

EUROPEAN UNION LAW

Bachelor of Laws LLB [2504110] SEP-2023 EUL-NLL.2.S.A

Area Public Law and Global Governance

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Charlotte Leskinen is Assistant Professor of European Union Law at IE University. She holds a LL.M. from University of Helsinki, a M.A. in European Interdisciplinary Studies from College of Europe, Natolin, and a Ph.D. in EU Law from Complutense University of Madrid. Professor Leskinen specializes in private enforcement of EU competition law. In addition, her research focuses on European and Comparative Competition Law, EU Internal Market Law and access to justice. Dr. Leskinen has been visiting professor at the Lisbon School of Law at the Catholic University of Portugal and visiting scholar at the School of Law at Northwestern University. Before joining IE University, Professor Leskinen worked as a Senior Research Officer at the Finnish Competition Authority, including a 5-month traineeship at the DG Competition of the European Commission.

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SUBJECT DESCRIPTION

European Union Law is today similar to domestic law in the sense that it covers an increasing range of different fields of law. This course focuses on the main legal rules and principles of EU law as well as the key judgments of the EU Courts, i.e. the Court of Justice and the General Court of the European Union. The aim is that students will acquire the essential skills and competencies fundamental to successfully practice European Union Law in any substantive area.

EU law significantly affects the legal environment in which companies operate and limits the competence of EU Member States to regulate different issues. Therefore, irrespective of the career path that students wish to follow upon graduation, aspiring practitioners, academics and members of diplomatic corps are all expected to have a solid knowledge of the fundamentals of EU law. EU law is also relevant for lawyers working outside Europe, as it is a legal system covering one of the biggest economies in the world, along China and the United States.

The course first focuses on the EU institutions, the decision-making process, the EU constitutional principles, the system of legal remedies, the protection of fundamental rights and EU external relations. It then deals with the Internal Market and finishes by analyzing the main implications of Brexit. Throughout the course, there will also be a particular emphasis on the political, economic and social context of the EU institutions and rules in order to understand them better.

Moreover, as this course is part of the Jean Monnet Center for Law and Automation, an IE University project supported by the prestigious Erasmus + Program of the European Commission, the course will also closely follow the legislative development of AI in the European Union, in particular regarding the matters studied in the course.

LEARNING OBJECTIVES

- To know the main legal rules and principles of EU Law, including EU constitutional principles and the rules of the Internal Market
- To acquire a sound understanding of the key judgments of EU Law
- To learn to critically analyze judgments of the EU Courts
- To learn to solve cases on EU Law
- To understand the development of the European Integration process and the evolvement of European Union Law
- To acquire knowledge of the EU institutions and their tasks in relation to EU Law
- To consider the democratic deficit and the principles of participatory and representative democracy in the EU
- To know the legal remedies available in cases of breaches of EU law
- To examine the protection of fundamental rights in the European Union and its evolution throughout the integration process, in particular the fundamental freedoms (i.e. the four freedoms) and the principle of non-discrimination
- To understand the underlying reasons and benefits of economic integration as well as the impact on trade liberalization in general
- To learn about Union citizenship and the rights attached to it, as well as the benefits it entails for those wishing to exercise their right to freedom of movement within the territory of the Union, and to contrast Union citizenship with national citizenship

TEACHING METHODOLOGY

IE University teaching method is defined by its collaborative, active, and applied nature. Students actively participate in the whole process to build their knowledge and sharpen their skills. Professor's main role is to lead and guide students to achieve the learning objectives of the course. This is done by engaging in a diverse range of teaching techniques and different types of learning activities such as the following:

- ??Interactive lectures and case discussions
- ?Analysis of key judgments of the EU Courts
- ?Discussions/presentations by students on the application and enforcement of the EU rules in practice (e.g. case studies)
- ?Solution of cases in writing and by means of structured discussions in class
- ?Interactive readings
- ?Quizzes ?

