UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Diritto dell'Unione Europea - M-Z

2324-3-A5810130-MZ

Learning objectives

Understand what knowledge and skills are to be acquired and those that must have already been acquired in order to be able to take the course in relation to the European Union and its institutions. In particular:

1. Provide students with a complete and up-to-date picture of sorting knowledge of the European Union, as well as the ability to understand the process of European integration, of the rules and principles governing the relationship between European Union law and domestic law, in particularly the Italian one.
2. Develop students' ability to critically re-elaborate principles and legal norms. The student must demonstrate that they can apply the notions of law to concrete cases, through the study of official documents of the European Union and, in particular, of the jurisprudence of the Court of Justice.
3. To develop in the students autonomous competence of judgment, through the elaboration of legally sustainable arguments with reference to the topics covered by the teaching of the course.
4. To acquire mastery of specific legal terminology. The student must be able to express knowledge correctly, consistently and with the properties of language;
5. Develop students' autonomous learning skills, so as to integrate their own knowledge.

Contents

The course is aimed at providing an overall view of the institutional evolution of European Union law, as codified in the Lisbon Treaty.
The evolution of the matter is addressed through the systematic reference to the jurisprudence of the Court of Justice of the European Union and the Court. The intent is to illustrate the significant contribution that this jurisprudence has given to the affirmation of the competences of the Union and to the clarification of the characteristics and general principles of European Union law.

Detailed program

Programme for all students

During the lectures, the historical origins of the European Communities and the European Union and the evolution of the Community system up to the Treaty of Lisbon will be examined first, including a comparison with the Treaty-Constitution; the examination of the principle of democracy and the founding values of the Union, the constitutional principles and European citizenship will follow; the system of competences, the principle of attribution, subsidiarity and proportionality.
Subsequently, the institutional framework will be examined in detail, with specific reference to the evolution of skills and the composition of the institutions; the system of sources and acts of the European Union and their effectiveness, the legislative function and that of control; the judicial, contentious and non-contentious function. Hints will also be given to the external action of the Union, to the common foreign and security policy and to the commercial relations of the Union.
Finally, the relationship between the European Union and the Italian legal system will be examined, with particular attention to the evolution of the law for the implementation of EU obligations and relations with the regions.

Programme for attending students

Students who have actively participated and in the presence of 90% of the teaching activity are considered to be attending.
In principle, the program for attending students is the same as described above for non-attending students. Moreover, ample space will be given during the lessons to illustrate the judgments of the EU Court of Justice.
It is therefore possible that, depending on the workload carried out and the response received by the students to these requests, changes may be made to the program thus indicated to balance the greater work on the requirements of attending students. The relative indications vary from year to year and are therefore provided during the lessons.

Prerequisites

Teaching methods

The teaching method is mainly based on lectures in the classroom.
During the lessons, the analysis of practical cases, in particular resolved by the Court of Justice of the EU, will be added to the theoretical and framework discussion. This teaching method is used due to the centrality of EU jurisprudence in the development and definition of the peculiar characteristics, general principles and substantive discipline of the EU legal system.

Assessment methods

Type of exam for all students

In line with the indications of the Department, the exams consist of a written test with
open-ended questions and a final exam in the form of an interview.
(1) The ongoing written test consists of a written exercise with open questions (equivalent to very short essays) on the part of the course held up to that point.

The written test will be held in the second week of December after the suspension of classes (13th december) and can only be taken by attending students. In case of passing this exemption test, the final interview will be based only on the program carried out in class after the written test and until the end of the course.

(2) The final exam consists of an interview on the topics covered in class.
Non-attending students and those attending who have not completed or passed the written test will be able to take the final exam on the complete program of the course.

During the final evaluation, any optional activities carried out by the student will be taken into consideration. The activities in question could be a) case analysis dealt with in class and b) competitive seminar (project work) on an original topic of relevant interest.

Textbooks and Reading Materials

To prepare for the exam, we recommend one of the texts listed below (alternatively between them).

- R. ADAM, A. TIZZANO, Lineamenti di Diritto dell'Unione europea, V edition, Giappichelli, Turin, 2022 (37 euros)

Or

- F. BESTAGNO, Elementi di diritto dell'Unione europea, Giuffré editore, Milano, 2018 .(34 euro)

Or

- U. VILLANI, Istituzioni di Diritto dell'Unione europea, VI edizione, Cacucci, Bari, 2020. (40 euro)
  Inoltre, si raccomanda la consultazione delle norme del Trattato sull'Unione europea e del Trattato sul funzionamento dell'Unione europea su uno dei molteplici 'codici' o raccolte in commercio.
  La versione consolidata del Trattato è altresì reperibile online al seguente indirizzo https://eur-lex.europa.eu/collection/eu-law/treaties/treaties-force.html?locale=it

On the e-learning page of the course there is a lot of summary and / or in-depth material. Although all the material is optional, its consultation is useful for orienting oneself in the complexity of the subject.
Regular viewing and consultation are recommended.

In addition, please note that passing the European Union law course is a prerequisite for attending a newly activated course, or legal clinic of "European Union law and protection of personal data".

Sustainable Development Goals

PEACE, JUSTICE AND STRONG INSTITUTIONS | PARTNERSHIPS FOR THE GOALS