



## FICHA TÉCNICA DE LA ASIGNATURA

Datos de la asignatura	
Nombre completo	Curso de Iniciación / Initiation Course
Código	E000001795
Título	<a href="#">Máster Universitario en Derecho Internacional y Europeo de los Negocios (International and European Business Law)</a>
Impartido en	Máster Universitario en Derecho Internacional y Europeo de los Negocios [Primer Curso]
Créditos	2,0 ECTS
Carácter	Obligatoria
Departamento / Área	Máster Universitario en Derecho Internacional y Europeo de los Negocios

Datos del profesorado	
<b>Profesor</b>	
Nombre	Adam David Dubin
Departamento / Área	Departamento de Derecho Público
Despacho	Alberto Aguilera 23
Correo electrónico	adubin@icade.comillas.edu
Teléfono	2852
<b>Profesor</b>	
Nombre	Victor Carlos Pascual Planchuelo
Departamento / Área	Departamento de Derecho Público
Correo electrónico	vcpascual@icade.comillas.edu

## DATOS ESPECÍFICOS DE LA ASIGNATURA

Contextualización de la asignatura	
<b>Competencias - Objetivos</b>	
<b>Competencias</b>	
<b>GENERALES</b>	
<b>CG06</b>	Capacidad de trabajo en equipo
<b>RA1</b>	Colabora en la definición, organización y distribución de las tareas del grupo
<b>RA2</b>	Realiza las tareas que le asignan dentro del grupo en los plazos solicitados



	<b>RA3</b>	Participa de forma activa en los espacios de encuentro del equipo, compartiendo información conocimientos y experiencias
	<b>RA4</b>	Se orienta a la consecución de acuerdos y objetivos comunes, comprometiéndose con ellos
	<b>RA5</b>	Toma en cuenta los puntos de vista de los demás, retroalimentándolos de forma constructiva
<b>CG07</b>	Capacidad de trabajo en un contexto internacional	
	<b>RA1</b>	Detecta los problemas derivados de las diferencias entre sistemas jurídicos
	<b>RA2</b>	Busca generar soluciones adaptables a los distintos sistemas jurídicos
	<b>RA3</b>	Entiende que el contexto jurídico y económico se inserta en relaciones transnacionales
	<b>RA4</b>	Es consciente de las resistencias o dificultades que una misma solución puede plantear en distintos contextos y busca mecanismos para minimizar estos problemas
<b>CG10</b>	Capacidad de desarrollo de un aprendizaje autónomo	
	<b>RA1</b>	Adapta autónomamente las estrategias de aprendizaje en cada situación. Razona adecuadamente sobre la adecuación de sus estrategias en cada situación
	<b>RA2</b>	Es capaz de integrar paradigmas de otras disciplinas y/o campos de conocimiento próximos al suyo. Aplica y generaliza con facilidad y rapidez los conocimientos entre disciplinas
<b>ESPECÍFICAS</b>		
<b>CE04</b>	Dominar las principales normas de derecho comunitario y de derecho internacional con relevancia para el desarrollo de negocios internacionales	
	<b>RA1</b>	Conoce en profundidad las fuentes del ordenamiento jurídico comunitario, el sistema de reparto de competencias entre la UE y los Estados miembros, los procesos de adopción de normas en el ámbito comunitario y de trasposición de estas normas a los ordenamientos domésticos de los Estados miembros
	<b>RA2</b>	Sabe determinar la compatibilidad de una norma nacional con las normas vinculantes de carácter internacional o comunitario y, en caso de incompatibilidad, saber interpretar adecuadamente las normas en conflicto para determinar la regla aplicable a un determinado supuesto de hecho



# COMILLAS

UNIVERSIDAD PONTIFICIA

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CIHS

**GUÍA DOCENTE  
2019 - 2020**

<b>CE15</b>	Dominar las técnicas de investigación jurídica y desarrollar la capacidad de presentar de manera convincente, por escrito y oralmente, los resultados de la propia investigación	
	<b>RA1</b>	Domina la metodología de aprendizaje activo basado en el "método del caso"
	<b>RA2</b>	Conoce en profundidad las distintas orientaciones metodológicas disponibles para llevar a cabo una investigación jurídica de tipo académico

## BLOQUES TEMÁTICOS Y CONTENIDOS

## BIBLIOGRAFÍA Y RECURSOS

## METODOLOGÍA DOCENTE

**Aspectos metodológicos generales de la asignatura**

## RESUMEN HORAS DE TRABAJO DEL ALUMNO

**HORAS PRESENCIALES**

**HORAS NO PRESENCIALES**

**CRÉDITOS ECTS: 2,0 (0 horas)**

## EVALUACIÓN Y CRITERIOS DE CALIFICACIÓN

En cumplimiento de la normativa vigente en materia de **protección de datos de carácter personal**, le informamos y recordamos que puede consultar los aspectos relativos a privacidad y protección de datos que ha aceptado en su matrícula entrando en esta web y pulsando "descargar"

