



# COMILLAS

UNIVERSIDAD PONTIFICIA

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CIHS

## 2024 – 2025 COURSE DESCRIPTIONS

### Data on the subject

Full Name	Initiation Course Intro to the EU: Background, Legal Structure and Research.
Code	E000001795
Degree	Postgraduate in Master in International and European Business Law
Year	2024-25
Nature	Fall
ECTS Credits	2
Department	Law
Area	Law
Teaching staff	Prof. Diego Ginés and Adam Dubin

### Data on the teaching staff

#### Teacher

Name	Diego Ginés and Adam Dubin
Department / Area	International Public Law
e-mail	<a href="mailto:Dgines@comillas.edu">Dgines@comillas.edu</a> / <a href="mailto:Adubin@comillas.edu">Adubin@comillas.edu</a>
Telephone	+91 542 28 00 ext 2852
Tutoring Schedule	Upon request from students

## SPECIFIC DATA ON THE SUBJECT

### Framework of the subject

#### Pre-requisites

None

#### Contribution of the degree to the professional profile

The purpose of this class is twofold. The first is to develop students' research skills in relation to European law and prepare them for writing a thesis. The second is to provide an understanding of the European Union and EU law in order to give a foundational basis for understanding all subsequent content. To this end, part of this class will involve visits to law firms and institutions in order to see first hand how EU law impacts at national levels.

### Competences - Goals

#### Competences to be developed

##### Generic Competences

- GC 6: Ability to work in groups
- GC 7: Ability to work in an international context
- GC 10: Ability to develop autonomous learning skills.

##### Specific Competences

- SC 4 Mastering the main rules of EU law and international law that are relevant to international business development
- SC 15: Mastering the techniques of legal research and developing the ability to present convincingly, in writing and orally, the results of personal, original research

## COURSE SYLLABUS AND CONTENT

### Content

#### PART I. AN INTRODUCTION TO THE EU AND EU LAW FRAMEWORKS

##### Session 1. The History and Theory of the European Union (EU)

- a) Defining the European Union.
- b) The history of European integration: From Rome to Lisbon.
- c) EU enlargement.
- d) The EU in crisis?

##### Session 2. The EU's institutional system

- a) The EU: A supranational or an intergovernmental organization?
- b) EU institutions.
- c) The basics of EU law-making: Legislative instruments and legislative procedures.
- d) What makes EU law so special? Direct effect and Supremacy in EU law.
- e) Preliminary rulings.

##### Session 3. Substantive EU law: From a Single Market to a Political Union?

- a) Attribution of competences and the principle of conferral.
- b) An Economic Union? The Single Market, the '4 freedoms', and EU competition law.
- c) More than an Economic Union: From the Single Market to citizenship, migration, non-discrimination, and fundamental rights.
- d) The influence of the EU beyond its borders: The "Brussels Effect"

#### PART II. VISITS

This part of the course includes a series of visits / lectures which look at how EU law impacts in national jurisdictions.

- a) Visit to Gomez Acebo
- b) Visit with the Assistant General Counsel of Endesa  
Visit to the European Union's representative office in Spain

## PART III. RESEARCH AND THESIS DRAFTING

### Thesis Writing and Research Methodologies

- a) Thesis requirements, structure and thesis statement development
- b) Research methodologies for thesis writing

## TEACHING METHODOLOGY

### General methodology of the subject

#### Contact hours methodology: Activities

For many, this class will be your first point of contact with the European Union. This initiation course serves to acquaint you with the historical development of the EU and help to contextualize how EU law impacts at national levels. In addition, the initiation course also provides an overview of the thesis writing portion of the MIEBL and discusses research methodologies and other relevant aspects as you advance with your thesis. In essence, the Initiation Course provides the foundation for understanding the subject matter you'll be covering during the rest of the MIEBL program.