Learning Activity	Weighting	Estimated time a student should dedicate to prepare for and participate in
Lectures	13.33 %	20.0 hours
Discussions	13.33 %	20.0 hours
Exercises in class, Asynchronous sessions, Field Work	6.67 %	10.0 hours
Group work	13.33 %	20.0 hours

Individual studying	53.33 %	80.0 hours
TOTAL	100.0 %	150.0 hours

PROGRAM

SESSIONS 1 - 2 (LIVE IN-PERSON)

Session 1

Sustainability Topic: ?Integration?

Description: ?Introduction to the European Union: Historical and Legal Background?

Materials:

- Barnard and Peers, *European Union Law*, 2023, pp. 10-30 (See Bibliography)
- The Schuman Declaration of May 9, 1950
- Preamble of the EC Treaty (Treaty of Rome)
- Preamble of the Treaty on European Union 1992 (Maastricht Treaty)
- Preamble of the Treaty on European Union 2007 (Lisbon Treaty)

Session 2

Sustainability Topic: ?Representative Decision-Making, Democratic Deficit?

Description: ?Political Institutions: The European Council, the Council, the Commission?and the European Parliament?

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 10-30 (See Bibliography)

Own Material: Session 1

SESSION 3 (LIVE IN-PERSON)

Materials:

- Note and questions
- Barnard and Peers, *European Union Law*, 2023, pp. 108-122 (See Bibliography)
- Articles 2-6 TFEU
- Article 5 TEU
- Protocol on the Application of the Principles of Subsidiarity and Proportionality
- Case C-149/01 *British American Tobacco*

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 108-122 (See Bibliography)

Own Material: Session 3

SESSION 4 (LIVE IN-PERSON)

Sustainability Topic: ?Political Decision-Making, ?Representative Decision-Making, Democratic Deficit??

Description: ?Decision-Making and Legal Instruments?

Materials:

- Note and questions
- Barnard and Peers, *European Union Law*, 2023, pp. 100-108, 124-130, 141-143 (See

Bibliography)

- Articles 294 and 218 TFEU and Article 16 TEU
- Case C-43/12 *Commission v Parliament and Council*

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 100-108, 124-130, 141-143

(See Bibliography)

Own Material: Session 4

SESSION 5 (LIVE IN-PERSON)

Sustainability Topic: ?Political Decision-Making?

Description: ?Decision-making in Practice: Case Study on Union Competence, the Legislative Process and Legal Instruments. The Principle of Supremacy?

Materials: ?

- Note and questions
- Barnard and Peers, *European Union Law*, 2023, pp. 151-159, 177-184 (See Bibliography)
- Excerpt from Schütze, R., *European Union Law*, 2021, pp. 204-211
- Case 6/64 *Costa v ENEL*
- Case C-106/77 *Simmenthal*

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 151-159, 177-184 (See Bibliography)

Book Chapters: Excerpt from Schütze, R., European Union Law, 2021, pp. 204-211 (ced)

Own Material: Session 5

SESSIONS 6 - 7 (LIVE IN-PERSON)

Session 6

Sustainability Topic: ?Access to Justice, Legal Compliance?

Description: ?Direct Effect: the General Principle?

Materials: ?

- Note and questions
- Barnard and Peers, *European Union Law*, 2023, pp. 160-165 (See Bibliography)
- Case 26/62 *Van Gend en Loos*
- Case 36/74 *Walrave*

Session 7

Sustainability Topic: ??Access to Justice, Legal Compliance??

Description: ?Direct Effect of Directives?

Materials: ? ?

- Note and questions
- Barnard and Peers, *European Union Law*, 2023, pp. 165-177 (See Bibliography)
- Article 288 TFEU
- Case 41/74 *Van Duyn*
- Case 148/78 *Ratti*
- Case 106/89 *Marleasing*

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 160-165 (See Bibliography)

Own Material: Session 6

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 165-177 (See Bibliography)

Own Material: Session 7

SESSION 8 (LIVE IN-PERSON)

Sustainability Topic: ??Access to Justice, Legal Compliance??

