European Union Research Guide

I. Introduction.

A. History of the European Union

The European Union (EU) is a supranational organization consisting of 27 countries that have agreed to cooperate in economic, social and security matters. The EU has grown in both scope and membership since its founding and the organization’s name has changed over time to reflect the change in scope.

The origins of the EU date back to 1951 with the founding of the European Coal and Steel Community (ECSC). The ECSC, designed to bring the production of heavy industry under a common management, consisted of six countries: France, Germany, Italy, Belgium, Luxembourg and the Netherlands. In 1957 the six members of the ECSC, seeking to expand economic cooperation, signed the Treaty Establishing the European Economic Community (EEC). At the same time the European Atomic Energy Community (Euratom) was founded. Although at first the ECSC, EEC and Euratom had separate courts, assemblies, councils of ministers and commissions, by 1967 they were merged into one court, parliament, council and commission. In 1973 the United Kingdom and Ireland joined the EEC and English became one of the organization’s official languages.

The Treaty on European Union entered into force in 1993. With this treaty the organization’s name changed from the European Community to the European Union. The treaty included agreements on common foreign and security policy and cooperation in justice and home affairs. The Treaty of Lisbon entered into force in 2010 and modified existing treaties. Among other things the treaty established the European External Action Service, a diplomatic corps for the EU, created the office of permanent President of the European Council and increased the influence of the Parliament.

B. Principal Institutions of the European Union

1 A number of countries are seeking admission to the EU. For a list of these countries and their membership status see http://ec.europa.eu/enlargement/index_en.htm.
2 Treaty Establishing the European Coal and Steel Community, Apr. 18, 1951, 261 U.N.T.S. 140. This treaty is also called the Treaty of Paris. It expired on July 23, 2002.
3 Treaty Establishing the European Economic Community, Mar. 25, 1957, 298 U.N.T.S. 259. This treaty is also known as the Rome Treaty.
4 Treaty on European Union, Feb. 7, 1992, 1992 O.J. (C224) 1, 31 I.L.M. 253. This treaty is also called the Maastricht Treaty.
1. **European Commission** (http://ec.europa.eu/index_en.htm)

   The Commission consists of 27 commissioners, one from each member state. The Commission proposes legislative acts for the European Parliament and the Council of Ministers to adopt and enters into international agreements on behalf of the EU. The Commission oversees implementation of treaties and laws and may initiate legal proceedings to force compliance.

   Each commissioner supervises one or more departments or Directorates-General (DGs). A DG is in charge of a specific policy area. The DGs maintain websites that contain information on their policy areas and may contain reports and working papers.

   Proposals for legislation – regulations, directives and decisions – must generally first be adopted by the Commission. The next step is governed by treaty rules and depends on the area of activity concerned. In most cases ordinary legislative procedure, formerly called the co-decision procedure, is used. This means that the formal proposal is considered by the European Parliament and the Council of Ministers, who may give the proposal several readings before adopting it as law.


   The Council of the European Union passes laws, usually legislating jointly with the European Parliament. The Council consists of one representative from each member state. The makeup of the Council varies according to the topic being addressed. The acts of the Council can take the form of regulations, directives, decisions, common actions or common positions, recommendations or opinions. The Council also concludes international agreements between the EU and one or more states or international organizations, defines and implements the EU’s common foreign and security policy, and with Parliament, adopts the EU’s budget.


   Members of the European Parliament (MEPs) are directly elected by the citizens of Member States. Representation is proportional to a Member State’s population. The number of MEPs and their allocation has changed over time. The Treaty of Lisbon set the number of MEPs at 750. The Parliament does not have authority to propose new legislation, but it may request that the European Commission propose legislation. Parliament’s approval is required for most legislation. In many policy areas, decisions on new European laws are made jointly by Parliament and the Council of Ministers. Parliamentary committees perform much of the preliminary legislative work. They draft, amend and adopt legislative proposals. They consider Commission and Council

   6 After November 1, 2014 the number of commissioners will be adjusted to correspond to two thirds of the number of Member States. Consolidated Version of the Treaty on European Union art. 17, Mar. 30, 2010, 2010 O.J. (C83) 13.
proposals and may issue reports to be presented to the plenary assembly. A list of committees and texts associated with their meetings are available on the Parliament’s website.


The Central Bank administers the monetary policy of the 17 EU member states taking part in the Eurozone. The bank was established by the Treaty of Amsterdam in 1998 and has its headquarters in Frankfurt, Germany. The Bank’s website contains information on monetary policy and economic and financial data.


