UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Eu Law - A-L

2526-3-A5810130-AL

Learning objectives

The course aims to achieve the following objectives:

- Provide students with a complete and updated framework of **knowledge** of the EU legal system, as well as the ability to understand the EU integration process, the norms and principles that govern the relationship between EU law and domestic law, in particular Italian law.

2. • Develop students' ability to **critically rework** legal principles and norms. To this end, students will be invited to apply the legal concepts learned to concrete cases, through the study of EU legal sources, and particularly the case law of the Court of Justice.
3. • Develop students' **autonomy of judgment** through the development of legally sustainable arguments with reference to the topics covered in the course.
4. • Enable students to master specific legal terminology. Students must demonstrate the **ability to express knowledge** and communicate with correctness, coherence, and proper language usage.
5. • Develop student' **autonomous learning capacity** to integrate their knowledge.

Contents

The Course aims to provide the students with the institutional and legal structure of the European Union, as resulting after the entry into force on the 1st of December 2009 of the Lisbon Treaty. EU evolution is explained trough frequent and full reference to the European Court of Justice and the EU Tribunal, as also to legal rules in force under the previous treaties. The reasons for this is to show the fundamental contribution of the CJEU in outlining the European Union competences and providing for a clear guidance for the general characters and principles of the European Union Law.

Special attention will be paid to facts and events developing at the time of giving lectures

Detailed program

The Course will deal with the following issues.

- Historical development of the European Union from its origin to the Lisbon Treaty;
- institutional frame of the EU and constitutional principles: EU citizenship and the protection of fundamental rights, the principles of attributed competences and of subsidiarity.
- Hints will then be given to the European Security and Defence Policy and to the External Action, included the general treaty powers competences.
- Further the EU institutional frame will be dealt into deep, including the composition and powers of EC institutions,
- the law-making process and the so called democratic deficit; primary and secondary law; principles of direct applicability and direct effects.
- Special attention will be awarded to the jurisdictional remedies. The field is approached from the composition and functioning of the Court of Justice of the European Union; it then moves to the rich relation between CJEU and national courts, including State liability under Francovich, and further deepens CJEU jurisdiction: direct action for annulment, for infringement of EU law, for failure to act; preliminary rulings procedure.
- Last topic on the course will be the relations between national legal system and EU system, where special references will be given to the different approaches underlying national and European supreme Courts.

Prerequisites

Given the foundation and international nature of European integration, it is strongly advisable to have already taken the exam of International Law
Please note that European Union law exams is preparatory to attending the "European Union law and protection of personal data" legal clinic

Teaching methods

The teaching method is based on a combination of **delivery and interactive teaching methods.**
During the lessons, the analysis of practical cases resolved by the Court of Justice of the EU will complete the theoretical and framework discussion. All students, attending and non-attending, are invited to consult the material offered on the e-learning platform on the site, to download and carry out the activities requested from time to time.
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 community legal system and is functional to the pursuit of the training objectives indicated above.The teaching method is mainly based on lectures in the classroom.

Lessons will thus be structured as follows:

- 15 2-hour lessons held in presence mode;
- 15 2-hour lessons carried out in delivery mode in the initial part, and interactively in the subsequent part. The first part is aimed at providing students with tools and knowledge needed to carry out targeted exercises.
- 2 lessons of 2 hours carried out only in interactive mode (through supervised group exercises).
- 4 lessons of 2 hours in remote synchronous mode, which will take place in the evening so as to also allow

working students to participate.

Assessment methods

All students will have an **oral assessment** consists of an interview on the topics covered in class and on the program indicated in the textbook.
The interview aims to test knowledge of the fundamental and defining concepts of the legal system, the ability to reflect independently, terminological accuracy, and the student's ability to present their ideas independently.
These capacities will be evaluated as insufficient (less than 18), sufficient (19-21), good (22-25), very good (26-28), or exceptional (29-30L).

Written exercises, open to all students, will be prposed during the lessons to test the understanding of the concepts and principles covered in class. Successful completion of these tests, as well as other activities proposed during the lessons, will be valued with up to 2 additional points towards the final grade.

There are no midterm exams.

Textbooks and Reading Materials

It is advised to prepare the final exam on the following textbook

G. STROZZI, R. MASTROIANNI, Diritto dell'Unione europea, parte istituzionale, IX, 2023, Torino.

Knowledge of the relevant Treaty provisions is required accordingly. The consolidated version of the Treaties currently in force is available at https://eur-lex.europa.eu/collection/eu-law/treaties/treaties-force.html
The course's e-learning page offers a wealth of summary and/or in-depth material. Although all material is optional, consulting it is helpful for navigating the complexity of the subject matter.
It is highly recommended viewing and consulting it regularly.

Self-assessment tests, which will be opened as thematic chapters are completed, allow students to test their preparation.

Sustainable Development Goals

QUALITY EDUCATION | PEACE, JUSTICE AND STRONG INSTITUTIONS | PARTNERSHIPS FOR THE GOALS