UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Eu Law - 2

2425-3-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, with a specific attention to the transition towards a sustainable and inclusive economy and towards the challenges resulting from technological innovation and digitalization.

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 internal market and the fundamental freedoms: i) the free movement of goods and the customs union;

6. (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.

7. European Area of freedom, security and justice.

8. Sustainability in the European Union

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

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

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

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

Prerequisites

Institutions of Public Law and Institutions of Private Law.

Teaching methods

Frontal teaching (DE): frontal lesson/seminar. Some topical issues may be discussed in seminars held by experts in the sector.

Interactive teaching (DI): Group project: students are offered the opportunity to carry out and present group work aimed at deepening topics covered in class with the support of a dedicated tutor in order to promote the use of soft skills exposition, synthesis, to coordinate with other classmates) and to develop research capacity.

Self-learning methods: during the lessons, tools that allow the student to continuously update the knowledge learned will be presented (course on legal research held by the university library, digital platforms, podcasts, specialized journals, European institutional pages).

Assessment methods

The course ends with an oral examination consisting in questions regarding the arguments examined during the lessons and is ultimately aimed to assess the students' knowledge of the program and their capacity for autonomous reflection with respect to the topic covered.

On a voluntary basis, students will be able to carry out a final written exam based on open questions.
Group project: The objective is to value the capacity of analysis and presentation. This exercise will allow the student to add from 0-2 points to their final vote.

Textbooks and Reading Materials

Roberto Adam, Antonio Tizzano, Lineamenti di diritto dell'Unione europea, Quinta edizione. Giappichelli, Torino, 2022.

Semester

Second semester

Teaching language

Italian

Sustainable Development Goals

GOOD HEALTH AND WELL-BEING | DECENT WORK AND ECONOMIC GROWTH | INDUSTRY, INNOVATION AND INFRASTRUCTURE | RESPONSIBLE CONSUMPTION AND PRODUCTION | CLIMATE ACTION | PEACE, JUSTICE AND STRONG INSTITUTIONS