

# **Taking Article 11 TFEU Seriously**

## **The Legal Implications for the EU and its Member States**

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### *Outline*

- 1. Sustainable development as an EU law objective, principle and rule**
- 2. The legal implications of sustainable development in EU law**
  - 2.1 The concept of duty
  - 2.2 EU's overarching objectives as a framework
  - 2.3 The duty to seek a balance between the objectives
  - 2.4 The duty to work to achieve the overarching objectives
  - 2.5 The duty to take specific action
- 3. The legal implications for the main institutions of the EU**
  - 3.1 For the Union legislator: The Council, the Commission and the Parliament
  - 3.2 For the Court of Justice of the European Union
  - 3.2 For the Commission as a supervisory authority
- 4. The indirect legal implications for the Member States of the EU**
  - 4.1 The starting point
  - 4.2. In the interpretation, implementation and application of EU law
  - 4.3 As a justification of restrictions of free movement
  - 4.4 A duty to act?
  - 4.5 A (coming) general principle of sustainable development in the Member States?
- 5. EU law methodology as a general guideline also on Member State level?**

**Article 11 TFEU: Environmental protection requirements must be integrated into the definition and implementation of the Union policies and activities, in particular with a view to promoting sustainable development.**