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Chapter:
(p. 245) 8. Public enforcement of Union law (Articles 258–260 TFEU); review of legality and damages (Articles 263, 265, 268, 277 and 340(2) TFEU)

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This chapter focuses on direct actions before the Court of Justice. It is divided into two sections. Section I deals with direct actions relating to public enforcement of EU law between the Commission and Member States (Article 258 of the TFEU) and between Member States (Article 259 TFEU). The financial consequences of failure to remedy infringements are also covered (Article 260 TFEU). Section II deals with actions challenging the legality of binding institutional acts (action for annulment, Article 263 TFEU); action for failure to act (Article 265 TFEU); and the plea of illegality (Article 277 TFEU). It briefly examines the action for damages against EU institutions (Articles 268 and 340(2) TFEU), a Treaty-based
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action from which parallels can be drawn to the evolution of state liability, through the Court’s case law.

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