Description: ?Assignment on Direct Effect. Contrasting the Principles of Direct Effect and Supremacy?

Materials:

- “The Consob Way – or how the Corte Costituzionale taught Europe (once again) a masterclass in Constitutional Dispute Settlement” by Daniel Sarmiento (*EU Law Live*)
- Polish Constitutional Court declares EU Treaties ultra vires in Poland (*EU Law Live*)
- “Poland’s Constitutional Tribunal on the status of EU law: The Polish government got all the answers it needed from a court it controls” by Marta Lasek-Markey (*European Law Blog*)

Article: The Consob Way – or how the Corte Costituzionale taught Europe (once again) a masterclass in Constitutional Dispute Settlement (EU Law Live, n° 54; April 17 2021) (CED)

Article: Polish Constitutional Court declares EU Treaties ultra vires in Poland (EU Law Live) (EU Law Live, 2023)

Article: Poland’s Constitutional Tribunal on the status of EU law: The Polish government got all the answers it needed from a court it controls (European Law Blog, 2021)

SESSIONS 9 - 10 (LIVE IN-PERSON)

Session 9

Sustainability Topic: ?Legal Remedy, Legal Compliance?

Description: ?State Liability and Key Aspects of EU Non-Contractual Liability?

Materials: ?

- State Liability:
 - Note and questions
 - Barnard and Peers, *European Union Law*, 2023, pp. 185-186 (See Bibliography)
 - Joined Cases C-6/90 and 9/90? *Francovich*
 - Joined Cases C-46/93 and C-48/93? *Brasserie du Pêcheur*
- EU Non-Contractual Liability:
 - Note and questions
 - Barnard and Peers, *European Union Law*, 2023, pp. 316-318 (See Bibliography)
 - Articles 268 and 340 TFEU
 - Case C-352/98 P *Bergaderm*

Session 10

Sustainability Topic: ?Judicial System?

Description: ?Preliminary Rulings?

Materials:

- Note and Questions
- Barnard and Peers, *European Union Law*, 2023, pp. 284-289, 318-321, 323-327 (See Bibliography)
- Article 19 TEU and Article 267 TFEU
- Case 166/73 *Rheinmühlen-Düsseldorf I*
- Case C-210/06 *Cartesio*
- Case 283/81 *CILFIT*
- Case 314/85 *Foto-Frost*

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 185-186 and 316-318 (See Bibliography)

Own Material: Session 9

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 284-289, 318-321, 323-327 (See Bibliography)

Own Material: Session 10

SESSION 11 (LIVE IN-PERSON)

Sustainability Topic: ?Legal Remedy, Access to Justice?

Description: ?Action for Annulment?

Materials: ?

- Note and Questions
- Barnard and Peers, *European Union Law*, 2023, pp. 295-314, 321-323 (See Bibliography)
- Articles 263 and 264 TFEU
- Case 25/62? *Plaumann*
- Case C-309/89? *Codorniu*
- Case C-50/00? *UPA*

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 295-314, 321-323 (See Bibliography)

Own Material: Session 11

SESSION 12 (LIVE IN-PERSON)

Sustainability Topic: ?Legal Compliance?

Description: ??Enforcement Procedure (Action for Failure to Fulfill Obligations)??

Materials:

- Note and Questions
- Barnard and Peers, *European Union Law*, 2023, pp. 289-295 (See Bibliography)
- Articles 258-260 TFEU
- Case 7/68? *Commission v Italy?(Art Treasure Case)*
- Case C-191/95? *Commission v Germany*
- Case C-658/19? *Commission v Spain*

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 289-295 (See Bibliography)

Own Material: Session 12

SESSION 13 (LIVE IN-PERSON)

Sustainability Topic: ?Legal Remedy?

