

<b>Name of the course</b>	<b><u>European Union Law</u></b>
<b>Lecturer(s)</b>	<b>Marie-Pierre Granger</b> (School of Public Policy)
<b>CEU credits numbers ECTS credits numbers</b>	4 CEU credits
<b>Semester or Module</b>	Fall Term 2016 – INTR course, cross-listed to SPP. Classes on Mondays 9.00-10.40 and Tuesdays 9.00-10.40, Room FT309 Consultation hours Tuesdays 11.00-12.00 and 13.00-14.00 (other time possible on an appointment basis)
<b>Pre-requisites or co-requisites</b>	This course does not require prior knowledge of law or the European Union; however, students enrolling on the course should be ready to engage with legal materials and reasoning.  This course is part of the European Studies track of the MA in IR and the European Public Policy specialization of the MA in Public Policy (SPP).
<b>Course level</b>	Master's level.
<b>Course description</b>	<p>What is the European Union without law? EU governance and European integration rely for a large part on law and judicial institutions. For this reason, it is important for anyone studying the EU to acquire a basic understanding of the legal framework of the EU, and get familiar with the operation and activities of its judicial institutions. The course, aimed at non-lawyers, adopts a law-in-context and critical approach to EU legal matters. It relies on relevant academic literature and requires active student participation and preparation, combining different teaching and learning methods, such as the Socratic 'case method', practical cases exercise, case studies, debates, etc</p> <p>The course covers essential institutional and substantive aspects of EU law. We start with a critical overview of the European Union's legal history, institutional framework and law-making processes, including accession and exit. We then familiarize ourselves with EU legal methods (i.e. legal reasoning, case reading/briefing, practical case exercise). We identify the various sources of EU law and their interactions, and analyses the fundamental principles governing the relationships between national and EU legal orders (i.e. supremacy, direct and indirect effects, constitutional pluralism). We critically examine the judicial modes of development and enforcement of EU law involving both EU and national level institutions, before exploring in more depth selected aspects of substantive EU law, such as the internal market (i.e. free movement of goods, services, and workers); EU citizenship; EU external action; EU asylum law; EU criminal law; Economic and Monetary Union; non-discrimination; and other areas depending on student interests. We end with a critical appraisal of the challenges ahead for law and courts in European integration and governance.</p>
<b>Goals</b>	The course aims at providing the students with a basic understanding of essential legal aspects of European integration and governance. It also seeks to provide the students with basic legal skills, as applicable to the European Union context.

<b>Learning outcomes (LO)</b>	Content literacy	At the end of the course, students should: <ul style="list-style-type: none"> <li>- have a basic knowledge of EU legal history;</li> <li>- be familiar with the main EU institutions;</li> <li>- have a basic understanding of the main decision- and law-making processes in the EU;</li> <li>- identify the main EU legal instruments and norms, and their relationship to one another as well as to domestic law;</li> <li>- demonstrate a basic knowledge of the types of judicial remedies available before EU courts;</li> <li>- be able to assess critically the main political sciences' approaches to legal integration in Europe;</li> <li>- be familiar with core aspects of EU substantive law, as well as selected areas.</li> </ul>
	Subject specific skills	<ul style="list-style-type: none"> <li>- locate and analyze EU legal sources;</li> <li>- understand the basic elements of EU legal reasoning (including methods of interpretation and 'jurisprudence constante' approach);</li> <li>- solve legal disputes involving basic EU law.</li> </ul>
	Cognitive	At the end of the course, students should: <ul style="list-style-type: none"> <li>- identify, synthesize, analyze and evaluate primary and secondary sources;</li> <li>- be able to reason analytically and logically within the discipline;</li> <li>- to be able to write in analytically and critically;</li> </ul>
	Key academic transferable skills	<ul style="list-style-type: none"> <li>- be capable of effective oral communication;</li> <li>- be able to communicate effectively in writing to both a scientific and non-scientific audience.</li> </ul>
	Interdisciplinary skills	At the end of the course, students should: <ul style="list-style-type: none"> <li>- know how to approach a question from different perspectives;</li> <li>- be familiar with basic legal methodologies;</li> <li>- understand the policy implications of legal institutions and the constraints imposed on policy processes and outcomes by law.</li> </ul>
<b>Teaching methods</b>	Interactive lectures; Student-led seminars; Practical case sessions.	
<b>Course requirements</b>	Students must attend all sessions. Missing more than 2 classes without justification may result in failing the course. Students must do the required reading prior to each class and participate actively in class discussions and activities. All students are required to make a 10-15 minute class presentation on a chosen case (based on a written brief submitted in advance), submit a mid-term position paper and complete the take-home exam (practical case)	
<b>Assessment</b>	10% participation, 20% case brief + presentation, 30% mid-term paper (1000-1200 words), 40% take-home final exam (practical case)  <i>Participation</i> will be assessed on the basis of the quality and relevance of seminar interventions and contributions to class discussion.  <i>Presentation:</i> All students must make one 10-15 minutes presentation, on a recent case of their choice, which relates to the topic of the class. They should present the case along the 'case brief' format (see below) followed by an open-discussion on the relevance and implications of the case. Students should	

	<p>notify their choice of case at least one week in advance to the instructor, and send the written brief to the instructor 24h before the presentation. Students will receive individual feedback on the brief and presentation (assessment: 10 points for the written brief, 10 points for the presentation).</p> <p><i>Mid-term position paper:</i> It is intended to develop and assess the students' ability to analyze critically social sciences literature (political sciences, sociology, economics...) analyzing legal developments in the EU. Students will have to assess the positions taken by two different authors on one aspects of legal integration in Europe. Students will obtain individual feedback on this paper. For guidance on how to write a position paper, see: <a href="http://www.ceu.hu/sites/default/files/field_attachment/page/node-1804/position.pdf">http://www.ceu.hu/sites/default/files/field_attachment/page/node-1804/position.pdf</a>. Submission date: 6 November 2016.</p> <p>Instructions for the position paper; students should select and read <u>only two</u> of the articles/chapters listed in the session Theories of European legal integration. They should write a 'position paper' comparing, contrasting and critically assessing the position of the authors on the dynamics and or impact of legal integration in the EU. They should come up with an explicit stance on the strengths and weaknesses of each of the authors' claims. The word limit (1000-1200 words) includes footnotes but not the list of references/bibliography.</p> <p><i>Final exam:</i> Students are required to take a final take-home exam, consisting of a problem question/practical case. It aims at testing the students' ability to spot the legal (substantive and procedural) issues at stake in a practical situation, and address them in a legal manner, identifying relevant procedural and legal frameworks and using legal reasoning. Students will practice with such problem-questions throughout the term, in preparation for the exam. The final exam will be based on the course's practical case – the students will thus be familiar with the institutional and substantive context of the case. They should use this knowledge to develop and present a clear and well-supported legal position to address legal problems suggested by the case outline.</p> <p>The paper and exam should be typed (word-processed), and properly referenced, with a standard form of citation used consistently. It must also include a bibliography of all works referred to in the paper. All written contributions need to be original, i.e. produced exclusively by the student who submits the work. References to all other sources must be clearly indicated following accepted academic standards. Any text reproduction which is not clearly identified will have to be considered as plagiarism and, consequently, the submitted work will be given 0%. For further information, please do not hesitate to consult with the instructor. Students are also encourage to consult with, and submit their drafts, to academic writing instructors at the Center for Academic Writing. Late submission without a valid excuse will be sanctioned by downgrading .</p>
<p><b>Contact details of course lecturer</b></p>	<p>Marie-Pierre Granger  <a href="mailto:grangerm@ceu.edu">grangerm@ceu.edu</a>  Tel: (1) 328-3434  School of Public Policy  Oktober 6 utca 7. 11, 2<sup>nd</sup> floor, Office 231 (2<sup>nd</sup> floor)  Skype: mariepgranger  Office hours: TBC</p>

