

Cambridge University Press & Assessment 978-1-108-83297-7 — The European Union and Customary International Law Edited by Fernando Lusa Bordin , Andreas Th. Müller , Francisco Pascual-Vives Table of Contents

More Information

## Contents

List of Contributors pa	ge vii
Acknowledgements	X
Table of Cases	xi
Table of Treaties	XXV
List of Abbreviations	XXX
Introduction: The European Union and Customary International Law Fernando Lusa Bordin, Andreas Th. Müller and Francisco Pascual-Vives	<b>al</b>
PART I A VIEW FROM THE OUTSIDE: THE EUROPEAN UNION AS A SUBJECT OF CUSTOMARY INTERNATIONAL LAW	
1 Applicability of Customary International Law to the European Union as a Sui Generis International Organization: An International Law Perspective Christina Binder and Jane A. Hofbauer	7
2 Is the European Union a Sui Generis International Organization? The Challenge of Arguing for Special Treatment in Customary International Law Fernando Lusa Bordin	48
3 The European Union's Role in the Making and Confirmation of Customary International Law Jed Odermatt	66

V



Cambridge University Press & Assessment 978-1-108-83297-7 — The European Union and Customary International Law Edited by Fernando Lusa Bordin , Andreas Th. Müller , Francisco Pascual-Vives Table of Contents

More Information

vi Contents

	PART II LOOKING IN BETWEEN: SYNERGIES BETWEEN CUSTOMARY INTERNATIONAL LAW AND EUROPEAN UNION LAW	
4	Customary Law within the Internal Legal Sphere of the European Union: A Tale of Autonomy and Self-Containment Kirsten Schmalenbach	97
5	The Identification of Customary International Law Before the Court of Justice of the European Union: A Flexible Consensualism Francisco Pascual-Vives	123
6	Patterns of Avoidance and Assimilation: Peremptory Norms in European Union Law Asier Garrido-Muñoz	148
	PART III A VIEW FROM THE INSIDE: CUSTOMARY INTERNATIONAL LAW AS A SOURCE OF EUROPEAN UNION LAW	
7	Customary International Law in the European Union Legal System: Reception, Rank, Application and Interpretation Werner Schroeder	177
8	The Direct Effect of Customary International Law: The 'Treaty Analogy' and Its Limits Andreas Th. Müller	210
9	Customary International Law in the European Union Legal System: The Substantive Rules Invoked and Applied by the Court of Justice of the European Union Paul Gragl	<b>2</b> 40
10	Customary International Law as a Source of European Union Law: The European Parliament, the Council and the Commission	
	Carmen Martínez-Capdevila	280
Inde	ex	297