Description: ?Assignment on Judicial Review. Overview of the Action for Failure to Act, the Plea of Illegality and Interim Relief?

Materials: ?

- Note and Questions
- Barnard and Peers, *European Union Law*, 2023, pp. 314-315, 327-331 (Case Study 10.1) (See Bibliography)
- Articles 265 and 277-279 TFEU

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 314-315, 327-331 (Case Study 10.1) (See Bibliography)

Own Material: Session 13

SESSIONS 14 - 15 (LIVE IN-PERSON)

Session 14

Sustainability Topic: ?Human Rights, Rule of Law, Independence of Judiciary?

Description: ?Fundamental Rights (I): Background, Development and Overview of the Protection in the EU; Rule of Law?

Materials: ?

- Note and Questions
- Barnard and Peers, *European Union Law*, 2023, pp. 242-253 (See Bibliography)
- Articles 6 and 7 TEU
- Case 1/58? *Stork*
- Case 44/79? *Hauer* Case C-824/18? *A.B. and Others*

Session 15

Sustainability Topic: ?Human Rights?

Description: ?Fundamental Rights (II):?The Charter of Fundamental Rights of the European Union?

Materials:

- Note and Questions
- Barnard and Peers, *European Union Law*, 2023, pp. 253-282 (See Bibliography)
- Articles 51-54 of the Charter of Fundamental Rights of the European Union
- Declaration concerning the Charter of Fundamental Rights of the European Union
- Case C-617/10? *Åkerberg Fransson*

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 242-253 (See Bibliography)

Own Material: Session 14

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 253-282 (See Bibliography)

Own Material: Session 15

SESSION 16 (LIVE IN-PERSON)

Sustainability Topic: ?International Trade, International Development?

Description: ?Introduction to EU External Relations (I): Areas of External Action, EU Competences, Legal Instruments and Decision-Making?

Materials: ?

- Note and questions
- Schütze, R., *An Introduction to European Union Law*, 2023, pp. 73-81, 308-312 (See Bibliography)

Book Chapters: Schütze, R., An Introduction to European Union Law, 2023, pp. 73-81, 308-312 (CED)

Own Material: Session 16

SESSION 17 (LIVE IN-PERSON)

Sustainability Topic: ?International Trade?

Description: ?Introduction to EU External Relations (II):?Conclusion of International Agreements and Effect of International Law in the EU Legal Order?

Materials:

- Barnard and Peers, *European Union Law*, 2023, pp. 841-853, 192, 208-210, 236-240 (Case Study 8.4) (See Bibliography)
- Excerpt from Schütze, *European Union Law*, Third Edition, 2021, pp. 184-189

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 841-853, 192, 208-210, 236-240 (Case Study 8.4) (See Bibliography)

Book Chapters: Excerpt from Schütze, European Union Law, Third Edition, 2021, pp. 184-189 (CED)

SESSION 18 (LIVE IN-PERSON)

?Mid-term Exam?

SESSION 19 (LIVE IN-PERSON)

Sustainability Topic: ?Economic Globalization, Free Trade, Transboundary Cooperation?

Description: ?Introduction to Economic Integration, the Internal Market and Harmonization of EU Law. Case Study?

Materials: ?

- Note and Questions
- Barnard and Peers, *European Union Law*, 2023, pp. 337-342, 355-364 (See Bibliography)
- Excerpt from Molle, *The Economics of the European Integration*, 4th Edition
- Excerpt from Barnard, *The Substantive Law of the EU. The Four Freedoms*, Seventh Edition, OUP, 2022, pp. 602-607

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 337-342, 355-364 (See Bibliography)

Book Chapters: Excerpt from Barnard, The Substantive Law of the EU. The Four Freedoms,

Seventh Edition, OUP, 2022, pp. 602-607 (CED)

Own Material: Session 19

SESSIONS 20 - 21 (LIVE IN-PERSON)

Session 20

Sustainability Topic: ?Free Trade?