### SYLLABUS

Please register on the course on the CEU E-learning interface, at <http://e-learning.ceu.hu> (available under IRES Course offerings) for updated information on classes, assignments uploads and access to online resources.

**Important notes**

This course normally refers to the new numbering post-Lisbon Treaty, unless otherwise specified.

Some of the reading or consultation materials provided for that course may change, due to fast-moving developments in certain areas of EU law and the forthcoming availability of up-to-date documents.

For reference, the course relies on the latest consolidated version of the EU Treaty, available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012M/TXT> and of the TFEU available at <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012E/TXT>.

### Detailed week-by-week / topic-by-topic content

Week	<b>European Union Law: the law of European (dis)integration</b>
1	<p>1- INTERACTIVE LECTURE (Mon 19 Sept 2016)  <b>History of European integration: following Treaty changes (from Paris (1951) to Lisbon (2009) and beyond...)</b></p> <p>In this interactive lecture, we will review briefly the legal framework(s) of European integration, with a focus on the evolution of the founding Treaties, and the basic institutional and substantive changes they introduced.</p> <p>To prepare for the class:</p> <ul style="list-style-type: none"> <li>- Read D. Chalmers, G. Davies and G. Monti <i>European Union Law</i> (3<sup>rd</sup> ed., Cambridge University Press, 2014) Ch.1 ‘European Integration and the Treaty on the European Union’ 1-56</li> <li>- Check the brief history of the EU at: <a href="https://europa.eu/european-union/about-eu/history_en">https://europa.eu/european-union/about-eu/history_en</a></li> </ul> <p>Questions:</p> <p>What are, in your view, the three most defining ‘moments’ of European integration? Do they coincide with Treaty changes?</p> <p>What are we formally talking about when we talk about the Lisbon Treaty? What were the main changes introduced by the Lisbon Treaty? What kind of impact did it have on European integration? Did we witness other Treaty changes since Lisbon? Are we likely to see further Treaty changes in the next couple of years?</p> <p>Do the treaty form the constitutional backbone of the EU? Are they the only ‘constitutional’ basis for the EU?</p>
1	<p>2- INTERACTIVE LECTURE (Tues 20 Sept 2016)  <b>The EU institutional framework: permanent rebalancing?</b></p> <p>In this interactive lecture, we will review briefly the institutional set-up of the EU, focusing on the three main ‘political’ institutions: the Parliament, the Council, and the Commission. We will examine the impact of the 2014 European elections, assess the growing role of the European Council and other intergovernmental organs, and evaluate Lisbon’s ‘novelties’, such as the President of the Council and the High Representative for Foreign Affairs and Security Policy. We will explore the core EU concept of institutional balance and its implications for policy-making in the EU (including legitimacy).</p> <p>To prepare for the class:</p> <ul style="list-style-type: none"> <li>- Read Ch. 2 ‘The EU institutions’ in D. Chalmers, G. Davies and G. Monti <i>European Union Law</i> (3<sup>rd</sup> ed., Cambridge University Press, 2014) 67-105</li> <li>- Flick through the official EU booklet ‘How the European Union Works – Your guide to the EU institutions’ (2014) in ‘The European Union Explained’ series, in particular from p.3 to 23.</li> </ul> <p>Questions:</p> <p>What is the current ‘balance’ in the EU institutional framework? How as it changed from the original scheme? Which institutions have most ‘won’ with successive formal and</p>

	<p>informal change? Whose interests are currently best represented? Is it appropriate? What is the part played by national bodies in the EU institutional scheme? What does it say about the nature of the EU political regime? What are the implications of this institutional set-up for the legitimacy of Union's action? How different were the 2014 EP elections from previous elections?</p>
2	<p>3 - INTERACTIVE LECTURE (Mon 26 Sept 2016)</p> <p><b>Joining and leaving the EU</b></p> <p>In this class, we will examine the legal framework for accession to, and withdrawal from the EU. We will focus particularly on the on-going 'Brexit' discussions and interpretations of Article 50 TEU, but will also examine recent and ongoing accession processes.</p> <p>To prepare for the class, read:</p> <ul style="list-style-type: none"> <li>- Articles 49 and 50 TEU</li> <li>- C.Hillion, 'Accession and Withdrawal in the law of the European Union' in A. Arnall and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 126-152</li> </ul> <p>Questions</p> <p>What are the conditions for joining the EU? Are they applied consistently? To what extent does Article 50 TEU shape or constrain Brexit negotiations? Will Brexit 'set a precedent'?</p>
2	<p>4- INTERACTIVE LECTURE (Tues 27 Sept 2016)</p> <p><b>Law-making in the EU: a complex framework</b></p> <p>In this interactive lecture, we will review 'sources' of EU law, and explore their articulations. We will also explore the main political law-making processes, that is Treaty reform, legislative and regulatory procedures, and the core principles which frame law-making in the EU (competence, subsidiarity, proportionality, participation, and transparency).</p> <p>Preparation</p> <p><i>Reading</i></p> <ul style="list-style-type: none"> <li>- K. Bradley, Ch.5: 'Legislating in the European Union' in C. Barnard and S. Peers (eds), <i>European Union Law</i> (Oxford University Press, 2014), 97-139 (except p. 104 to 115)</li> </ul> <p>Optional/further reading</p> <p>For critical perspectives on the democratic quality of the EU legislative process, check D. Chalmers, 'The democratic ambiguity of EU law-making and its limits' in A. Arnall and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 303-326 and/or watch the lecture by Simon Hix on 'The State of European Democracy After Lisbon', delivered on 31 May 2010, available on Youtube, <a href="http://www.youtube.com/watch?v=6qu6SogtOa0&amp;feature=player_embedded#!">http://www.youtube.com/watch?v=6qu6SogtOa0&amp;feature=player_embedded#!</a></p> <p>On comitology, you may want to read A. Türk, 'Comitology' in A. Arnall and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015) 329-350</p> <p>Questions:</p> <p>What is EU law? What are the sources of EU law? What kind of instruments/measures can the EU adopt? Are all EU sources of law written ones? Is there an EU pyramid of law, in the Kelsenian sense? What is the relationship between hard and soft law in the EU? How does the Lisbon Treaty change the typology and nature of EU legal instruments? What is comitology?</p> <p>Do EU law-making procedures live up to the Treaty 'ideals'? Does the EU really suffer from a democratic deficit? Why? How can we fix it?</p> <p><b>Practical task:</b></p>