The format of this class is a little unusual. It starts with three classes taught by Prof. Diego Gines, in which you'll become familiar with the history of the EU, the primary institutions and the law making process. From there, we'll begin a series of visits around Madrid to illustrate how EU law impacts in the day to day of lawyers in member countries. We'll have four visits / talks: 1) to Gomez-Acebo and Pombo, one of Spain's largest law firms, to talk about how EU law affects corporate law; 2) to the EU representation to Spain to discuss the EU (generally) within Spain; 3) to the Supreme Court of Spain, to explore how judges use EU law in their decisions (and we'll tour the magnificent 18th C. building) and; 4) a talk with the Director of Regulation and Competition Law in the General Counsel's office of Endesa's (Spanish / European oil and gas company) to understand the important role of EU competition law in national jurisdictions.

Following this overview of the EU law and its legal system, you'll shift into the last part of the class, which focuses on thesis writing in preparation for the thesis you'll research and write over the next six months (taught by Prof. Adam Dubin). During this section of the class, you'll cover 1) thesis requirements and expectations; 2) topic identification; 3) intro to European law research.

By the end of this class, you should have a deeper knowledge of the historical and legal contexts of EU institutions and laws, understanding the ways in which EU directives and regulations impact national legal systems. In addition, you should also come away with clarity about thesis writing and the expectations in order to begin identifying a topic and starting the writing process.

At these two interactive elements of experiential learning, participation of the students is required, who will intervene under the guidance of the professor, who will provide comments and final feedback.

#### Outside class methodology: Activities

See above

## TEACHING METHODOLOGY

### General methodology of the subject

#### Contact hours methodology: Activities

The course will follow an interactive format, combining presentations analysing legal contents, with participation of the students (exchange of views and discussions, and Q & A periods). Specific activities can be found on the simplified syllabus.

#### Outside class methodology: Activities

Students will be required to read the assigned material and work on out of class assignments.

## SUMMARY OF STUDENT WORK HOURS

NUMBER OF CONTACT HOURS					
Lecture	Practical class	Debate	Workshop	Individual work	Evaluation
15			5		
NUMBER OF INDEPENDENT WORK HOURS					
Lecture	Practical class	Debate	Workshop	Individual work	Evaluation
				15	10
<b>ECTS CREDITS: 2 (50,00 hours)</b>					

## GRADE EVALUATION AND CRITERIA

Evaluation Activities	Indicators	Evaluation weighting
Final Project	Research Project (details will be given out on class). Students will have to develop a thesis topic, outline and bibliography.	30%

Reflection paper	Written essay based on the contents of the course; each student must produce a 1,500-word reflection paper. These will be based on the course readings and discussions, and must incorporate reflections on the visits held, as well as into the ways in which you think EU law might become relevant in your professional career.	30%
Attendance	The attendance to the classes and the onsite visits is obligatory to pass the course.	40%

## BIBLIOGRAPHY AND RESOURCES

### Basic Bibliography and Resources

#### TEXT BOOKS:

Hesselink, Martijn, *The New European Legal Culture*, 2001, pages 22 – 33

Craig, Paul and De Búrca Gráinne, *EU Law: Text, Cases, and Materials* (OUP 2020), Seventh Edition

Bradford, Anu, *The Brussels Effect: How the European Union Rules the World* (OUP 2019).

#### Theories of EU Integration:

- Rosamond, Ben, *Theories of European integration*, The European Union series, Houndmills, Palgrave Macmillan, 2000
- Wiener, Antje, Díez, Thomas, *European Integration Theory*, Oxford University Press, 2009
- 'Chapter 2: Law After Auschwitz', in Baquero Cruz J, *What's Left of the Law of Integration? Decay and Resistance in European Union Law* (Oxford University Press, 2018).
- Weiler J.H.H, 'United in Fear – The loss of Heimat and the Crises of Europe', in Papadopulu L and others (eds), *Legitimacy Issues of the European Union in the Face of Crisis: Dimitris Tsatsos in Memoriam* (Nomos 2018).
- Schmidt V.A, 'Is there a deficit of throughput legitimacy in the EU?', in S. Garben, I. Govaere & P. Nemits (eds), *Critical Reflections on Constitutional Democracy in the European Union* (Oxfords: Hart Publishing 2019).