Description: ?Free Movement of Goods: Customs Duties and Charges Having Equivalent Effect; Discriminatory Internal Taxation?

Materials: ?

- Note and Questions
- Barnard and Peers, *European Union Law*, 2023, pp. 366-373, 390-398 (See Bibliography)
- Articles 28, 30 and 110 TFEU
- Case 24/68? *Commission v Italy (Statistical Levy)*
- Case 112/84? *Humblot*
- Case 184/85? *Commission v Italy (Bananas)*
- Case 193/85 *Co-Frutta*

Session 21

Sustainability Topic: ?Free Trade?

Description: ?Free Movement of Goods: Quantitative Restrictions and Measures Having Equivalent Effect (I)?

Materials: ?

- Note and Questions
- Barnard and Peers, *European Union Law*, 2023, pp. 366-373, 390-398 (See Bibliography)
- Articles 34-36 and 114-115 TFEU
- Case 8/74? *Dassonville*
- Case 120/78? *Cassis de Dijon*
- Case 178/84? *German Beer Purity Law*

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 366-373, 390-398 (See Bibliography)

Own Material: Session 20

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. pp. 373-377, 382-390 (See Bibliography)

Own Material: Session 21

SESSION 22 (LIVE IN-PERSON)

Sustainability Topic: ?Free Trade?

Description: ?Free Movement of Goods: Quantitative Restrictions and Measures Having Equivalent Effect (II)?

Materials: ?

- Note and Questions

- Barnard and Peers, *European Union Law*, 2023, pp. 378-382, 530-536 (See Bibliography)
- Case C-267 and 268/91? *Keck*
- Case C-368/95? *Familiapress*
- Case C-110/05? *Commission v Italy (Trailers)*

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 378-382, 530-536 (See Bibliography)

Own Material: Session 22

SESSION 23 (LIVE IN-PERSON)

Sustainability Topic: ?Free Trade?

Description: ?Assignment on the Free Movement of Goods?

SESSION 24 (LIVE IN-PERSON)

Sustainability Topic: ?Citizenship, Migrant Workers?

Description: ?Free Movement of Persons (I): Union Citizenship; Free Movement of Workers?

Materials: ?

- Note and Questions
- Barnard and Peers, *European Union Law*, 2023, pp. 400-409, 411-412 (Section 3.4), 427-433 (See Bibliography)
- Articles 20, 21?and 45 TFEU
- Regulation EU No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union
- Case C-369/90? *Micheletti*
- Case C-139/85? *Kempf*
- Case C-292/89? *Antonissen*
- Case C-415/93? *Bosman*

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 400-409, 411-412 (Section 3.4), 427-433 (See Bibliography)

Own Material: Session 24

SESSION 25 (LIVE IN-PERSON)

Sustainability Topic: ?Citizenship?

Description: ?Free Movement of Persons (II): Residence Rights and Other Rights; Family Members and Other Beneficiaries?

Materials: ?

- Note and Questions
- Barnard and Peers, *European Union Law*, 2023, pp. 413-424 (See Bibliography)
- Articles 18, 20 and 21 TFEU
- Articles 2, 3, 7, 14 and 16 of Directive 2004/38
- Regulation EU No 492/2011 of the European Parliament and of the Council of 5 April 2011 on

freedom of movement for workers within the Union

- Case C-93/18? *Bajratari*
- Case C-34/09 *Ruiz Zambrano*
- Case C-83/11 *Rahman*

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 413-424 (See Bibliography)

Own Material: Session 25

SESSIONS 26 - 27 (LIVE IN-PERSON)

Session 26

Sustainability Topic: ?Citizenship, Migrant Workers, Equality, Social Assistance?

Description: ?Free Movement of Persons (III): Social benefits; Derogations and Justifications?

Materials: ?

