



Name of the course: **EU law: legal order and institutional system**

(International Affairs and Geostrategy from EU Perspective)

Total number of hours: 20

Semester: 1st semester

Professor: Paula García Andrade

Contact: pgandrade@icade.comillas.edu

Office hours outside of class: tutoring schedule upon request

<p>Session 1 5/09</p>	<p>Class Topic:</p> <ul style="list-style-type: none"> - Introduction to the Course (objectives, programme, methodology) - Theme 1: Sources of EU Law (part I)
<p>Session 2 12/09</p>	<p>Class Topic:</p> <ul style="list-style-type: none"> - Theme 1: Sources of EU Law (part II) <p>Main related ECJ case-law:</p> <p>Case 26/62, <i>Van Gend en Loos</i>; Case 11/70, <i>Internationale Handelsgesellschaft</i> (nature of EU legal order); Case 34/73, <i>Variola</i>, Case 39/72, <i>Commission v. Italy</i>, Case 6/68, <i>Zuckerfabrik</i> (features of EU regulations); Case C-322/88, <i>Grimaldi</i> (legal effects of EU recommendations); Cases T-74 et al/00, <i>Artegoda and others v. Commission</i> (general principles of EU law); Case C-427/12, <i>Commission v. Parliament and Council</i> (delegated and implementing acts); C-300/89, <i>Commission v. Council (Titanium Dioxide)</i>, Case C-94/03, <i>Commission v. Council</i> (choice of legal basis)</p>
<p>Session 3 17/09</p>	<p>Class Topic:</p> <ul style="list-style-type: none"> - Theme 2: Main principles of EU law governing the relations between EU law and national legal systems (part I) <p>*Activities in class: Workshop on ECJ case-law regarding the relations between EU law and national law</p> <p>Main related ECJ case-law:</p> <p>On direct effect: Case 26/62, <i>Van Gend en Loos</i>; Case 36/74, <i>Walrave</i>; Case 41/74, <i>Van Duyn</i>; Case 148/78, <i>Ratti</i>; Case 152/84, <i>Marshall</i>; Case 14/83, <i>Von Colson</i>; Case C-91/92, <i>Faccini Dori</i>; C-144/04, <i>Mangold</i>; Case C-201/02, <i>Wells</i>; Case 9/70, <i>Grad</i>. On supremacy: Case 6/64, <i>Costa v. ENEL</i>; Case 11/70, <i>Internationale Handelsgesellschaft</i>; Case 106/77, <i>Simmenthal</i>; Case C-213/89, <i>Factortame</i>; Case C-409/06, <i>Winner Wetten</i>. On state liability: Cases C-6 and 9/90, <i>Francovich</i>; Cases C-46/93 and 48/93, <i>Brasserie du Pêcheur and Factortame</i>; Case C-224/01, <i>Köbler</i>.</p>
<p>Session 4 19/09</p>	<p>Class Topic:</p> <ul style="list-style-type: none"> - Theme 2: Main principles of EU law governing the relations between EU law and national legal systems (part II) - Theme 3: The institutional architecture of the EU: governing principles and overview of institutions and organs (part I) <p>Main related ECJ case-law:</p> <p>Case C-70/88, <i>Parliament v. Council (Chernobyl)</i>; Case 294/83, <i>Parti Ecologiste "Les Verts" v. Parliament</i></p>
<p>Session 5 24/09</p>	<p>Class Topic:</p> <ul style="list-style-type: none"> - Theme 3: The institutional architecture of the EU: governing principles and overview of institutions and organs (part II)



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<p>Session 6 26/09</p>	<p>Class Topic: - Theme 4: The EU decision-making procedures</p> <p><i>*Activities in class: debate on institutional balance in EU decision-making procedures (required readings to be specified in advance)</i></p>
<p>Session 7 1/10</p>	<p>Class Topic: -Theme 5. EU judicial system and judicial enforcement of EU law (part I)</p> <p>Main related ECJ case-law: On preliminary rulings: Case 244/80, <i>Foglia v. Novello</i>; Cases 28-30/62, <i>Da Costa</i>; Case 283/81, <i>CILFIT</i>. On the enforcement action: Case 167/73, <i>Commission v. France</i>; Case C-168/03, <i>Commission v. Spain</i>; Case C-388/95, <i>Belgium v. Spain</i>; Case C-304/02, <i>Commission v. France</i>. On the annulment action: Case 22/70, <i>Commission v. Council (ERTA)</i>; Case 314/85, <i>Foto-Frost</i>; Case 25/62, <i>Plaumann v. Commission</i>; Case C-50/00 P, <i>UPA v. Council</i>; Case T-177/01 <i>Jégo-Quéré v. Commission</i> and Case C-263/02 P, <i>Commission v. Jégo-Quéré</i>; Case T-18/10, <i>Inuit v. Parliament & Council</i>. On failure to act: Case 247/87, <i>Star Fruit Co. v. Commission</i>; Case 13/83, <i>Parliament v. Council</i>. On Union liability: Case 5/71, <i>Schöppenstedt</i>; Case C-352/98 P, <i>Bergaderm et al v. Commission</i></p>
<p>Session 8 3/10</p>	<p>Class Topic: -Theme 5. EU judicial system and judicial enforcement of EU law (part II)</p> <p><i>*Activities in class: Workshop on judicial enforcement of EU law (cases to be provided in advance)</i></p>
<p>Evaluation</p>	<p>Evaluation: written exam in take-home format (50% of the final mark). Dates and duration to be determined.</p> <p>Students will be entitled to review the correction of their exam at a specific date to be timely announced.</p>
<p>Classroom Etiquette</p>	<p>Do not use your laptops for anything except taking notes.</p>
<p>Required Co-curricular Activities</p>	<p>Students are requested to prepare each session in advance by reading the power point presentation and the corresponding chapter of the selected book. In the first session of the course, the professor will provide information on the relevant fragments of ECJ cases that must be read.</p> <p>Students' active and substantial participation during each session is required (5% of the final mark). In particular, the oral intervention of students during the workshops and debates that will take place during the course represent 15% of the final mark.</p> <p>Students are also required to prepare a short written exercise (20% of the final mark), that will consist of an essay on the legal implications of an EU-topical issue proposed by the professor.</p> <p>Students are required to pass the exam in order to be entitled to take the grades obtained in these continuous evaluation activities into consideration.</p>



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GRADE EVALUATION AND CRITERIA

Evaluation Activities	Evaluation Weighting
Individual participation in class	5%
Oral participation in workshops/debates	15%
Essay	20%
Final take-home exam	50%
Attendance	10%