3/15 of the Court of Justice on the Competence of the EU to conclude the Marrakech Treaty on Exceptions and Limitations to Copyright for the Benefit of People with a Disability

Round table with the participation of:

Fernando Castillo de la Torre (Legal adviser at the European Commission)

Manuel Lopez Escudero (Legal secretary at the CJEU, Professor at the University of Granada)

Luca Prete (Legal secretary at the CJEU)

Robert Schütze (Professor of European Union Law at Durham University)

Isabelle Van Damme (Associate at Van Bael & Bellis, former Legal Secretary at the CJEU)

Organised by:

Eleftheria Neframi (Professor of European Union Law at the University of Luxembourg)

Mauro Gatti (Research associate at the University of Luxembourg)

Abstract

In Opinion 3/15 of 14 February 2017, the Grand Chamber of the Court of Justice held that the European Union has exclusive competence to conclude the Marrakech Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled. The analysis of the Court covers topical issues related to the choice of legal basis and the nature of EU external competence, such as: the scope of the common commercial policy in relation to the objectives of promoting non-discrimination and of facilitating the circulation of accessible format copies; the significance of a minimum level of protection of copyright and related rights introduced by Directive 2001/29; and the interpretation of the criterion of affectation of EU rules (ERTA doctrine).

Friday 31 March 2017 from 3.00 pm – 6.00 pm

-Location

University of Luxembourg
Weicker Building
Conference room B 001 (Ground floor)
4, rue Alphonse Weicker
L-2721 Luxembourg

-Language

English, French

-Registration

Free lecture, followed by a cocktail.
Maximum number of attendants: 80
Please register via Eventbrite:

<http://bit.ly/2lXgX22>

-Contact

Izabela Fero - Tel: +352 46 66 44 5381

Participants:

Fernando Castillo de la Torre is Legal adviser at the Legal Service of the European Commission. He also worked in the chambers of the President of the European Court of Justice (1992-2022) and has been agent for the European Commission in more than 300 cases in the ECJ. He has published widely on European Litigation.

Manuel Lopez Escudero is Référéndaire at the Court of Justice of the European Union and Professor of International Law and EU Law at the University of Granada. He is Director of the *Revista de Derecho Comunitario Europeo* and author of numerous publications in the field of EU law. He recently co-edited the book *The European Union's External Action in Times of Crisis* (Oxford Hart Publishing 2016).

Luca Prete is Référéndaire in the Chambers of Advocate General N. Wahl at the Court of Justice of the European Union, in secondment from the Legal Service of the European Commission (external relations and trade policy and WTO teams). He previously worked at the Court as référéndaire in the chambers of Judge A. Tizzano and at the Directorate General for Competition of the European Commission.

Robert Schütze is Professor of EU Law at Durham University, as well as Visiting Professor at the School of Government of LUISS University (Rome) and at the College of Europe (Bruges). He has published extensively in the field of European Union Law and comparative federalism. His various works include *From Dual to Cooperative Federalism* (OUP 2009) and *Foreign Affairs and the EU Constitution* (CUP 2014).

Isabelle Van Damme is Associate at Van Bael & Bellis (Brussels) and Visiting Lecturer at the Université Catholique de Louvain. She was formerly Référéndaire at the Court of Justice of the European Union. She has published widely in the areas of WTO law and EU law.

Workshop Series Current Issues in EU External Relations

The workshop on Opinion 3/15 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 and Dr. Mauro Gatti).

Forthcoming events

Friday 19 May 2017:

EU competence and the conclusion of the Free Trade Agreement with the Republic of Singapore (CJEU, Opinion 2/15, pending), co-organised with the Max Planck Institute, Luxembourg

Monday 29 May 2017:

Security and Fundamental Rights in the External Action of the EU (CJEU, Opinion 1/15, pending, C-72/15, *Rostneft*, pending)