#### History of EU Integration:

- Deadman, M., *The Origins and Development of the EU 1945 – 2008*, Routledge, 2009
- Gilbert, Mark, *European Integration: A concise history*, Rowman & Littlefield Publishers Inc., 2012
- McCormick, J., *Understanding the European Union: a concise introduction*, Palgrave, 2017
- Senior Dello, S., *The European Union: Economics, Politics and History*, McGraw-Hill, 2012
- Weatherill, S., 'The Several Internal Markets' (2017) 36 *Yearbook of European Law* 12

#### On EU Institutions :

- Peterson, John & Shackleton, Michael, *The Institutions of the EU*, The European Union Series, Oxford University Press, 2012

On EU decision-making:

Hardacre, Alan, How the EU institutions work and-, how to work with the EU institutions, John Harper Publishing, 2011

## **WEBSITES**

Reading Research Guide, European Union Materials <https://guides.law.columbia.edu/c.php?q=1221803>

Reading: Developing a Thesis Statement, The Writing Center at Georgetown University Law Center (2003), available at: <https://www.law.georgetown.edu/wp-content/uploads/2018/11/Updated-Developing-a-Thesis-Statement-Handout.pdf>

[www.cvce.eu](http://www.cvce.eu) is the website of the CVCE Centre for European Studies. It is consultation is highly recommended for those students with a keen interest in the history of the European integration project. In the digital environment provided by this site, students will find not only a detailed analysis of the landmarks events of this historical evolution, but also a digital archive of relevant European documents (political declarations, speeches, treaty acts, press cuts, etc.) as well as recorded audio-visual interviews with various personalities who, in different capacities, contributed with their efforts to the advancement of the European project.

Students are also encouraged to get quickly acquainted with the European Union's portal on internet hosted at <http://europa.eu>. This portal gives access to many interesting topical sections referring to the EU and its institutions, policies, the legal system, etc.

In addition, students are strongly invited to visit each of the institutions' respective web site:

- Council of the European Union: [www.consilium.europa.eu](http://www.consilium.europa.eu)
- European Council: [www.european-council.europa.eu](http://www.european-council.europa.eu)
- European Parliament: [www.europarl.europa.eu](http://www.europarl.europa.eu)
- European Commission: [www.ec.europa.eu](http://www.ec.europa.eu)
- Court of Justice of the European Union: [www.curia.europa.eu](http://www.curia.europa.eu) -
- Court of Auditors: [www.eca.europa.eu](http://www.eca.europa.eu)

All throughout the MIEBL, students will need to retrieve EU legal instruments and case-law, for their latter consultation. The quickest way to find these legal texts is consulting the electronic repository of EU law, hosted at [www.eur-lex.europa.eu](http://www.eur-lex.europa.eu)

Summaries of EU legislation in almost all policy fields plus commented accounts of EU action in each can be consulted in the following site: [http://europa.eu/legislation\\_summaries/index.htm](http://europa.eu/legislation_summaries/index.htm)

Jurisprudence by the Court of Justice of the European Union is centralized and can be easily accessed in the official CURIA site: [https://curia.europa.eu/jcms/jcms/j\\_6/en/](https://curia.europa.eu/jcms/jcms/j_6/en/)

This list is completed with a reference to a series of websites which will help the student to keep the pulse on EU's news and current policy and legal debates:

[www.euractiv.com](http://www.euractiv.com) (this site has versions in all of the 23 EU official languages)

[www.europeanvoice.com](http://www.europeanvoice.com) ; <https://euobserver.com/>

### **NOTES**

The explanations of the professor during the course are supported on extensive PP presentations which will be accessible by the students beforehand.

These presentations will be projected during lessons. However, they should not be exclusively regarded as visual aids for the course explanations and discussions. In addition, students are invited to use them as reference instruments and study tools. Due to the completeness of their content, they can be very useful for course revision in preparation of the exam.

### **OTHER MATERIAL**

EU legal instruments, case law, newspaper clips and other material could be handed out before / during classes as complementary material, or as background information to be used by the students for the practical components of the course.