	<p>Think of a legal measure which, in your view, the EU should adopt to address a particular policy problem. The student's proposals will be examined in class and one will be chosen as the 'course' case.</p>
3	<p>5- INTERACTIVE LECTURE (Mon 3 Oct 2016)</p> <p><b>EU Competence: to act or not to act...?</b></p> <p>In this seminar, we will discuss the scope and nature of EU competences, and its relevance in law and policy-making processes at national and EU level.</p> <ul style="list-style-type: none"> <li>- R. Schutze, 'EU competences – Existence and Exercise' in A. Arnulf and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 75-102</li> </ul> <p>Questions</p> <p>What is a 'legal basis'? How does it affect law-making and competences in the EU? How does it affect institutional balance and powers?</p> <p><b>Practical task</b></p> <p>Does the EU have competence to adopt our suggested measure? Which Treaty provisions could offer a suitable legal basis for our measure? Could this legal basis be contested? Is there any prohibition in the treaty to adopt this kind of measure? Could the adoption of the measure be prevented on competence grounds?</p>
3	<p>6 - INTERACTIVE LECTURE (Tues 4 Oct 2016)</p> <p><b>The EU courts and the making of EU law</b></p> <p>In this interactive lecture, we will 'peep' inside the Court of Justice of the European Union, focusing on its two main bodies, the (European) Court of Justice and the General Court. We will find out more about their composition, internal decision-making procedures, practices, modes of reasoning, formal and informal norms and practices, in order to better understand their role in European integration and legal dynamics.</p> <p>Preparation for the class</p> <p>Read:</p> <ul style="list-style-type: none"> <li>- M. Bobek, Ch. 7 'The Court of Justice of the European Union' in A. Arnulf and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 153-178</li> <li>- J. Komarek, 'Legal reasoning in EU law' in A. Arnulf and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 28-51</li> </ul> <p>Questions:</p> <p>How is the law 'fabricated' in the European Court of Justice? (methods of interpretation, precedent, etc). Who are the participants in proceedings before the Court and what role do they play? What are the 'rules of the game' and who sets them?</p> <p><b>Practical task</b></p> <p>Is the measure we propose likely to trigger litigation before the EU courts?</p>
4	<p>7 – SEMINAR (Mon 10 Oct 2016)</p> <p><b>Theories of European 'legal' integration</b></p> <p>How is EU law, and European legal integration approaches by scholars? Legal scholars have emphasized the constitutionalization of the EU legal order and sought to develop a suitable constitutional framework for the EU, whilst political scientists argue and disagree on the dynamics of legal integration, and the actual impact and desirability of judge-made law.</p> <p>To prepare for the class, read</p>

- A. Stone Sweet, 'The European Court of Justice and the judicialization of EU governance' *Living Reviews in European Governance*, 5: 2010, No 2  
<http://www.europeangovernance-livingreviews.org/Articles/lreg-2010-2/download/lreg-2010-2Color.pdf>

B. Davies and M. Rasmussen 'Towards a New History of European law' *Contemporary European History*, 21, 3 (2012), 305–318

Questions:

Who are those who write about EU law? What is the purpose of theorizing? Do legal and political sciences scholars have the same idea about what theorizing is about? What kind of questions do they ask? What type of answers do they provide? What does recent historical scholarship reveal about the making of EU law?

Further reading

Choose TWO of the texts below for the position paper (see assignment for the course)

- Burley, A, and W. Mattli (1993) 'Europe before the Court. A Political Theory of Legal Integration', *International Organization*, 47: p.41-76.
- Greer, Scott L.(2006) 'Uninvited Europeanization: neofunctionalism and the EU in health policy', *Journal of European Public Policy*, 13: 1, p.134 — 152
- Garrett, G. (1995), 'The Politics of Legal Integration in the European Union', *International Organization* 49: p.171-181.
- Alter, K. (1998), 'Who are the "masters of the treaty"?: European Governments and the European Court of Justice', *International Organization* 52/1: 121-147
- Mattli, W, and A. Slaughter (1998). 'Revisiting the European Court of Justice'. *International Organization* 52/1: p.177-209
- Pollack, M. (2003). *The engines of European Integration: Delegation, Agency and Agenda-setting in the EU*, Chapter 6 (extract) - 'Regulating Europe: The Commission, the Court and the Regulation of the European market' p. 323-324,
- Tallberg, J. (2000). 'The Anatomy of Autonomy: An institution account of variation in supranational influence' *Journal of Common Market Studies* 38: p.843-864
- Stone Sweet, A. and T. Brunnell (1998), 'Constructing a Supranational Constitution', *American Political Science Review* 92/1: p. 63-81.
- Carruba, C. J, M. Gabel and C. Hankla (2008), 'Judicial Behaviour under political constraints' *APSR* 102/4: p. 435-452.
- Cichowski, R. A (2004), 'Women's Rights, the European Court and Supranational Constitutionalism', *Law & Society Review*, 38/3, p489–512.
- Schmidt, S. (2013), 'Who cares about nationality? The path dependency of case law and the free movement of persons' in S. Schmidt and D.Kelemen (eds), *The power of the European Court of Justice* (Routledge, 2013)
- Vauchez, A (2010), 'The Transnational Politics of Judicialisation: Van Gend en Loos and the Making of the EU polity', *European Law Journal* 16/1: p.1-28.
- Alter, K (2009), *The European Court's Political Power: Selected Essays*. Cambridge: Cambridge University Press, ch. 4 'Jurist Advocacy Movements in Europe: The role of Europe-Law Associations in European integration' (1953-1975), p. 63-91
- Conant L., (2006). Individuals, Courts and the Development of European Social Rights. *Comparative Political Studies* 39/1: 76–100.
- Kelemen, R.D. (2006), 'Suing for Europe Adversarial Legalism and European Governance' *Comparative Political Studies* 39.1: 101-127.

