

### Questions for the second session

1. Focus on the reasons why the Court of Justice of the EU (CJEU) decided in its Opinion 2/13 that the accession to the European Convention on Human Rights (ECHR) was incompatible with EU law.
  2. Read pages 43-53 of the Avotiņš judgment and try to identify what is the European Court of Human Rights' view on (in) compatibility of the EU law with ECHR. What does the so-called Bosphorus presumption refer to?
  3. Read paras 87-93 of the CJEU judgment in Commission v. Hungary (C-66/18) and be prepared to explain what the Court says with regard to international law.
  4. Focus on the reasons why the CJEU decided in its Achmea judgment that certain provisions of the treaty between Slovakia and Netherlands concerning the protection of investments are incompatible with EU law.
3. Explain the CJEU's conclusions in the Komstroy case. What are the CJEU's judgment effects on investment arbitration under the Energy Charter Treaty?

Thank you.

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