UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Eu Public Law

2021-3-E1801M044

Learning objectives

Knowledge and understanding

The course shall provide students with a) the knowledge of EU Istitutions and laws, with a particular focus on the position of the Union in the multilateral trading system; b) the understanding of the underlying politics and development prospects.

Ability to apply knowledge and understanding

In class analysis and discussion of cases will develop students ability in applying the knowledge acquired in the course.

Ability to inform judgments and communication skills

Students, also through discussion with their teacher, team work and in class presentations, shall acquire correct legal terminology and shall reach communicative skills in assessing and discussing situations related to international trade and investment law.

Learning ability

The teaching method, through in class analysis of legal texts and readings, shall enhance students' ability to learn the rules governing economic global relations, allowing them to autonomously update the notions acquired.

Contents

The course provides students with an introduction to European Union Law. First, the origin and the evolution of European integration will be discussed, with a focus on the division of powers among the European Institutions and of competences between the Union and its Member States. Then, the relation between European law and national law will be examined and particular attention shall be devoted to the evolution of the protection of human rights in the EU, heading to the equalization of the Charter of fundamental rights to the Treaties. Other topics covered will be the main elements of the internal market, that is the freedom of movement of goods, persons, services and capitals and the principles and institutional frame of the Monetary Union. The reforms brought about to face the crisis of 2007-2008 and the measures taken to answer the COVID-19 emergency will also be discussed. Classes will end with the analysis of the European competition law and of State aids' rules, which shall be conducted with a view to the external relations of the EU and to its relationship with the WTO.

Detailed program

1. Origin and evolution of the European integration process and genesis of the European Union. The goals of the Treaty of the European Union and of the Treaty on the Functioning of the European Union and the instruments to attain them.

2. The institutional frame: European Parliament, European Council, Council, Commission, Court of Justice, European Central Bank.

3.The general principles of European law and the evolution of the protection of fundamental rights in the EU

4. EU legal sources: regulations, directives, decisions, recommendations. Atypical acts. The relationship between European and national law in the judgments of the Court of Justice and of the Italian Constitutional Court.

5. The participation of Italy to the EU institutional system.

6. The internal market and the fundamental freedoms: i) the free movement of goods and the customs union.

7. (Follows): ii) The free movement of persons inside the EU. Free movement of workers and right of establishment. The establishment of companies. Free movement of services in the Union.

8. The Monetary Union and the free movement of capitals and payments.

9. The common commercial policy: dumping and subsidies in the frame of the multilateral trading system. The rules on State aids.

10. Competition law in the EU: prohibited agreements between undertakings, abuse of dominant position, mergers control. EU's law facing the crisis.

Prerequisites

Public Law, Private Law.

Teaching methods

Lectures/seminars.

During the COVID-19 emergency period lessons will be held remotely asynchronously, with synchronous videoconferencing events.

Assessment methods

Oral/written exams.

During the COVID-19 emergency exams will be online. They will be carried out using the WebEx platform; on the E-learning page of the course there will be a public link to access the examination.

Textbooks and Reading Materials

Roberto Adam, Antonio Tizzano (2019), *Lineamenti di diritto dell'Unione europea*, 4th revised ed., Giappichelli, Turin.

Semester

Second semester.

Teaching language

Italian.