The Court of Justice of the European Union traces its origin to the ECSC Treaty of 1952. It is based in Luxembourg and consists of three courts: the Court of Justice, the General Court, created in 1988 and formerly called the Court of First Instance, and the Civil Service Tribunal, created in 2004.

a. **The European Court of Justice (ECJ)**

The ECJ consists of 27 judges, one from each Member State, and eight advocates general. The advocates general are responsible for presenting to the judges an analysis and opinion in the cases assigned to them. The opinion is nonbinding but it is most often followed by the Court and published along with the judgment of the Court. Since 2003 the advocate general provides an opinion only if a case raises a new point of law.

The Court of Justice has jurisdiction over three major types of cases: references for preliminary rulings, direct actions and appeals from the General Court. National courts in EU Member States bear much of the responsibility for applying EU law. To ensure that EU law is applied uniformly the national courts are allowed to refer preliminary questions of EU law to the ECJ and the General Court. A preliminary ruling is intended to guide a national court in its application of EU law. Direct actions are contentious cases that are initiated in and decided by the Court. The ECJ may hear appeals on points of law against judgments and orders of the General Court. About half of the Court’s decisions concern references for preliminary rulings, one quarter are direct actions and the remainder consist of appeals and others procedures.

b. **The General Court**

---


The General Court consists of at least one judge from each Member State. The Court operates without advocates general. It was in created in 1988 to take on some of the large caseload handled by the ECJ.9

c. Civil Service Tribunal

The Civil Service Tribunal specializes in disputes involving the EU civil service. This jurisdiction was previously exercised first by the Court of Justice and later by the Court of First Instance (General Court). Judgments of the Tribunal may be appealed to the General Court.

II. General Secondary Sources

Secondary sources – research guides, journal articles, treatises, dictionaries and encyclopedias – provide an introduction to and general background information on a topic.

A. Research Guides

Research guides provide an overview of a subject area and may offer guidance on the research process. They appear in online and print formats.

1. Print

Claire Germain.
This is a loose-leaf publication that is updated on an irregular basis. Chapter IV contains information on EU legal materials.
Location: Ref K85 .G47 1991

*Guide to International Legal Research*.
George Washington University Law School International Law Review.
Chapter 8 contains information on the EU.
Location: Ref KZ1234 .G85 & Lexis

*International and Foreign Legal Research: A Coursebook*.
Marci Hoffman & Mary Rumsey. 2nd ed. 2012.
Chapter 8 Part III deals with the EU.
Location: Available via the library catalog as an electronic book

*International Legal Research in a Nutshell*.
Marci Hoffman & Robert Berring.
Chapter 7 deals with the EU.
Location: Closed Res KZ1234 .H64 2008

*Legal Research Methods in a Modern World: A Coursebook*.

---

9 An overview of the jurisdictional requirements of the Court of Justice and the General Court can be found on Curia, the Courts’ website: http://curia.europa.eu.
Chapter 9 covers EU resources.
Location: Ref K85 .L66 2011

2. Online

Listed below are some important Internet versions of research guides. To locate additional research guides use a search engine such as Google or Yahoo. A search for “European Union Research Guide” will return many relevant titles.

*European Union.* Duke University School of Law Goodson Law Library.
Site: http://www.law.duke.edu/lib/researchguides/europe

Site: http://www.nyulawglobal.org/Globalex/European_Union_Travaux_Preparatoires1.htm

Site: http://www.llrx.com/features/eulaw2.htm

*European Union Legal Materials.* Jennifer Wertkin.
Site: http://library.law.columbia.edu/guides/European_Union_Legal_Materials

Site: http://www.nyulawglobal.org/Globalex/European_Union1.htm

Site: http://www.ll.georgetown.edu/guides/EuropeanUnion.cfm

Location: Access through the library catalog or database page

B. European Union Websites

The websites of the principle EU institutions listed in section 1.B. contain background information on these institutions, contact information, history, press releases, policies and procedures as well as links to primary documents. The following websites provide more general information on the EU.

*Europa.*
This is the official website of the EU. The site provides general information on how the EU works, EU news and events, and links to official documents and websites of EU institutions and agencies.
Site: http://europa.eu/index_en.htm
EUR-Lex.  
This is the free legal database of the EU. It contains the full text of EU treaties, legislation, court decisions and other public documents. The Official Journal of the European Union can be accessed via EUR-Lex.  

E-Justice.  
The European Commission maintains this website to enhance public access to information about its initiatives and EU policies in general. The focus is on the judicial system.  