	<p>Practical task: flick through and select two texts which you will use for your position paper (submission date 6 November 2016)</p>
4	<p>8- PRACTICE SESSION (Tues 11 Oct 2016)</p> <p><b>EU legal ‘research’ and method</b></p> <p>In this interactive lecture, we will learn to identify, find, access and try to make sense of rulings of the CJEU. We will also introduce two basic ‘legal techniques’, case briefing and practical case solving (also called ‘problem question’ or ‘hypo’), which the students will later apply in some of their assessed work.</p> <p>To prepare for the class:</p> <ul style="list-style-type: none"> <li>- Consult the guide: Case solving in EU Law, at <a href="http://home.lu.lv/~tschmit1/Downloads/Schmitz_Cases-EULaw_introduction.pdf">http://home.lu.lv/~tschmit1/Downloads/Schmitz_Cases-EULaw_introduction.pdf</a></li> <li>- Consult the following guidance on how to answer problem-style questions <a href="http://global.oup.com/uk/orc/law/contract/poole/books/001common/guidance/">http://global.oup.com/uk/orc/law/contract/poole/books/001common/guidance/</a></li> <li>- Try to find an article on an EU law topic using the Westlaw database, which can be accessed from the CEU Library (Journal Search)</li> <li>- Check the CURIA website and figure out how to search for a case (you may also download and use the CURIA app); for some guidance, see <a href="http://curia.europa.eu/jcms/jcms/P_106308/en/">http://curia.europa.eu/jcms/jcms/P_106308/en/</a></li> <li>- Read ‘How to write a case brief for law school: Excerpt reproduced from <i>Introduction to the Study of Law: Cases and Materials</i>, Third Edition (LexisNexis 2009) by Michael Makdisi &amp; John Makdisi, at <a href="http://www.lexisnexis.com/en-us/lawschool/pre-law/how-to-brief-a-case.page">http://www.lexisnexis.com/en-us/lawschool/pre-law/how-to-brief-a-case.page</a></li> <li>- Consult R. Schutze (2015) <i>European Union Law</i> (Cambridge University Press), Appendices ‘How to...’ p 921-935</li> <li>- Read case: C-263/14 <i>European Parliament v Council</i> ECLI:EU:C:2016:435 (Pirats of the Golf of Aden)</li> </ul> <p>Practical task: write a one-page brief on case C-263/14 <i>European Parliament v Council</i></p> <p>-</p>
5	<p>9 - CORE SEMINAR (Mon 17 Oct 2016)</p> <p><b>EU Fundamental Rights: do they matter?</b></p> <p>With the incorporation of the Charter of Fundamental Rights into the Lisbon Treaty, the EU has codified its already substantial judicial <i>acquis</i> in terms of the protection of fundamental rights, which the Court had developed through the technique of general principles. There are, however, controversies regarding the content and scope of the application of such rights, in particular to actions by member states, as well as the intensity of the Court’s control over the respect by EU institutions of the Charter. Moreover, the articulation of the ECHR, EU and national legal orders is a complex one.</p> <p>To prepare for the class</p> <ul style="list-style-type: none"> <li>• Consult the EU Charter on Fundamental Rights, at <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT">http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT</a></li> <li>• A. Williams, ‘Human Rights in the EU’ in A. Arnulf and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 249-270</li> </ul> <p>Further reading</p> <p>Von Bogdandy et al., ‘Reverse <i>Solange</i> – Protecting the Essence of Fundamental Rights against EU Member States’, 49 <i>CMLRev.</i>, 2012, 489. Read the short version, at</p>



	<p><a href="http://verfassungsblog.de/rescue-package-eu-fundamental-rights-illustrated-reference-media-freedom/">http://verfassungsblog.de/rescue-package-eu-fundamental-rights-illustrated-reference-media-freedom/</a></p> <ul style="list-style-type: none"> <li>• Communication ‘A New EU Framework for Strengthening the Rule of Law’ (2014), at <a href="http://ec.europa.eu/justice/effective-justice/files/com_2014_158_en.pdf">http://ec.europa.eu/justice/effective-justice/files/com_2014_158_en.pdf</a></li> <li>• Commission’s Rule of Law Recommendation to Poland (27 July 2016), <a href="http://europa.eu/rapid/press-release_IP-16-2643_en.htm">http://europa.eu/rapid/press-release_IP-16-2643_en.htm</a></li> </ul> <p>Questions:</p> <p>What is the status of general principles in EU law? Is the ECHR binding on the EU? To which situations do the Charter apply? What can the EU do to address serious human rights violations in member states? Is the existence and parallel and overlapping regimes of HR protection (EU, ECHR, national constitutions) problematic? .</p> <p><b>Practical task</b></p> <p>Does the EU instrument we got through the EU law-making process involve fundamental rights? Could its application in the member states undermine certain fundamental rights? What should be done? What are the risks of fundamental rights based challenge against it (or its implementation measures)?</p> <p><b>Cases for presentation</b></p> <ul style="list-style-type: none"> <li>• Opinion 2/13 <i>Accession</i> ECHR ECLI:EU:C:2014:245</li> <li>• Joined cases C-411/10 and C-493/10 <i>NS v Secretary of State for the Home Department</i> ECLI:EU:C:2011:865.</li> <li>• C-446-449/12 <i>Willems</i> [2015] ECLI:EU:C:2015:238</li> </ul>
5	<p>10 - CORE SEMINAR (Tues 18 Oct 2016)</p> <p><b>EU law v national law: the contested supremacy of EU law</b></p> <p>In this seminar and the followings, we will analyze how the ECJ, in a series of bold rulings, ‘constitutionalised’ what is now EU law. In this class, we will explore how the ECJ established the doctrine of the supremacy of EU law, and its implications for domestic authorities (courts, national legislative, executive and administrations, etc). However, the ECJ approach is only one side of the coin; in order to assess the real implications of supremacy, we also need to examine how national institutions, notably national courts, received and applied the doctrine and to what effect.</p> <p>To prepare for the class:</p> <ul style="list-style-type: none"> <li>- Find and read the seminal case, 6/64 <i>Flaminio Costa v ENEL</i> [1964] ECR 585 (can be found on EUR-LEX)</li> <li>- M. Claes, ‘The primacy of EU law in European and national law’ in A. Arnulf and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 178-211</li> </ul> <p>Optional: W. Phelan (2011): ‘Why do EU Member States accept the Supremacy of European law? Explaining Supremacy as an Alternative to Bilateral reciprocity’, <i>Journal of European Public Policy</i>, 18:5, 766-777</p> <p>Questions:</p> <p>To what extent should national constitutional courts’ decisions challenging supremacy be understood as a battle for ultimate sovereignty or dictated by concerns over fundamental values? What are the trends in ‘supremacy challenges’?</p> <p><b>Case for presentation</b></p> <ul style="list-style-type: none"> <li>• C-399/11, <i>Melloni</i> ECLI:EU:C:2013:107</li> </ul>
6	<p>11- CORE SEMINAR (Mon 24 Oct 2016)</p> <p><b>Enforcing EU law against member states at national level: EU rights and national remedies</b></p>

