UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Diritto dell'Unione Europea

2526-3-E1401A080

Learning objectives

The course provides the students with the following skills:

Knowledge of the development and functioning of the EU main institutions as well as of its legal procedures. **Understanding** of the mechanisms underlying its functioning and the reasons governing its action.

Ability to apply, within a company, a consultancy firm or a law firm, the law of the European Union for assessing the actions to be taken (e.g. how to apply for EU funding, understanding if and when to resort to the support of an external lawyer to look into a complex matter, understanding the basic elements of the law of the internal market). This knowledge, then, should the student wish, instead of proceeding directly to the labour market, can be further deepened in a specifically dedicated second-level master's degree.

Autonomy in understanding the complexity of the legal system resulting from the interaction between national and Union law.

Ability to **distinguish** between different EU institutions and decision-making processes, as well as to understand the role and the importance of the judicial system of the EU and of the basic tenets of the EU internal market.

Ability to **communicate** the complexity of Union law in a simple and immediate manner and to know how to modulate the message according to the audience.

Use the knowledge acquired to gain access to highly qualified professions and to the opportunities that the European Union reserves for those interested in an international career.

Contents

The study unit delves into the role of the EU in developing from an international organisation into a "sui generis" legal order, with very special and autonomous carachteristics. The unit will also delve into the role of the EU as a strategic economic and political actor at regional as well as global level.

Detailed program

The course is divided into **four** main parts, which aim to guide the student from the general of the integration process to the particular of the internal market. The number of hours for each part is indicative and may vary according to needs.

Part I: *The European Union Integration Process* (12 hours)

In this part, the project of the Union and its evolution from an international organisation devoted to economic integration to a sui generis legal order, which is partly similar to a federal state, and partly to an international organisations, will be discussed.

Part II: *The Union legal order - competences, procedures, sources* (approx. 24 hours)

This part will deal with the institutions of the Union (Commission, Council, European Council, Parliament, Court of Justice, European Central Bank), the characteristics of the Union's legal system (primacy and direct effect), the competences of the Union, and the sources of Union law (regulations, directives, decisions).

Part III: *The Union's Court System* (approximately 14 hours)

In this part we will address the fundamental role of the Court of Justice of the European Union and the instruments it has at its disposal. In particular, direct actions (in particular annulment and failure to fulfil obligations) and indirect actions (preliminary rulings). We will then also mention the possibility of claiming, before national courts, compensation for breach of Union law by State institutions (so-called *Francovich* case law)

Part IV: *The European Union's Internal Market and Technological Innovations* (13 hours)

In this part we will cover the basics of the internal market and introduce the four fundamental freedoms, and then briefly focus on the digital single market and on economic and monetary union.

Prerequisites

It is extremely important to be intellectually curious as well as to be interested into the international dimension of the law.

Teaching methods

The teaching will mostly take place in frontal lectures, with certain parts that will be more interactive than others. The teacher will, at his own discretion, organise group works as well as project works.

Out of 63 hours of teaching, 55 hours will be delivered in presence and the other 8, and in any case up to a maximum of 2 CFU of lectures, will be delivered remotely.

Assessment methods

A written *interim test*, consisting of open-ended questions, will be organised on a date to be indicated by the teacher at the end of the lectures, or at an advanced stage (early November). The interim test will assess the ability to discuss with clarity and originality, as well as the knowledge of the subject, in writing. The ability to discuss in writing and the knowledge of the subject matter may be insufficient (less than 18), sufficient (19-20), good (21-25), excellent (26-28) or outstanding (29-30L).

The exam is oral, and takes place on the dates of the *appelli* in two ways:

*For those who **have** taken** the written interim test: short oral interview.* The interview will take into account the candidates' subject knowledge and expository and argumentative ability on the lecture programme not covered by the written interim test. This expository and argumentative ability will be insufficient (less than 18), sufficient (19-20), good (21-25), excellent (26-28) or outstanding (29-30L).

*For those who **did not take** the written interim test: in-depth oral interview. The interview, which will consist of two or three questions, will take into account the candidates' knowledge of the subject and their expository and argumentative skills on the whole syllabus and on the texts indicated in the appropriate section of the syllabus. This knowledge and expository/argumentative ability will be insufficient (less than 18), sufficient (19-20), good (21-25), excellent (26-28) or outstanding (29-30L).

Textbooks and Reading Materials

The main reference are always the notes taken during the lectures as well as any other document recommended by the teacher.

The following book covers all of the four parts:

S. Cafaro, E. Chiti, B. Cortese (eds.), *Il diritto dell'Unione europea*, Il Mulino, 2025.

As an **alternative**, *one* of the two textbooks for the first three parts is:

1. R. Baratta, *Il sistema istituzionale dell'Unione europea*, Wolters Kluwer, 2024.
2. L. Daniele, *Diritto dell'Unione Europea. Sistema istituzionale. Ordinamento. Tutela giurisdizionale. Competenze,* Milano, Giuffré, Latest edition available.

And the following textbook for the fourth part:

L. Daniele, *Diritto del Mercato unico europeo e dello Spazio di libertà, sicurezza e giustizia*, Giuffrè, 2025 (Chapters I - II - III only).

More indications on the chapters covered in the textbooks will be given during the semester.

Sustainable Development Goals

PEACE, JUSTICE AND STRONG INSTITUTIONS