

I.SUBJECT DATA SHEET

Subject details	
Name	European Union Law: institutional and normative system
Title	Degree in Law (E-3; E5; E1 BL; Exchange)
Year	2nd
Nature	Optional. Four months.
ECTS credits	6
Department	Department of Public Law
Area	Public International Law and International Relations
Teachers	Prof. Dr. Paula García Andrade; Prof. Dr. Antonio Díaz Narváez

<u>Teaching staff</u>	
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Contribution to the degree's professional profile	
<p>The subject "European Union Law: institutional and normative system" analyses the configuration and evolution of the European Union, its institutional structure, the basic principles of its legal system and the relationship between this and the national legal systems. The impact of European Union Law on other areas of law can help students to understand other subjects on the syllabus.</p> <p>The knowledge of this subject is essential for any professional in the field of law, business or public management. In fact, in each of these professional areas, both at national and international levels, a jurist must bear in mind the process of European integration and its impact on national legal systems when resolving legal conflicts, advising on legal conditionings in the design of business strategies in the European market, and exercising public functions at national, European and international levels.</p>	

II. SKILLS

General skills

Instrumental skills

CGI 02 - Oral communication. (Level 2)

Although students should have, taking into account their previous background, adequate communications skills, the development of this competence is crucial for the formation of a jurist. The pupil will show:

- Knowledge of language resources, using them with correctness, pertinence and creativity, showing a personal style and mastering the specific terminology that is required
- The ability to express oneself with clarity, concision and accuracy, being capable of communicating fluently, adapting words to the context, the receiver and the objective of communication.

CGI 04 – Information management

This skill refers to knowledge of the different sources of legal information, including the ability to use new technologies (Internet, legal databases...), which implies the capacity to sift the relevant information and to interrelate and connect different information. On achieving this skill, the pupil shows:

- Knowledge and suitable management of legal information sources: specialized texts and textbooks, Internet, databases, case-law directories...
- Data management: locating and sifting relevant information, recovering information, interrelating data.

Specific skills

Conceptual skills (know)

CEA 02 - Knowing and understanding the political, economic and philosophical aspects that have led to the creation and configuration of today's European Union, penetrating its institutional structure and the basic principles of its legal system.

- Analysing and understanding the creation of the institutional structure which guarantees the functioning of the EU and the achievement of its objectives
- Analysing and understanding the EU legal system and its practical implications when guaranteeing the primacy and, if applicable, direct effect of its norms
- Knowing and understanding the functioning of the basic freedoms of the internal market from a practical perspective.

CEA 07 - Understanding complex legal issues. The acquisition of this skill implies understanding legal issues of a certain degree of complexity related to the European Union, taking into account the connections with the legal order of the European Union and the member States, as well as the connections with other sectors of law.

Students will be able to understand questions of European Union Law, through the use of the appropriate resources, considering the connections with other issues. These questions should be identified on the basis of facts which are not legally structured.

Procedural skills (how)

CED 01 - Placing Law and legal relations in a globalised context.

The acquisition of this skill implies becoming aware of the interactions of European Union Law with other legal systems (the international legal order and domestic legal systems), and the related problems that may arise, as well as the implications derived from the principles that govern the interaction between these systems. With the acquisition of this skill, the student must:

- Know the interaction of European Union Law with the international legal order and internal legal systems, identifying the main practical consequences that this entails.
- Appreciate the diversity of legal systems as a sign of richness.
- Develop the necessary skills for the exercise of the legal profession in an international environment.

CED 07 – Identifying and understanding the scope of legal norms in social relations.

The acquisition of this competence implies taking awareness of the importance of the EU's legal system in social life and the principles on which this relation is based throughout history and nowadays. With the acquisition of this competence, the student must:

- Identify the values and social principles that underlie the processes of creation of European Union Law; as well as the criteria that inspire or should inspire the elaboration and application of legal norms and the functioning of institutions.
- Know the legal concepts and models that contribute to the evolution of the legal system of the European Union up to the current system.

Professional skills ([know-how](#))

CEP 07 - Discursive and argumentative skills in oral language. The acquisition of this skill implies knowledge and command of the techniques of legal oratory, which are essential for the exercise of the legal profession. With the achievement of this skill, the pupil shows:

- Correct, fluent and confident speaking; clear structuring of ideas; accurate presentation of arguments, ability to synthesise and command of legal vocabulary.