A to Z Index of European Union Websites.  
This index is a guide to information on the website of the Delegation of the European Commission to the United States, as well as on all of the websites of the European Union’s institutions and specialized agencies in Europe.  
Site: http://www.eurunion.org/infores/euindex.htm

This is a database containing contact information of senior EU personnel.  

C. Treatises

The following list consists of general titles on the EU. Additional titles can be found using the library’s online catalog, GoCat. Because the EU has undergone several name changes it may be necessary to look for materials under its various names. GoCat uses the subject headings European Union, European Economic Community, European Coal and Steel Community and European Communities. You may combine any of these names with a topic in a keyword search, for example, “European Economic Community banking.”


European Union: How Does it Work? Elizabeth Bomberg, John Peterson & Richard Corbett (eds.).  
Location: Stack-1 JN30 .E9417 2012

This loose-leaf publication provides analysis of EU legislation and case law. It contains the full text of the founding treaties and includes the historical derivation of treaty articles. This work is updated six times a year.  
Location: Treatise KJE 925.5 .E86


Principles of European Union Law. Ralph H. Folsom. This title is part of the West Concise Hornbook Series. Location: Open Res KJE947 .F65 2011


D. Dictionaries and Directories

Butterworths Expert Guide to the European Union. Although somewhat dated, this dictionary of EU terms may still be useful. Location: Ref KJE926.5 .B88 1996

Europa Eurojargon. This is a brief list of terms and definitions used in the EU. Site: http://europa.eu/abc/eurojargon/index_en.htm
**Europa Glossary.**
This is a list of 233 technical and legal terms and definitions used in the EU.

**Glossary of EC Terms and Acronyms.** Christian de Fouloy.
Although this publication is from 1992, it may still be useful to locate definitions of EU words and acronyms in English, French, German, Italian, and Spanish.
Location: Treatise KJE926.5 .F69 1992

**EuroGuide: Yearbook of the Institutions of the European Union and of the Other European Organizations.**
This annual publication contains information about the structures and activities of EU institutions, bodies and agencies and a directory of important people in the EU.
Location: Open Res & Stack-1 JN15 .A63

**E. Journal Articles and Yearbooks**

Journal articles and yearbooks provide current information on the EU.

1. **Journal Articles**

   Journal articles on the EU can be found in law journals available in full text on Westlaw, Lexis, and HeinOnline. EU articles may also be located by using the indexes LegalTrac and Index to Legal Periodicals. In addition to these, two indexes that specialize in foreign legal journals should be consulted: Index to Foreign Legal Periodicals and Legal Journals Index.

   **Index to Foreign Legal Periodicals.**
The IFLP provides citations to foreign (non-Anglo-American) legal journal articles, congress reports, essay collections, yearbooks, and book reviews. It covers comparative law and legal systems, such as Islamic law, socialist law, public and private international law, and transnational commercial law. Database coverage begins in 1985. For coverage between 1960 and 1984 consult the print publication in the reference room or the pdf version on HeinOnline.
Location: Ref Rm K33 .I55 and access through the library catalog or database list

   **Westlaw. Legal Journals Index.**
   Legal Journals Index indexes articles from legal journals published in the United Kingdom and Europe as well as journals covering topics pertaining to the laws of the European Union and its member states. Coverage begins in 1986.
   Path: All Databases > International/Worldwide Materials > European Union

2. **Yearbooks**
III. Legislation

A. Primary Legislation

EU primary legislation consists of treaties: founding treaties, amendments, accession treaties as well as treaties between member states and treaties between the EU and third parties.

The founding treaty articles have been renumbered on several occasions. In 1997 the Treaty of Amsterdam renumbered the articles of the Maastricht Treaty (Treaty on European Union) and the Treaties of Rome (Treaty Establishing the European Economic Community, Treaty Establishing the European Coal and Steel Community, and Treaty Establishing the European Atomic Energy Community) and removed obsolete provisions. Following the renumbering of treaty articles, a table is published in which the new and former article numbers appear. In 2009 the Treaty of Lisbon entirely renumbered the articles of the EU's two core treaties, the Treaty on European Union and the Treaty Establishing the European Community. The latter was renamed the Treaty on the Functioning of the European Union.

1. Print

*European Union Law Guide.* Philip Raworth (ed.).