	<p>One of the characteristic features of EU law is that it can be invoked directly before national court, through the doctrine of direct effect. Moreover, the duty to interpret national law in conformity with EU law (indirect effect) and the requirement of effective judicial protection are meant to contribute to compliance with EU law by public and private actors alike. Some challenges nonetheless remain. In this class, we will review these doctrines and mechanisms and assess their impact on compliance with EU law.</p> <p>To prepare for the class, read</p> <ul style="list-style-type: none"> <li>• Dorota Leczkiewicz, ‘Effectiveness of EU law before national courts: direct effect, effective judicial protection and state liability’ in A. Arnall and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 212-248.</li> </ul> <p><b>Practical task</b></p> <p>One member state did not comply with the EU instrument we got through the EU political decision-making process. Could affected individuals of NGOs bring the matter before domestic courts? How? On which basis? What would be the chances of success?</p> <p><b>Case presentations</b></p> <ul style="list-style-type: none"> <li>• A recent case involving direct or indirect effects, national remedies, or state liability.</li> </ul>
6	<p>12 – CORE SEMINAR (Tues 25 Oct 2016)</p> <p><b>Enforcing EU law against member states at EU level - infringements proceedings and other EU mechanisms</b></p> <p>In this class, we will evaluate the Treaty’s centralized procedure to monitor member states’ compliance with EU law (infringement procedure). We will also look at non-judicial EU mechanisms which individuals can use if they feel that national authorities or private operators are not respecting their EU rights (eg SOLVIT, Europe Direct, Your Europe, EP petitions, complaints to the Commission, etc.)</p> <p>To prepare for the class, read</p> <ul style="list-style-type: none"> <li>• M. Smith, The evolution of infringement and sanction procedures – of pilots, diversions, collisions and circling’ in A. Arnall and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 212-248.</li> <li>• Article 258-260 TFEU</li> </ul> <p>Check the Commission’s website on complaints: <a href="http://ec.europa.eu/atwork/applying-eu-law/complaints_en.htm">http://ec.europa.eu/atwork/applying-eu-law/complaints_en.htm</a></p> <p>Check the online complaint form on the Commission: <a href="http://ec.europa.eu/atwork/applying-eu-law/complaint_form_en.htm">http://ec.europa.eu/atwork/applying-eu-law/complaint_form_en.htm</a></p> <p>Further reading:</p> <ul style="list-style-type: none"> <li>• S. Peers (2012) ‘Sanctions for infringements of EU law after the Treaty of Lisbon’, <i>European Public Law</i>, 18:1, 33.</li> </ul> <p>Questions:</p> <p>Is the infringement procedure an effective mechanism to secure member states’ compliance with EU law? Why is the preliminary reference procedure so fundamental for European integration and compliance? What kind of relationship does it establish between national courts and the ECJ? What is the part played by individuals and lawyers in the operation of the procedure?</p> <p><b>Practical task:</b></p>

	<p>One member state did not comply with the EU instrument we got through the EU political decision-making process. What are the chances of improving compliance through triggering an enforcement action?</p> <p>If you are from an EU country, identify a recent infringement procedure against your country, and how/whether the problem was resolved. If you are not from an EU country, pick a recent infringement procedure and assess its result.</p>
	<p>Presentation</p> <ul style="list-style-type: none"> <li>one recent infringement case (Article 258-260 TFEU)</li> </ul>
7	<p>13 – CORE SEMINAR (Mon 31 Oct 2016)</p> <p><b>Direct challenges to EU measures: judicial review and damage actions before EU courts</b></p> <p>In this class, we will review means by which individuals, organizations or institutions can challenge EU measures and practices. We will distinguish between judicial and non-judicial procedures (e.g. Ombudsman, etc) and assess both direct and indirect judicial mechanisms to contest such measures, questions related to admissibility (standing, reviewable acts) as well as the nature and scope of possible grounds of annulment of EU measures. We will reflect on their implications for accountability in the EU, and institutional interactions.</p> <p>To prepare for the class:</p> <ul style="list-style-type: none"> <li>A. Arnall, ‘Judicial review’ in A. Arnall and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 376-402</li> <li>Articles 263-265 TFEU, Article 268 TFEU</li> </ul> <p>Questions: Is it easy for individuals or companies burdened by EU measures to challenge them directly before the Court? How can one contest EU acts indirectly? Can one easily obtain compensation where EU measures damaged one’s interests?</p> <p><b>Practical task</b></p> <p>Could the EU measure we got through the EU law-making process be challenged before the EU courts? How? By whom? On which grounds? Is a challenge likely to be successful? What would be the consequences?</p>
	<p>Presentations</p> <ul style="list-style-type: none"> <li>one recent annulment action (e.g. X v. Commission/Council)</li> <li>one recent damage action (e.g. X v. Commission/Council)</li> </ul>
7	<p>14 - No class (Tues 1 Nov 2016, national holiday)</p>
8	<p>15 - CORE SEMINAR (Mon7 Nov 2016)</p> <p><b>Preliminary reference procedure, the multi-level and multi-purpose procedure: challenging national and EU measures before national EU courts</b></p> <p>The CJE, though its constitutional doctrines and its practice of the preliminary reference procedure (267 TFEU), has developed an effective decentralized mechanism for the enforcement of EU law alongside infringement actions. Preliminary rulings indirectly assesses national measures’ compatibility with EU law under the guise of interpretation. This use of the procedure has contributed greatly to legal integration in Europe, and promoted judicial forms of governance. However, preliminary references may also serve to challenge EU measures, and thus have a ‘disintegrative’ potential which has been less</p>