- Note and Questions
- Barnard and Peers, *European Union Law*, 2023, pp. 424-427, 433-438, 538-543 (See Bibliography)
- Articles 14, 15, 24 and 27-31 of Directive 2004/38
- Case C-181/19? *Jobcenter Krefeld v JD*
- Case C-209/03? *Bidar*
- Case C-333/13? *Dano*
- Case C-145/09? *Tsakouridis*

Session 27

Sustainability Topic: ?Migration?

Description: ?Free Movement of Persons (IV): Regulation of Non-EU Nationals?

Materials: ?

- Note and Questions
- Barnard, *The Substantive Law of the EU. The Four Freedoms*, Seventh Edition, OUP, 2022, pp. 377-389, 397-398
- Barnard and Peers, *European Union Law*, 2023, pp. 786-791, 799-805 (See Bibliography)

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 424-427, 433-438, 538-543 (See Bibliography)

Own Material: Session 26

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 786-791, 799-805 (See Bibliography)

SESSION 28 (LIVE IN-PERSON)

Description: ?Freedom of Establishment (I): Self-Employed Persons?

Materials: ?

- Note and Questions
- Barnard and Peers, *European Union Law*, 2023, pp. 409-410, 449-453, 457-458, 462-465 (See Bibliography)

- Articles 49-53 TFEU
- Case 2/74? *Reyners*
- Case C-55/94? *Gebhard*
- Joined Cases C-724/18 and C-727/18? *Cali Apartments*
- Case C-209/18? *Commission v Austria*

Additional Recommended Readings:

- Directive 2006/123/EC on services in the internal market

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 409-410, 449-453, 457-458, 462-465 (See Bibliography)

Own Material: Session 28

SESSIONS 29 - 30 (LIVE IN-PERSON)

Session 29

Description: ?Freedom of Establishment (II): Regulated Professions; Legal Persons?

Materials: ?

- Regulated Professions:
 - Excerpt from Barnard, *The Substantive Law of the EU. The Four Freedoms*, Seventh Edition, OUP, 2022, pp. 277-286
- Legal Persons:
 - Note and Questions
 - Barnard and Peers, *European Union Law*, 2023, pp. 440-445, 473-479 (See Bibliography)
 - Articles 49 and 54 TFEU
 - Case C-212/97 *Centros*
 - Case C-210/06 *Cartesio*

Session 30

Description: ?Freedom to Provide Services?

Materials: ?

- Note and Questions
- Barnard and Peers, *European Union Law*, 2023, pp. 445-448, 458-459, 465-469, 410-411 (See Bibliography)
- Articles 56-62 TFEU
- Case C-215/01? *Schnitzer*
- Case C-384/93? *Alpine Investments*
- Opinion of AG Jacobs in Case C-384/93? *Alpine Investments*
- Directive 2006/123/EC on services in the internal market

Book Chapters: Excerpt from Barnard, The Substantive Law of the EU. The Four Freedoms, Seventh Edition, OUP, 2022, pp. 277-286 (CED)

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 440-445, 473-479 (See Bibliography)

Own Material: Session 29

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 445-448, 458-459, 465-469, 410-411 (See Bibliography)

Own Material: Session 30

SESSION 31 (LIVE IN-PERSON)

Description: ?Assignment on the Freedom of Establishment/ Freedom to Provide Services. Review of the Free Movement of Persons?

SESSION 32 (LIVE IN-PERSON)

Sustainability Topic: ?Monetary Policy, Investment?

Description: ?Introduction to the Economic and Monetary Union and Free Movement of Capital?

Materials:

- Note and Questions
- Barnard and Peers, *European Union Law*, 2023, pp. 604-621, 482-483, 485-487, 491-493, 495-497 (See Bibliography)
- Article 63 TFEU
- Case C-367/98? *Commission v Portugal*

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 604-621, 482-483, 485-487, 491-493, 495-497 (See Bibliography)

Own Material: Session 32

SESSION 33 (LIVE IN-PERSON)

Sustainability Topic: ?Investment?