III. DETAILED CONTENTS

Unit 1: THE PROCESS OF EUROPEAN INTEGRATION

- 1.1. International-legal basis of the process of European Integration. International Organisations of integration.
- 1.2. The European Communities and their evolution. The founding treaties and their amendments.
- 1.3. The European Union from Maastricht to Lisbon.
- 1.4. Values, objectives and principles of the European Union. The protection of fundamental rights in the EU.
- 1.5. The system of competences in the EU.
- 1.6. EU: Procedures of accession and withdrawal

- 1.7. Principles of External action of the EU.

Unit 2: The EU's institutional system

- 2.1. Features and principles of the EU's institutional system.
- 2.2. The European Commission.
- 2.3. The Council
- 2.4. The European Council
- 2.5. The European Parliament and the legislative procedures.
- 2.6. The European Union Court of Justice.
- 2.7. Other institutions and ancillary bodies.

Unit 3: The legal system of the European Union.

- 3.1. Sources of law: introduction.
- 3.2. Primary law.
- 3.3. Secondary law.
- 3.4. International agreements concluded by the European Union
- 3.5. The general principles of European Union law.
- 3.6. Other norms and acts.

Unit 4: THE POSITION OF THE EUROPEAN UNION LEGAL SYSTEM IN RELATION TO THE LEGAL SYSTEMS OF THE MEMBER STATES.

- 4.1. The position of the EU legal system within the national legal systems: Introduction.
- 4.2. The principle of primacy of the EU law
- 4.3. The principle of direct effect of the EU law.
- 4.4. The European Union legal system and the Spanish legal system. The Participation of Autonomous Regions in the process of European integration.
- 4.5. Implementation of European Union Law and liability of the member states for infringements of EU law.

Unit 5: THE JUDICIAL APPLICATION OF EUROPEAN UNION LAW

- 5.1. The national judicial system and the judicial system of the EU: Introduction.
- 5.2. The national judge as EU judge. Special consideration of the Spanish case.
- 5.3. Judicial procedures before the Court of Justice of the European Union.

IV BIBLIOGRAPHY AND RESOURCES

Basic bibliography

Textbooks

BARNARD, C., PEERS, S., *European Union Law*, Oxford University Press, Oxford, 2014.

Websites

European Union: https://europa.eu/european-union/index_en

European Commission: http://ec.europa.eu/index_en.htm
Council of the European Union: <http://www.consilium.europa.eu/homepage?lang=en>
European Council: <http://www.european-council.europa.eu/home-page.aspx?lang=en>
European Parliament: <http://www.europarl.europa.eu/portal/en>
European Economic and Social Committee: <http://www.eesc.europa.eu/?i=portal.en.home>
Committee of the Regions: <http://www.cor.europa.eu/en/Pages/home.aspx>
Court of Justice of the European Union: http://curia.europa.eu/jcms/jcms/j_6/
European Ombudsman: <http://www.ombudsman.europa.eu/home/en/default.htm>
European Court of Auditors: <http://www.eca.europa.eu/en/Pages/ecadefault.aspx>
European Investment Bank : <http://www.eib.org/>
European Central Bank: <http://www.ecb.europa.eu/>
Permanent representation of Spain: <http://www.en-ue.org>
EURLEX: <http://eur-lex.europa.eu/homepage.html?locale=en>
The Publications Office of the European Union: <http://publications.europa.eu/en/home>
DOUE: <http://eur-lex.europa.eu/oj/direct-access.html?locale=en>
SCAD PLUS: http://europa.eu/legislation_summaries/index_en.htm

Other resources

The Treaty on the European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU).

Additional bibliography

Textbooks

ALONSO GARCÍA, R., *Sistema jurídico de la Unión Europea*, Civitas, 4^a ed., 2014.
CRAIG, P., DE BÚRCA, G., *EU law: text, cases, and materials*, Oxford University Press, Oxford, 6Pth ed., 2015.
DÍEZ MORENO, F., *Manual de Derecho de la Unión Europea*, Civitas, 5^a ed., 2009.
JACQUÉ, J.P., *Droit institutionnel de l'Union européenne*, Dalloz, Paris, 8P^{ème} éd., 2015.
MANGAS MARTÍN, A., LIÑÁN NOGUERAS, D.J., *Instituciones y Derecho de la Unión Europea*, Tecnos, Madrid, 8^a ed., 2014.