	<p>explored by scholarship. In this class, we will critically examine and assess the multifaceted role played by the preliminary reference procedure.</p> <p>De la Mare and Donnelly ‘Ch.13: Preliminary rulings and EU legal integration: Evolution and Stasis’ in Craig and De Burca (eds) <i>The Evolution of EU Law</i> (OUP, 2011), 363-406</p> <p><b>Practical tasks</b></p> <p>Could the EU measure we got through the EU law-making process be challenged through a preliminary ruling procedure? How? By whom? On which grounds? Is a challenge likely to be successful? What would be the consequences?</p> <p>One member state did not comply with the EU instrument we got through the EU political decision-making process. What are the chances that a request for a preliminary ruling could intervene? Would it improve compliance?</p> <p><b>Presentations</b></p> <ul style="list-style-type: none"> <li>• a recent preliminary reference challenging the validity of an EU act (Article 267 TFEU)</li> <li>• a recent preliminary reference challenging the compatibility of national measures with EU law (under the ‘guise’ of interpretation)</li> </ul>
8	<p>16 - CORE SEMINAR (Tues 8 Nov 2016)</p> <p><b>Free movement of goods – the starting point of market integration</b></p> <p>In this session, we explore the development of the internal market, and in particular the dynamics and interactions between negative (ie judicial removal of barriers) and positive (ie EU-level harmonization) integration, with a focus on goods.</p> <p>To prepare, read:</p> <ul style="list-style-type: none"> <li>- Articles 34-36 TFEU</li> <li>- K. Armstrong, ‘Governing Goods: Content and Context’ in A. Arnulf and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 508-536.</li> </ul> <p><b>Questions</b></p> <p>What is the main rationale behind the internal market? Has it changed over time? What are the tools of market integration? How do the dynamics of law-making in the EU affect the integration of economic and social concerns in European integration? What is the level of regulatory autonomy left to member states?</p> <p><b>Presentation</b></p> <ul style="list-style-type: none"> <li>• one recent case involving Article 34 or Article 36 TFEU</li> </ul> <p><b>Practical task</b></p> <p>Does the measure we got through the EU legal process involve/affect the free movement of goods? If so, was it adopted on an internal market legal basis?</p>
9	<p>17 - CORE SEMINAR (Mon 14 Nov 2016)</p> <p><b>Free movement of services – social dumping?</b></p> <p>EU law structurally favors free movement of services over other legitimate goals (eg social rights). This market bias has triggered strong criticism from labor and social law scholars in particular, as well as political scientists.</p> <p>To prepare for the class, read</p> <ul style="list-style-type: none"> <li>- Article 56 TFEU</li> </ul>

	<ul style="list-style-type: none"> <li>- G. Davies, 'The law on the Free Movement of Services: Powerful, but not always Persuasive' in A. Arnall and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 562-588</li> </ul> <p>Further reading</p> <ul style="list-style-type: none"> <li>• V. Hatzopoulos (2013) 'The Court's approach to Services (2006-2012)': from case law to case load', <i>CMLRev.50</i>: 459</li> <li>• S. O'Leary (2011) 'Free movement of persons and services' in Craig and De Burca (eds) <i>The Evolution of EU Law</i> (OUP) , p. 499-546</li> <li>•</li> </ul> <p>Questions</p> <p>In what way are services different from goods? What are the implications for the free movement of services across the EU? Does free movement apply to both providers and recipient of services? What consequences does this have on social security systems and welfare regimes? Does EU law integrate well market and other public policy objection in the regulation of the internal market in services?</p> <p><b>Practical task</b></p> <p>Does the measure we got through the EU legal process involve/affect the free movement of services? If so, was it adopted on an internal market legal basis?</p> <p><b>Presentations</b></p> <ul style="list-style-type: none"> <li>• one recent case involving free movement of services (Article 56 TFEU)</li> </ul>
9	<p>18- CORE SEMINAR (Tues 15 Nov 2016)</p> <p><b>Free movement of workers: a fundamental freedom under question</b></p> <p>As part of the market integration projects, EU law provides that individuals can move to work in another member state and be treated equally with local workers, including in accessing social and tax advantages. This fundamental freedom has however been under challenge since the 2004 and 2008 enlargement.</p> <p>To prepare for the class, read</p> <ul style="list-style-type: none"> <li>- Article 45 TFEU</li> <li>- E. Spaventa, 'The free movement of workers in the Twenty First Century' in A. Arnall and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 457-476</li> </ul> <p>Further reading</p> <ul style="list-style-type: none"> <li>• C. Barnard (2014) 'The free movement of natural persons' in C. Barnard and S. Peers (eds), <i>European Union Law</i> (Oxford University Press, 2014), 356-401</li> </ul> <p>Questions</p> <p>How is a worker defined? Can any kind of worker benefit from freedom of movement and equal treatment rights? Do EU workers lose their residence and social rights in the host country if they lose their jobs? What are the rights of the family members of EU mobile workers? Does the existing regime provide grounds for abuse of social benefits by intra-EU migrants? What are the limits to the freedom of movement and equal treatment rights of workers?</p> <p><b>Practical task</b></p> <p>Does the measure we got through the EU legal process involve/affect the free movement of workers? If so, was it adopted on an internal market legal basis?</p> <p><b>Presentation</b></p>

	<ul style="list-style-type: none"> <li>• A recent case on the free movement of workers (Article 45 TFEU)</li> </ul>
10	<p>19 - CORE SEMINAR (Mon 21 Nov 2016)</p> <p><b>EU citizenship – beyond the market citizen?</b></p> <p>In this seminar, we will examine the development and scope of the concept of EU citizenship. We will focus on two dimensions which have been brought to the fore by the Brexit vote: access to EU citizenship and mobility rights of EU citizens who are not economically active.</p> <p>To prepare for the class, read:</p> <ul style="list-style-type: none"> <li>- Articles 20-24 TFEU</li> <li>- N. Nic Shuibhne, ‘The Developing Legal Dimension of EU Citizenship’ in A. Arnall and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 477-507</li> </ul> <p>Consult Directive 2004/38 EC (Citizens Rights Directive)</p> <p>Consult Website of the bEUCitizen project at <a href="http://beucitizen.eu/">http://beucitizen.eu/</a></p> <p>Further reading</p> <ul style="list-style-type: none"> <li>• C. Barnard (2014) ‘The free movement of natural persons’ in C. Barnard and S. Peers (eds), <i>European Union Law</i> (Oxford University Press, 2014), 356-401</li> <li>• R. Plender and D. Kochenov (2012) ‘EU citizenship: from an incipient form to an incipient substance? The discovery of the treaty text’ <i>ELRev</i> 37/4, p. 369.</li> <li>• Wollensghläger, ‘A New Fundamental Freedom beyond Market Integration: Union Citizenship and its Dynamics for Shifting the Economic Paradigm of European Integration’ <i>European Law Journal</i>, Vol. 17, No. 1, January 2011, 1–34</li> </ul> <p>Questions:</p> <p>What are EU citizenship rights? What do they suggest about the nature of EU citizenship? How does one become an EU citizen? Are the conditions the same across all member states of the EU? To what extent can non-economically active EU citizen, and their family (including Third Country nationals), move and stay in another EU member states? What are the conditions and limitations? Can EU citizens be expelled from an EU member states? Why? Can EU citizen claim social benefits in their host EU state? Do EU citizenship rule also affect non-mobile (ie sedentary) EU citizens and their family or does it only benefits mobile citizens? Is that a problem?</p> <p>Presentations</p> <ul style="list-style-type: none"> <li>• one or two recent cases one recent EU citizenship (Article 18, 20 and 21 TFEU)</li> </ul>
10	<p>20 - CORE SEMINAR (Tues 22 Nov 2016)</p> <p><b>Fortress Europe? EU law and the refugee crisis</b></p> <p>The EU, despite its problems and unresolved crisis, remains a popular destination for those in search of a better life. The EU legal framework is nonetheless struggling to address the diversity of migrants that (seek to cross) its borders and settle in its member states, and to adopt measures in a policy area, immigration, which goes to the heart of national sovereignty. In this seminar, we will discuss how EU law deals with non-EU nationals, and reflects on the flaws of the current system, in the light of the on-going refugee crisis.</p> <p>To prepare for the class, read</p> <ul style="list-style-type: none"> <li>• N. El-Enany, ‘EU asylum and Immigration Law under the Area of Freedom, Security and Justice’ in ‘The Developing Legal Dimension of EU Citizenship’ in A. Arnall and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 867-891</li> </ul>

