



UNIVERSITÀ  
DEGLI STUDI DI MILANO-BICOCCA

## SYLLABUS DEL CORSO

### Diritto dell'Unione Europea

2021-3-E1401A080

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#### Learning objectives

The course aims at developing student's knowledge and command of EU law specifically and provides an opportunity to acquire or develop skills that form an important part of legal education.

At the end of the course,

- You will be able to correctly explain the principles governing law-making in the EU and its implementation in the Member States
- You will be familiar with the fundamental principles of the European legal order and with several important rules of EU law. You will be able to assess whether, in a simple scenario, such principles and rules have been complied with.
- You will be able to establish whether a given factual situation falls within the scope of EU law or of national law and to assess which institutions and actors are competent to intervene in a situation where national law conflicts with EU law.
- You will be able to use the technical terminology of European Union law.
- You will be able to explain the function(s) of certain rules within the EU legal order

.You will be able to identify rules applicable to factual situations similar to those studied in the course and make accurate reference to Treaties and to the case-law covered during the course

## **Contents**

This course offers an introduction to European Union law.

You will learn how EU is relevant to citizens and businesses (European citizenship, internal market).

The course covers in detail the following themes: the origins and the evolution of the process of EU integration, the institutional framework of the European Union, the EU fundamental rights, the sources of EU Law, the procedures for the adoption of EU acts and the effectiveness of such acts in the Italian legal order, the competences of the European Union and their exercise, the system of judicial protection, the relationship between EU Law and the Law of the Member States, the external relations of EU; .Free movements of goods, people, companies; Competition Law (Articles 101 and 102 TFEU).

The course also focuses on the current EU case law and EU acts. Documents published on the course e-learning platform (Moodle) form an integral part of the lectures. Since the course is based on a direct analysis of legal sources, you are expected to bring them to every class.

## **Detailed program**

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## **Prerequisites**

Students must have full knowledge of International Law.

## **Teaching methods**

The course privileges a concrete approach and encourages an active role of the students in class. To this purpose, the course will be mainly focused on the analysis of the EU Treaty, EU legislative and non-legislative acts as well as on ECJ's case law.

Class materials (EU Law and ECJ's decisions), which are necessary to deepen the understanding of lectures, will be published on the website elearning/Moodle.

Students are required to obtain any such material before class (either the paper version or the electronic version,

which will be available on eleraning/Moodle). You will then need to go over the texts again after class. During the lecture, don't just take notes. As much as possible in a large group, we would like you to participate actively. Questions are always welcome!

**During the Covid-19 emergency period, lessons will take place remotely asynchronously (Tuesdays and Wednesdays) with synchronous (on Thursdays from 9.00 to 10.30). The asynchronous lessons recorded on Tuesdays and Wednesdays will be published on the e-learning platform always before the time traditionally scheduled for the lesson, i.e., on both days, 9.00 am on Tuesday and Wednesday. The synchronous lesson on Thursday will be recorded and made available on the aforementioned platform on Thursday evening.**

## **Assessment methods**

Oral exams app Webex.

No written test for attendin an nn attending students.

### **SOME PRACTICE RULE FOR TESTS DURING THE COVID 19 PERIOD WITH REGARD TO COURSES**

#### **"EUROPEAN UNION LAW – LAUREA TRIENNALE" AND "EU ANTITRUST LAW"**

##### **1. Examination procedure during Covid19**

During the Covid 19 period, the exams of the courses "EU Law – laurea triennale" and "EU Antitrust Law" (Prof. Serena Crespi) will take place **orally through the app Webex**, installed on the e-learning platform of the respective courses

**The exam will always be carried out orally and in alphabetical order.**

The exam will be public by the presence of one or more students at the oral exam via Webex.

If the exam has a **limited number of enrolled students**, the oral exam will be conducted directly by the Professor in charge of the chair via Webex in alphabetical order.

If instead the **number of students enrolled is copious**, the Professor:

- Can make use of collaborators (so-called parallel commissions)

- And / or will distribute the exam over several days (always in the afternoon at 2.00 pm, since the appeals of the two aforementioned courses always at 2.00 pm).

In the latter two cases, the concrete indications will be communicated approximately 2/3 days before the exam session directly by the Professor via email sent by Segreteria online or by Moodle (ie e-learning system ... subscribe to the relevant platforms of the course and always check your email!).

##### **2. Practical instructions that students must absolutely respect in order to take the exam in the Covid 19 period**

**For organizational reasons and to facilitate the management of the exams, here are some operating instructions that students MUST COMPLY WITH.**

In order to take the exam it is in particular **fundamental** that:

- Students must **register through the online secretaries within 5 days of the closing of the exam session** regardless of the formal closing date of the exam session;

- Students will **cancel the registration for the exam session if they decide not to show up**;

- In addition to registering for the exam through the Segreteria online, it is also **absolutely necessary to enroll on the e-learning platform of the course**;

- Since the exams will take place online, students are required **to check their network connection** to ensure a good oral exam through Webex

- Since any communication (i.e. parallel commissions or division of the exams over several afternoons), students are required to **always consult their email**.

**Failure to enroll in Segreteria online + on the e-learning platform of the course prevents the exam from taking place.**

Off-course students can contact [esamigiuris@unimib.it](mailto:esamigiuris@unimib.it) for any doubts.

## **Textbooks and Reading Materials**

### **9 CFU**

L. DANIELE, *Diritto dell'Unione Europea. Sistema istituzionale. Ordinamento. Tutela giurisdizionale. Competenze*, Milano, Giuffrè, 2020, e

L. DANIELE, *Diritto del mercato unico europeo e dello spazio di libertà, sicurezza e giustizia*, Giuffrè, 4 ed., 2019 only chapters I, III, VI.

### **6 CFU:**

L. DANIELE, *Diritto dell'Unione Europea. Sistema istituzionale. Ordinamento. Tutela giurisdizionale. Competenze*, Milano, Giuffrè, 2020.

You are strongly encouraged to buy the textbook and to read it as we progress through the course. By doing so, you will be able to easily establish links between the lectures and the corresponding chapters of the textbook. Feel free to read the textbook either before or after the course. In any event, reading the textbook will allow you to better understand topics dealt with in class.

The study of the textbook must necessarily be complemented with the knowledge of the provisions (articles) of the Treaties, which the texts makes reference to. The students may also find the consolidated versions to the Treaties (for free) on the following website: <http://eur-lex.europa.eu/collection/eu-law/treaties.html> or buying **B. Nascimbene, Unione europea. Trattati, Giappichelli editore, 2016.**

The following book is recommended for further study (**not mandatory**): **Christa Tobler and Jacques Beglinger, Essential EU Law in Charts, 3èmeéd., Budapest, HVG-ORAC, 2014.**

**If you have a graphic memory, you will love this book !**

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