UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Eu Law

2425-3-E1401A080

Learning objectives

The course aims to provide a basic knowledge of EU Law. As EU Law is an important section of national law, therefore, knowledge of EU Law is essential for the background of any well-grounded legal professional.
Specifically, upon completion of the course, you will be able to:

A) Expertise and comprehension skills
Understand the basic principles governing the EU system;
Understand whether a certain given situation falls within the scope of EU law or instead within the scope of national law;
Identify which EU institutions or actors are competent to adopt EU decisions (rectius: acts).

B) Applied knowledge and comprehension skills
Be able to address a conflict between EU law and national law.
Use the correct legal terminology specific to the EU system
Be familiar with the legal rationale behind the main EU rules/principles.
Find in the treaties, EU secondary legislation and/or EU case law analyzed during the course the legal rules governing a certain concrete legal situation
Understand the importance of EU case law and its use.

C) Autonomy in understanding EU Law issues
Gain autonomy of judgment regarding the importance of EU law, in order to be able to distinguish the reliability of EU-related information in the media and media, as well as correctly apply EU law in the work environment.

D) Communication Skills
Understand how to communicate to public and private parties and individuals who draft or apply administrative or judicial measures the legal problems and key regulatory elements involved.

E) Learning skills
Understand how to find the relevant texts of rules and to independently interpret any juridical norm.

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 fundamntal 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 extern relations of EU; .Free movements of people; 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. They are mandatory also for non attending students.

Detailed program

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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 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

Prerequisites

Students must have full knowledge of International Law.

Teaching methods

All lectures are conducted in face-to-face mode (lecture).

In particular:

- 27 lectures (2 hours) delivered in face-to-face mode
- 4 lectures (2 hours) delivered remotely
- 1 lecture concluding the course of 1 hour delivered in interactive mode (questions/answers in view of the exam) delivered remotely (synchronous). The lesson will be held in the late afternoon or on Saturday mornings in order to allow the participation of working students.

The course, although delivered in lecture mode, 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 Teaty, 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!

Assessment methods

In-person oral examination. The oral test consists of an interview on the topics developed in the examination manuals + on documents (e.g. acts, EU judgments) published on the elearning platform (which are also mentioned in the textbooks and are the subject of the lectures).
The examination is intended to test the ability to understand and expound in a clear and personal manner all the fundamental topics and aspects of EU Law.
The criteria for assessing the skills indicated are based on knowledge and understanding of the fundamental content of the discipline; the ability to organize the response; the legal terminology used; and the use of legal sources.

Textbooks and Reading Materials

9 CFU

Luigi DANIELE, Diritto dell'Unione Europea. Sistema istituzionale. Ordinamento. Tutela giurisdizionale. Competenze,* Milano, Giuffré, 8 ed., 2022,

and

Luigi DANIELE, Diritto del mercato unico europeo e dello spazio di libertà, sicurezza e giustizia*, Giuffré, 6 ed., 2023 solo pp. 1-51; 257-262; 278-316.

or

Roberto Mastroianni e Girolamo Strozzi, *Diritto dell'Unione Europea. Parte istituzionale*, Giappichelli, settembre 2023,

e

Luigi DANIELE, Diritto del mercato unico europeo e dello spazio di libertà, sicurezza e giustizia*, Giuffré, 6 ed., 2023 solo pp. 1-51; 257-262; 278-316.

6 CFU:

Luigi DANIELE, Diritto dell'Unione Europea. Sistema istituzionale. Ordinamento. Tutela giurisdizionale. Competenze,* Milano, Giuffré, 8 ed., 2022,

or

Roberto Mastroianni e Girolamo Strozzi, *Diritto dell'Unione Europea. Parte istituzionale*, Giappichelli, settembre 2023.

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:

Sustainable Development Goals

PEACE, JUSTICE AND STRONG INSTITUTIONS