	<ul style="list-style-type: none"> <li>• Check on the Hungarian legal challenge to the EU refugee quota system (case pending, C-647/15 Hungary v Council)</li> <li>• Discussion of the October 2016 result of the Hungarian referendum on EU Refugees Quotas</li> <li>• Blog post on the legal argument raised by Slovakia against the EU quota decision <a href="http://eulawanalysis.blogspot.hu/2015/12/the-slovak-challenge-to-asylum-seekers.html">http://eulawanalysis.blogspot.hu/2015/12/the-slovak-challenge-to-asylum-seekers.html</a></li> </ul> <p>Further reading</p> <ul style="list-style-type: none"> <li>• S. Peers, Immigration and Asylum in C. Barnard and S. Peers (eds), <i>European Union Law</i> (Oxford University Press, 2014), 777-798.</li> <li>• Blog post by Steve Peers on the Legality of the refugees quotas: <a href="http://eulawanalysis.blogspot.hu/2015/09/relocation-of-asylum-seekers-in-eu-law.html">http://eulawanalysis.blogspot.hu/2015/09/relocation-of-asylum-seekers-in-eu-law.html</a></li> </ul> <p>Questions</p> <ul style="list-style-type: none"> <li>• How are EU measures related to immigration and asylum adopted? What are the different categories of ‘foreigners’? What rights do they have? What are the main problems with the current EU asylum regime? Which changes are envisaged? What are the constraints on the development of EU Asylum law and policy?</li> </ul> <p>Presentation</p> <ul style="list-style-type: none"> <li>• one recent case on the application/ implementation of one of the EU asylum instruments</li> </ul>
11	<p>21 - CORE SEMINAR (Mon 28 Nov 2016)</p> <p><b>EU ‘social’ law: fighting discrimination</b></p> <p>In this seminar, we will examine the growth of the ‘social’ dimension of European integration, through the development of equal treatment law. We will first focus on the fight against sex and gender discrimination, before engaging legal frameworks which seek to address other forms of discrimination (ie age, race)</p> <p>Reading</p> <ul style="list-style-type: none"> <li>• E.Muir, ‘Pursuing Equality in the EU’ in ‘The Developing Legal Dimension of EU Citizenship’ in A. Arnall and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 919-942.</li> </ul> <p>Questions:</p> <p>What is the scope of EU law on gender discrimination? Can discriminated men or women easily enforce their equality rights? Does it extend to discrimination based on sexual orientation? What kind of opportunities does the EU legal framework offer for the protection of Roma minorities in Europe?</p> <p>Presentations</p> <ul style="list-style-type: none"> <li>• one recent case on gender discrimination</li> <li>• one recent case on another type of discrimination</li> </ul>

11	<p>22 – CORE SEMINAR (Tues 29 Nov 2017)</p> <p><b>EU Criminal Law</b></p> <p>At Maastricht, EU member states decided to press ahead with further cooperation in what is now called the Area of Freedom, Security and Justice (formerly Justice and Home Affairs), and which covers areas such as immigration, asylum, judicial cooperation in civil and criminal matters, etc. What started as an intergovernmental enterprise through the use of the EU institutional set-up has been gradually communitarised. In this class, we will explore the development of EU criminal law, as an interesting example of the dynamics of legal integration meeting national sovereignty, security, and human rights concerns. The fostering of police and judicial cooperation in criminal matters in increasingly calling for compensation measures, which are slowly leading to harmonization of national criminal law.</p> <p>To prepare for the class, read</p> <ul style="list-style-type: none"> <li>- C. Harding, ‘EU Criminal Law under the Area of Freedom, Security and Justice’ in A. Arnall and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 837-866</li> </ul> <p>Optional reading</p> <ul style="list-style-type: none"> <li>• Read J.R. Spencer, ‘Ch. 25 EU Criminal Law’ in C. Barnard and S. Peers (eds), <i>European Union Law</i> (Oxford University Press, 2014), p. 751-776</li> <li>• S. Peers (2012) ‘Mission accomplished: EU Justice and Home Affairs after the Lisbon Treaty’ <i>CMLRev</i> 48 : 661</li> <li>• Lenaerts, K. (2010). The contribution of the European Court of justice to the area of freedom, security and justice. <i>International and Comparative Law Quarterly</i>, 59(2), 255-301.</li> <li>• Ward (2009). <i>A Critical Introduction to European Union Law</i> (Cambridge University Press), section ‘The Jurisprudence’ of Exclusion and ‘Them and Us’, pps 152-158</li> </ul> <p>Questions</p> <p>How did this area of policy making which is at the heart of national sovereignty came to be ‘supranationalised’? How are EU criminal law measures adopted? What is the role of agencies such as Europol and Eurojust? Do they involve all member states? What is the EAW about? Is it effective in tackling transborder crime? Does it provide sufficient guarantees for human rights?</p>
	<p style="background-color: #cccccc;">Presentation</p> <ul style="list-style-type: none"> <li>• one recent national or EU case on the European Arrest Warrant</li> </ul> <p>OR</p> <p><b>The EMU and Euro-crisis law</b></p> <p>We will analyze developments in the legal framework of the Economic and Monetary Union, keeping an eye on current developments regarding further economic, and fiscal integration in the EU.</p> <p>To prepare for the class:</p> <ul style="list-style-type: none"> <li>- F.Antenbrink, ‘The Metamorphosis of European Economic and Monetary Union’ in A. Arnall and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 719-756</li> <li>• Read European law blog comment on the Pringle case: Thomas Pringle v Ireland (C-370/12), at <a href="http://europeanlawblog.eu/?p=1257">http://europeanlawblog.eu/?p=1257</a> .</li> </ul> <p>Class discussion on the evolution of the crisis and legal reforms.</p>