Description: ?Free Movement of Capital; Distinction between Different Freedoms of Movement?

Materials: ?

- Note and Questions
- Barnard and Peers, *European Union Law*, 2023, pp. 493-495, 498-507, 487-491 (See Bibliography)
- Articles 63-66 and 75 TFEU
- Case C-443/06 *Hollmann*
- Case C-492/04 *Lasertec*
- Case C-390/99 *Canal Satélite Digital*

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 493-495, 498-507, 487-491 (See Bibliography)

Own Material: Session 33

SESSION 34 (LIVE IN-PERSON)

Description: ?Brexit;?Future Membership?

Materials:

- Barnard and Peers, *European Union Law*, 2023, pp. 865, 869-893 (See Bibliography)
- Schütze, R, *European Union Law*, Second Edition, 2018, pp. 871-877

Book Chapters: Barnard and Peers, European Union Law, 2023, pp. 865, 869-893 (See

Bibliography)

Book Chapters: Schütze, R, European Union Law, Second Edition, 2018, pp. 871-877 (ced)

SESSION 35 (LIVE IN-PERSON)

?Final Exam?

EVALUATION CRITERIA

??WRITTEN ASSIGNMENTS?(30%)

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?Throughout the course, students will be requested to prepare group or individual assignments in writing. The assignments will consist in the solution of cases or the analysis of judgments of the EU courts that will be discussed in class.?

?Each written assignment will be posted on the internet platform IE Blackboard Ultra approximately one week before each class and students must then solve the case or prepare the memorandum before the class meeting. Students must upload an electronic document on the Turnitin Assignment folder created for the memorandum on IE Blackboard Ultra.

?The evaluation of the written assignments will focus on whether the document provides an answer to the questions asked or a clear and complete analysis of the legal issues raised, and how well students reason and argue their views. In addition, the document must be written in a clear and well-structured manner, and it must include the relevant footnotes when referring to statements given, opinions expressed or facts provided by other authors. Copy-pastes will not be accepted, but students must demonstrate that they are capable of conducting an independent analysis and explaining facts using their own words.

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?CLASS PARTICIPATION?(10%)

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?Students are expected to attend and prepare in advance all class meetings and to participate actively in discussions throughout the course. **?Attendance?alone does not contribute to the class participation grade but active participation is required.**?The class discussions aim to enhance students' capacity to argue and analyze legal issues of the European Union.

?The evaluation of class participation will depend on the depth and quality of the contribution, its clarity and the frequency of contributions. The contributions should demonstrate understanding and knowledge of the topic, capacity of independent analysis and reflection and ability to see the relationship between theory and practice. The contributions should be well-argued and expressed in a clear manner that it is easy to follow. Students must refrain from merely repeating what has already been said by other students. **?Quiz tests will be held during the semester to provide further input for this part of the evaluation.**

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?EXAMS?(60%)

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?The mid-term (30%) and final exam (30%) will consist of assessment or reflection questions and solution of cases or problem questions. The exams will take place online in class. They will be **?closed book**, but students will have access to the Treaties, the Charter and certain relevant EU Directives. The **?antiplagiarism tool?Respondus LockDown Browser will be used during the exams.**

?It is essential that students know and understand the key concepts and main rules and principles of the topics studied in the course. Similarly, they should be familiar with how those rules and principles are applied and enforced in practice.