---

10 See Table of Equivalences 1997 O.J. (C 340) 85.
11 See Table of Equivalences 2010 O.J. (C 83) 361.
This loose-leaf publication contains the text of treaties in volume 1 and the text of secondary legislation organized by subject in volumes 2 through 6. It is kept current with periodic updates. Location: Treatise KJE 947 .E98 1995

This eight volume work provides the texts to all EU constitutional provisions and ancillary documents. This publication will not be updated after 2011. Location: Open Res KJE926 .E543

2. **Online**

*EUR-Lex.*
This database contains, among other things, the founding treaties (original versions and later updates), amending treaties, accession treaties and agreements between the EU and nonmember states and international organizations. Site: http://eur-lex.europa.eu/en/treaties/index.htm

*Europa.*
This site contains the official text of the EU treaties in pdf format. Site: http://europa.eu/abc/treaties/index_en.htm

*Westlaw. European Union Treaties.*
This database contains EU treaties back to the establishment of the European Coal and Steel Community in 1951. Path: All Databases > International/Worldwide Materials > European Union > Legislation > EU-Treaties

*Lexis. Treaties and International Agreements.*
This database contains EU treaties back to 1951. Path: Legal > Find Laws by Country or Region > Foreign Laws & Legal Sources > European Union > Treaties & Intl Agreements

**B. Secondary Sources**

1. **Print**

Additional publications on primary legislation can be found in the library catalog under the subject heading “Constitutional Law European Union Countries” or by performing a keyword search for the name of a treaty.

*50 Years of the European Treaties: Looking Back and Thinking Forward.* Michael Dougan & Samantha Currie (eds.). Location: Treatise KJE935 2007
B. Secondary Legislation

The main source of EU legislation is secondary legislation: regulations, directives and decisions. Regulations are directly applicable to member states and require no further action to have legal effect. They are on a par with national laws. Directives establish EU policy. It is left to the member states to implement the directive in a manner appropriate to their national legal system. National implementing legislation may be required to enforce the objective of a directive. Decisions are EU laws relating to and binding on specific parties. They can come from the EU Council (sometimes jointly with the European Parliament) or the Commission.

There is no EU equivalent to the United State Code, but the EUR-Lex website has a section called Legislation in Force which lists agreements, directives, regulations and decisions that are in force. It is organized into 20 major subject classifications and numerous subdivisions. The print version of Legislation in Force ceased publication in 2004.

1. Print
This twelve volume publication is a collection of all significant EU legislation in force, consolidated with annotations. It will not be updated after 2011.
Location: Treatise KJE926 .E54

European Union Law Guide. Philip Raworth (ed.).
This publication contains the text of treaties in volume 1 and the text of secondary legislation organized by subject in volumes 2 through 6. It is kept current with periodic updates.
Location: Treatise KJE 947 .E98 1995

2. Online

Westlaw. European Union Legislation.
This database contains the full text of legislative acts back to 1952. Citations to national implementing legislation are provided for directives.
Path: All Databases > International/Worldwide Materials > European Union > Legislation

This database contains EU legislation and agreements with non-member countries and international organizations and ECSC, EEC and Euratom legislation. Coverage begins in 1952.
Path: Legal > Find Laws by Country or Region > Foreign Laws & Legal Sources > European Union > Legislation & Regulations

EUR-Lex.
This database provides free access to European Union law and other public documents. It contains legislation dating back to 1951.

C. Legislative Documents

The following sources provide access to documents generated during the legislative process.

This database contains draft legislation and legislative proposals. Coverage varies depending on document type.
Path: All Databases > International/Worldwide Materials > European Union > Legislation

This database contains proposals, reports, notices, communications and opinions of EC institutions that lead up to directives and decisions. Coverage begins in 1957 with full-text coverage from 1979.
OEIL, the Legislative Observatory.
OEIL, maintained by the European Parliament, allows the researcher to monitor the progress of legislation by providing chronologies of legislative proposals and full text of documents. It is searchable by document number, title and subject.
Site: http://www.europarl.europa.eu/oeil

Pre-Lex.
Pre-Lex is a database maintained by the European Commission. It contains documents issued at each step of the legislative process. Documents are searchable by keyword, document number, citation, and other attributes.
Site: http://ec.europa.eu/prelex/apcnet.cfm

Preparatory documents are documents concerning the legislative or budgetary process. They include Commission legislative proposals, Council positions, legislative and budgetary resolutions, initiatives of the European Parliament, and opinions of the European Economic and Social Committee and of the Committee of the Regions.
Site: http://eur-lex.europa.eu/RECH_actes_preparatoires.do

D. National Implementing Measures

The following sources provide citations to, but in most cases not the full text of, national implementing measures.