	<p>Further reading:</p> <p>Alicia Hinajeros, 'Economic and Monetary Union' in C. Barnard and S. Peers (eds), <i>European Union Law</i> (Oxford University Press, 2014), 567-590</p> <p>N. Scicluna (2012), EU Constitutionalism in Flux: Is the Eurozone Crisis Precipitating Centralisation or Diffusion? <i>European Law Journal</i> 18: 489–503.</p>
	Case for presentation
	C-62/14. <i>Gauweiler and Others</i> (OMT case) ECLI:EU:C:2015:400
12	<p>23 – CORE SEMINAR (Mon 5 Dec 2016)</p> <p><b>The EU and the World</b></p> <p>In this seminar, we will address the complex question of EU external action law, including consideration regarding EU competence, the types of external relations in which the EU is involved, the effect of international agreements in EU law, and a brief review of some of the measures and actions adopted in the recent years.</p> <p>To prepare for the class, read</p> <ul style="list-style-type: none"> <li>• P.Koutrakos, 'External Action: Common Commercial Policy, Common Foreign and Security Policy, Common Security and Defence Policy' in A. Arnall and D.Chalmers (eds), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015), 271-302</li> <li>• 'The' Kadi case: Case T- C-402 &amp; 415/05P, Kadi &amp; Al Barakaat Int'l Found. V. Council &amp; Comm'n, [2008] ECR I-6351</li> </ul> <p>Optional reading:</p> <p>Cremona 'Ch.9 External relations and External Competence of the European Union: The Emergence of an Integrated Policy' in Craig and De Burca (eds) <i>The Evolution of EU Law</i> (OUP, 2011) 217-268</p> <p>De Burca, 'The European Court of Justice and the international legal order after Kadi' <i>Harvard ILJ</i> 51(1), at <a href="http://www.harvardilj.org/articles/1-50.pdf">http://www.harvardilj.org/articles/1-50.pdf</a></p> <p>Questions:</p> <p>In which areas is the EU most active externally? How does the EU negotiate and adopt international agreements? Does it differ depending on the subject matter? Does the institutional set up and competence system enable the EU to speak with one voice? Who signs international agreements on behalf of the EU? What kind of international agreements are binding on the EU? What happens in case of conflicting obligations between different international agreements binding on the EU? Are measures adopted by institutions set up under an international agreements (e.g. UN organs) to which the EU and/or its member states are a party binding on the EU? What happens when international agreements are conflicting with EU human rights standards?</p> <p><b>Practical task</b></p> <p>Does our legal measure have an external dimension? Does it require to enter agreement with third parties? Who should negotiate/approve such agreement?</p>
	Cases for presentations
	<ul style="list-style-type: none"> <li>- recent case on external commercial policy</li> <li>- recent case on CFSP</li> </ul>
12	24 –WRAPPING UP SESSION (Mon 6 Dec 2016)

	<p>In this class, we will wrap up by reflecting on current and future challenges facing EU law and discuss the role of law and legal institutions in European integration.</p> <p>In the second part of the class, we will practice case solving.</p>
	<p>Useful resources</p> <p><u>EU Law textbooks</u> (in reverse chronological order)</p> <p>Find below a list of textbooks which include Lisbon amendments.</p> <p>A. Arnul and D. Chalmers (ed), <i>The Oxford Handbook on European Union Law</i> (Oxford University Press, 2015) (main source of material for this year's course)</p> <p>Schütze, <i>European Union Law</i> (Cambridge University Press, 2015)</p> <p>R.Schütze, <i>An Introduction to European Law</i> (2<sup>nd</sup> ed., Cambridge University Press, 2015)</p> <p>C. Barnard and Steve Peers (eds) <i>European Union Law</i> (Oxford University Press, 2014)</p> <p>T.C. Hartley, <i>The Foundations of European Union Law</i> (8th ed., OUP, 2014).</p> <p>D. Chalmers, G.Davies and G. monti, <i>European Union Law</i> (Cambridge University Press, 2014)</p> <p>N. Foster <i>EU Law – Directions</i> (4<sup>th</sup> edition, Oxford University Press, 2014)</p> <p>L.Woods and P. Watson, <i>Steiner and Woods EU Law</i> (10<sup>th</sup> ed., OUP, 2014)</p> <p>A. Rosas and L. Armati, <i>EU Constitutional Law – An Introduction</i> (2<sup>nd</sup> ed, Hart, 2012)</p> <p>P. Craig and G. De Burca, <i>EU Law: Texts, Cases and Materials</i> (OUP, 2011)</p> <p>Wyatt and Dashwood, <i>European Union Law</i> (6<sup>th</sup> ed., Sweet and Maxwell, 2011)</p> <p>Mathijsen, <i>A Guide to European Union Law</i> (10<sup>th</sup> ed., Sweet &amp; Maxwell, 2010)</p> <p>S.Weatherill, <i>Cases and Materials on EU Law</i> (9<sup>th</sup> ed., OUP, 2009)</p> <p>I. Ward, <i>A Critical Introduction to European Union Law</i> (Cambridge University Press, 2009)</p> <p>On research methods in EU law</p> <p>R Cryer, T Hervey, B Sokhi-Bulley, with A Bohm (2011) <i>Research Methodologies in EU and International Law</i> (Hart Publishing, 2011)</p> <p>Students who want to read further on the subject are invited to consult the following reviews:</p> <p>European Law Review</p> <p>European Law Journal</p> <p>Common Market Law Review</p> <p>Yearbook of European Law</p> <p>Columbia Journal of European Law</p> <p>European integration on-line papers</p> <p>European Public Law</p> <p>Also, the best law journals often contain articles pertaining to EU law.</p> <p><u>Internet resources</u></p> <p>Websites</p> <p>Total Law course materials :  <a href="http://centers.law.nyu.edu/jeanmonnet/courses/eu/materials.html">http://centers.law.nyu.edu/jeanmonnet/courses/eu/materials.html</a></p>

EUROPA website: [http://europa.eu/index\\_en.htm](http://europa.eu/index_en.htm)

EUR-LEX: <http://eur-lex.europa.eu/en/index.htm>

EU Courts' website CURIA : <http://curia.europa.eu/>

EUABC: <http://en.euabc.com/>

JP Bonde, The Lisbon Treaty: The Readable Version, third Edition, at <http://en.euabc.com/upload/books/lisbon-treaty-3edition.pdf>

News sites

EUOBSERVER: <http://euobserver.com/>

EURACTIV: <http://www.euractiv.com/>

Information:

EUROPE DIRECT : [http://ec.europa.eu/europedirect/index\\_en.htm](http://ec.europa.eu/europedirect/index_en.htm)

Blogs

EUTOPIA blog : <http://eutopialaw.com/> (excellent blog supported by the Matrix Chamber)

European Law Blog: <http://europeanlawblog.eu/>

Research Guides

Columbia University Law Library:

[http://library.law.columbia.edu/guides/European\\_Union\\_Legal\\_Materials](http://library.law.columbia.edu/guides/European_Union_Legal_Materials)

LLRX European Union Law : An Integrated Guide to Electronic and Print Research

<http://www.llrx.com/features/eulaw2.htm>