

# Summary

## ***The Legal Framework of the Development Cooperation of the European Union*** *(The Legal Framework of EU Development Cooperation)*

The law of EU development cooperation has evolved dynamically in the recent years and its complex analysis exceeds the possibilities of this thesis. That is why solely two significant groups of legal rules are the object of this study. The first of these are the relevant provisions of the primary law (Part Two); the second then present legal norms which regulate EU development cooperation in its most characteristic form, i.e. as an activity consisting in a systematic providing of dedicated funds in order to support measures designed to achieve development goals (Part Three). Part One is devoted to necessary introductory comments.

**Part Two** deals with the current changes in the primary law concerning the area of development cooperation. It is divided into two chapters. The first of these (*Evolution of the relevant primary law provisions*) summarizes the developments and importance of the key provisions of the founding treaties affecting development cooperation. A special attention is paid to the legal state before and after the entry into effect of the Lisbon Treaty, as right particular aspects of this transformation are analyzed in the second chapter of this part (*Particular aspects of development cooperation in the primary legislation before and after the Lisbon Treaty*). With regard to the topicality of the current changes in the primary law the implications of the Reform Treaty in the areas of restructuring of the primary law, Union's legal personality and legal framework of Union's external relations are also briefly outlined.

The Treaty of Lisbon brings a fundamental overhaul of legal and institutional framework of the Union's external relations. These changes, while increasing the overall efficiency and coherence of the Union as an international actor, do not result in major changes for its development cooperation. However, there are also specific partial changes to the provisions on development cooperation such as (i.) the unification of the adoption procedure for measures in the field of development cooperation with the fields of humanitarian aid and cooperation with third countries which are not developing countries, (ii.) the deletion of the special status of the cooperation with ACP countries which may anticipate an incorporation of the European Development Fund into the general budget or (iii.) the creation of a specific legal basis for EU humanitarian aid.

**Part Three** analyzes the law of EU financial development cooperation from the perspective of its primary addressee, the EU administration (mainly Commission). It examines the means and instruments which are used in the EU law to govern the administration of the funding. This part is composed of four chapters. The first of these is introductory and defines the financial development cooperation for the purposes of this part. The second chapter describes the acts (mostly regulations and agreements) that frame the field of this cooperation in the EU law. It emphasizes that the whole field is characterized by the distinction between the rules for the cooperation between the Union and ACP countries on one hand and with the other developing countries on the other. The following analysis distinguishes between programmatic and procedural means of regulating the administration. The third chapter turns to the programmatic means. The final (fourth) chapter of this part examines the procedural aspects of the financial cooperation. The process is divided into a programming and an implementation phase. These two last chapters discover a manifold interlacing between the programmatic and procedural requirements, e.g. by the principles of the limited validity and constant review of relevant acts.