Other resources

Legal databases (EUROLEX...)
Scientific journals, (Sala de Revistas, AA 23)

V. TEACHING METHODOLOGY

Face-to-face methodology: activities

- Master classes:

The teacher will explain the main contents of each unit of the subject, developing the most relevant concepts and arguments, explaining the connections between them and trying to clarify any doubts or questions that may arise during the class or that may have been raised by the students during prior preparation.

- Oral presentations in the classroom:

During the course, each student will make a brief oral presentation of a subject previously assigned by the teacher. Presentations may consist of comments on a judgement of the EUCJ, legal act or document of relevance, a brief case study or replies to guided questions on the subject matter. The student must deliver to the professor, at the beginning of his presentation, a written outline of the same, which must necessarily include a bibliographical section that records the sources used by the student in the preparation of his presentation. These individual presentations will not preclude the possibility that all or some of the materials, specified by the teacher, must be read and/or studied by the group as a whole. The teacher will encourage the active participation of the rest of the students in the discussions that may arise with regard to the individual presentations of their fellow students.

- Knowledge testing:

In order to verify the level of understanding of the subject, facilitate studies and identify any conceptual gaps, knowledge is tested when each subject is completed. The test will consist of multiple choice and/or short questions.

Non-face-to-face methodology: activities

- Preparation of the oral presentation by the designated student.
- Reading of the materials and notes entrusted to the group as a whole.
- Studying of the subject matter.

VI. SUMMARY OF STUDENT WORK HOURS

Activity	No. face-to-face hours	No. non-face-to-face hours	Total hours
Master class	52	52	104
Classroom presentation	5 ¹	2 ²	7
Assessment: classroom tests	3	11	14
Assessment: written exam	(+1)	25	25
Assessment: exam review	(+1)	0	0
ECTS CREDITS: 6	60	90	150 (+2)

¹ Total presentation hours for all the students. Individual presentations will each last 5 minutes.

² Time that the designated student will employ to prepare the presentation.

VII. ASSESSMENT AND GRADING CRITERIA

Assessment activities	Competences	% of evaluation
Oral presentation	Oral communication. Information management. Knowledge of the main features of the legal system. Understanding of complex legal issues. Discursive and argumentative skills in oral language.	15%
Knowledge testing	Knowledge of the main features of the legal system. Understanding of complex legal issues Placing Law and legal relations in a globalised context. Identifying and understanding the scope of legal norms in social relations.	15%
Final exam	Oral communication. Knowledge of the main features of the legal system. Understanding of complex legal issues. Placing Law and legal relations in a globalised context. Identifying and understanding the scope of legal norms in social relations. Discursive and argumentative skills.	70%

Grades

Ordinary exam call:

* The final exam, when both general and specific competencies will be evaluated in each subject, will consist of a written exam (multiple choice and/or short questions) and an oral exam.

The final exam will account for 70% of the final grade.

* The remaining 30% of the final grade breaks down as follows: 15% will relate to the average mark obtained in the knowledge tests undertaken when each subject is completed; 15% will relate to the mark obtained in each student's oral presentation.

The student must pass the final exam in order for the marks obtained in the ongoing evaluation activities (tests, oral presentations, classroom) to be taken into consideration.

Extraordinary exam call:

* The final exam will account for 100% of the grade in the case of students who did not pass the ongoing evaluation tests. For students who did pass those tests, the teacher will apply the most favourable of the following two options: a) assign 100% of the final grade to the exam;

b) assign 70% of the final grade to the exam, taking into account the marks obtained in the continuous evaluation activities for the ordinary exam (30%).

* The student must pass the final exam in order for the marks obtained in the ongoing evaluation activities (tests, oral presentations, classroom participation) to be taken into consideration.

Third and following exam calls:

* For these students, the final grade in the subject comprises the written exam (80%) and the average mark obtained in the knowledge tests (20%).