?The evaluation of the exams is based on similar factors as the evaluation of the written assignments. With regard to cases or practical problem questions, the students must analyze a factual situation, apply the appropriate legal principles to the facts and reason their conclusion.

criteria	percentage	Learning Objectives	Comments
Final Exam	30 %	<ul style="list-style-type: none"> - To know the main legal rules and principles of EU Law, including EU constitutional principles and the rules of the Internal Market - To learn to solve cases on EU Law 	Students must provide an answer to the questions asked and conduct a coherent analysis of the legal issues raised, and reason their views. The final exam will include the topics studied after the mid-term.
Individual presentation	0 %		
Group Presentation	0 %		
Individual work	0 %		
Group Work	0 %		



Class Participation	10 %	<ul style="list-style-type: none"> - To understand the development of the European Integration process and the evolvement of European Union Law - To acquire knowledge of the EU institutions and their tasks in relation to EU Law - To know the main legal rules and principles of EU Law, including EU constitutional principles and the rules of the Internal Market - To acquire a sound understanding of the key judgments of EU Law - To learn to critically analyze judgments of the EU Courts - To learn to solve cases on EU Law - To consider the democratic deficit and the principles of participatory and representative democracy in the EU - To know the legal remedies available in cases of breaches of EU law - To examine the 	Students should demonstrate understanding and knowledge of the topic, capacity of independent analysis and reflection and ability to see the relationship between theory and practice.
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		<p>protection of fundamental rights in the European Union and its evolution throughout the integration process, in particular the fundamental freedoms (i.e. the four freedoms) and the principle of non-discrimination</p> <ul style="list-style-type: none"> - To learn about Union citizenship and the rights attached to it, as well as the benefits it entails for those wishing to exercise their right to freedom of movement within the territory of the Union, and to contrast Union citizenship with national citizenship - To understand the underlying reasons and benefits of economic integration as well as the impact on trade liberalization in general 	
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Mid-term	30 %	<ul style="list-style-type: none"> - To know the main legal rules and principles of EU Law, including EU constitutional principles and the rules of the Internal Market - To learn to solve cases on EU Law - To know the legal remedies available in cases of breaches of EU law 	Students must provide an answer to the questions asked and conduct a coherent analysis of the legal issues raised, and reason their views.
Assignments	30 %	<ul style="list-style-type: none"> - To learn to critically analyze judgments of the EU Courts - To learn to solve cases on EU Law 	The document must provide an answer to the questions asked and a clear and complete as well as well-reasoned analysis of the relevant legal issues.

RE-SIT / RE-TAKE POLICY

Any student whose weighted final grade is below 5 will be required to sit for the retake exam to pass the course (except those not complying with the attendance rules, whom are banned from this possibility).

Grading for retakes will be subject to the following rules:

- The retakes will consist of a comprehensive exam. The grade will depend only on the performance on this exam; continuous evaluation over the semester will not be taken into account.
- The exam will be designed bearing in mind that the passing grade is 5 and the maximum grade that can be attained is 8 out of 10.
- The third attempt will require the student to complete:
 - individual assignments (40%);
 - a mid-term (30%); and
 - a final exam (30%).

This is also applicable to students who do not have required attendance, e.g. sickness.

- Dates and location of the retakes will be posted in advance and will not be changed.

The retake will cover everything that students have learned in class, including readings, lectures, case discussions and group exercises. It will consist of assessment or reflection questions and solution of cases or problem questions.

BIBLIOGRAPHY

Compulsory

- Barnard, C. and Peers, S.. (2023). *European Union Law..* Fourth Edition.. Oxford University Press. ISBN 9780192863836 (Printed)

The course textbook is also available as an ebook, but the page numbers may possibly differ from the printed version indicated in the syllabus.

Recommended

- Craig, P. and de Búrca, G... (2020). *EU Law: Text, Cases, and Materials.* Seventh Edition.. Oxford University Press.. ISBN 9780192598608 (Printed)

BEHAVIOR RULES

Please, check the University's Code of Conduct [here](#). The Program Director may provide further indications.

ATTENDANCE POLICY

Please, check the University's Attendance Policy [here](#). The Program Director may provide further indications.

ETHICAL POLICY

Please, check the University's Ethics Code [here](#). The Program Director may provide further indications.

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