UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Diritto dell'Unione Europea - 2

2122-3-E1801M060-T2

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 the legal system of the European Union.

The origin and evolution of the integration process and the current institutional structure of the Union will be illustrated, with particular attention to the power balance between the various bodies and the competences of the Union and the Member States.

The sources of the Union and the relationship between them and domestic law will then be examined, as well as the expansion of the fundamental rights protection system, initiated by the jurisprudence of the Court of Justice and culminating in the equalization of the Charter of Fundamental Rights to the treaties. The key elements of the internal market, namely the free movement of goods, people, services and capital, and the principles and mechanisms behind the European monetary union and its economic policy, including interventions aimed at to face the economic-systemic crisis of 2007-2008 and the recent health emergency.
The examination of the European rules on competition and common commercial policy, which will conclude the course, will be framed within the broader context of the Union's external relations and in particular with regards to its relation with the World Trade Organization.

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. (continues) 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. Competition law in the EU: prohibited agreements between enterprises, abuse of dominant position, merger control.

10. Italy’s participation to the process of European integration.

Prerequisites

Institutions of Public Law and Institutions of 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, Lineamenti di diritto dell'Unione europea, Quarta edizione. Ristampa ampliata ed aggiornata, Giappichelli, Torino, 2019.

Semester

Second semester

Teaching language

Italian