Westlaw. European Union Legislation.
Following the text of directives found in Westlaw’s European Union Legislation database there is a section called “National Measures” that lists citations to national implementing legislation.
Path: All Databases > International/Worldwide Materials > European Union > Legislation

For most countries only citations to implementing laws are provided. Coverage begins in 1964.
Path: Legal > Find Laws by Country or Region > Foreign Laws & Legal Sources > European Union > Legislation & Regulations > EUR-Lex EU Law

EUR-Lex.
Once you locate a directive in the EUR-Lex database, open the link to the Bibliographic Notice. The Bibliographic Notice contains information about the directive and includes a link to citations of implementing legislation under the heading “Display the national execution measures.”

IV. The Courts
The official case reporter for the Court of Justice of the European Union, commonly known as the European Court Reports, has changed over time to reflect the growth of the judicial branch. After 1989, when the Court of First Instance was created, the official court reporter was divided into two sections: Section I covers the European Court of Justice and Section II covers the Court of First Instance, now the General Court. In 1994 a third section, ECR-SC began publication to report on staff cases. The McGeorge Law Library has the print versions of Sections I and II, but does not subscribe to the print version of the staff cases.

A. Primary Sources

1. Print

The following print publications are the official case reporters of the European Union.

*Reports of Cases Before the Court.* (1954–1989)
Location: Treatise KJE924.5 .C69

*Reports of Cases Before the Court of Justice and the Court of First Instance.* (1990-2009)
Location: Treatise KJE924.5 .C69

*Reports of Cases Before the Court of Justice and the General Court.* (2009-)
Location: Treatise KJE924.5 .C69

2. Online

*Curia.* Court of Justice of the European Union. (1954-).
The Court’s website allows full text searching of court judgments and Advocate General opinions.

*EUR-Lex.* (1954-).
This site offers full text searching of court judgments and Advocate General opinions.

Westlaw. *European Union Case Law All.* (Coverage varies by publication).
This database contains European case law from both the official *European Court Reports* as well as selected commercial case reporters.
Path: All Databases > International/Worldwide Materials > European Union > Cases

Westlaw. *European Union Case Law.* (1954-).
This database contains the official case law reports and Advocate General opinions as they appear in *European Court Reports*.
Path: All Databases > International/Worldwide Materials > European Union > Cases

This database offers the full text of English language decisions from the Court of Justice and the General Court, formerly the Court of First Instance, as contained in the EUR-Lex database.
Path: Legal > Find Laws by Country or Region > Foreign Laws & Legal Sources > European Union > Caselaw

B. Secondary Sources

1. Print

For additional titles check the library catalog under the subject “Court of Justice of the European Communities” or perform a keyword search for your topic.

Location: Treatise KJE5472.5 .B87 2007

Location: Treatise KJE3802 .S76 2008

*End of Territoriality: The Impact of ECJ Rulings on British, German and French Social Policy.* Andreas J. Obermaier.
Location: Stack-1 HN377 .O28 2009 & ebook

*The European Union and its Court of Justice.* Anthony Arnall.
Location: Treatise KJE5461 .A97 2006

Location: Treatise KJE4010 .T87 2009

*Preliminary References to the European Court of Justice.* Morten Broberg & Niels Fenger.
Location: Treatise KJE5461 .B76 2010

*Procedural Law of the European Union.* Robert Bray (ed.).
Location: Treatise KJE3802 .L46 2006

V. Official Journal of the European Union

The Official Journal of the European Union (O.J.) is the gazette of the EU. It has been published since 1952 in the official languages of the organization. Its title has changed as the EU has evolved from its origins as the European Coal and Steel Community. Before 1973, when the United Kingdom and Ireland joined the EU, the O.J. was not published in English.

Since 1968 the O.J. has been published in two main series. The L Series contains legislation, including regulations, directives, decisions, recommendations, and opinions. The C Series contains information and notices, including summaries of judgments of the Court of Justice and
the General Court, minutes of parliamentary meetings, parliamentary written questions and answers from the Council or Commission, statements from the Economic and Social Committee and the Committee of the Regions.

The McGeorge Law Library has the English edition of the Official Journal on microfiche from 1973 to 2009. The internet version is available on EUR-Lex from 1952 to the present. Because errors may occur in online formats, only EU legislation published in the paper edition is considered authentic.  


1. **Print**


2. **Online**

*EUR-Lex* provides access to the O.J. in pdf format. Many of the pre-1973 documents are not available in English. Full-text searching is not available on EUR-Lex, so it is necessary to know the date and series of the O.J. you want to find.