[https://servicios.upcomillas.es/sedelectronica/inicio.aspx?csv=02E4557CAA66F4A81663AD10CED66792](https://servicios.upcomillas.es/sedeelectronica/inicio.aspx?csv=02E4557CAA66F4A81663AD10CED66792)



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2019 - 2020  
COURSE  
DESCRIPTIONS

## SUBJECT DETAILS

Data on the subject	
Full Name	Initiation Course: Legal Research Course – Basic Methods of Legal Research. Basic EU Law Seminar
Code	E000001795
Degree	Postgraduate in Master in International and European Business Law
Year	2019-20
Nature	Fall
ECTS Credits	2
Department	Law
Area	Law
Teaching staff	Adam Dubin, Víctor C. Pascual Planchuelo

Data on the teaching staff	
<b>Teacher</b>	
Name	Adam Dubin
Department / Area	Public Law
e-mail	<a href="mailto:adubin@comillas.edu">adubin@comillas.edu</a>
Telephone	Ext - 2852
Tutoring Schedule	Upon request from students

Data on the teaching staff	
<b>Teacher</b>	
Name	Víctor C. Pascual Planchuelo
Department / Area	Public Law
e-mail	<a href="mailto:ycpascual@comillas.edu">ycpascual@comillas.edu</a>
Telephone	
Tutoring Schedule	Upon request from students



## SPECIFIC DATA ON THE SUBJECT

### Framework of the subject

#### Pre-requisites

None

#### Contribution of the degree to the professional profile

This course will develop students' research skills in relation to European law. In addition, the class will help students begin developing a thesis idea and walk them through the research steps necessary to start advancing on MIEBL thesis.

An understanding of EU Legal Affairs in order to give you a foundational basis for understanding all subsequent content.

### Competences - Goals

#### Competences to be developed

##### Generic Competences

GC 6: Ability to work in groups

GC 7: Ability to work in an international context

GC 10: Ability to develop autonomous learning skills.

##### Specific Competences

SC 4 Mastering the main rules of EU law and international law that are relevant to international business development

SC 15: Mastering the techniques of legal research and developing the ability to present convincingly, in writing and orally, the results of personal, original research



## COURSE SYLLABUS AND CONTENT

<b>Content</b>
<b>PART I.</b>
Theme 1. Introduction to Legal Research and MIEBL Requirements
<ul style="list-style-type: none"><li>a) Brussels Trip</li><li>b) Overview of Thesis Requirements and MIEBL policies</li><li>c) Plagiarism and Footnoting</li></ul>
Theme 2. Using the Comillas Library and Databases
<ul style="list-style-type: none"><li>a) Intro to Comillas Databases: Class taught by Marta Soto Gonzalez, UPC Librarian</li><li>b) Eur-Lex and other online databases</li></ul>
Theme 3. Trends in European Legal Scholarship
<ul style="list-style-type: none"><li>a) Preparing and developing thesis and research topics</li><li>b) Multidisciplinary Legal Research</li><li>c) Quantitative Legal Research</li><li>d) Abstracts</li></ul>
Theme 4. Pulling it all Together: Preparing your Thesis Topic and Research Proposal
<ul style="list-style-type: none"><li>a) In - class final research preparation</li></ul>
<b>PART II.</b>
<b>AREA 1. Presenting the EU from a historical and theoretical stand point: past, present and...future?</b>
Theme 1. Theorizing on European Integration. Conceptualizing the EU
<ul style="list-style-type: none"><li>1.1. The meaning of integration. Reasons for integration</li><li>1.2. The peculiar rationale and dynamics of European integration. Overview of main theoretical models</li><li>1.3. Attempting to define the EU. The EU, a peculiar legal entity</li></ul>
Theme 2. Milestones in the history of the EU. Predicting the future of the European integration project



- 2.1. The historical roots of European integration. Landmark events up to present
- 2.2. Drivers, catalysts and deterrents of the EU construction process
- 2.3. The future of the European integration projects: difficulties, challenges and opportunities

## AREA 2. Introduction to the EU institutional system and the specificities of EU decision-making

Theme 1. The EU and the exercise public policy. Introduction to the EU institutional system

- 1.1 The catalogue of competences of the EU. The interaction between EU and national administrations in the exercise of public policies
- 1.2 The pragmatic rational of the EU's institutional architecture
- 1.3 Overview of institutions (1): decision-making institutions
- 1.4 Overview of institutions (2): institutions of control

Theme 2. The EU decision-making process. Future institutional reform of the EU

- 2.1 Analysis of the main phases of the EU decision making cycle: proposal, decision and implementation
- 2.2. Overview of the different procedures: legislative procedures, budgetary procedure, conclusion of international agreements
- 2.3 Institutional reform of the EU: equipping the EU with the right tools and instruments to confront new policy challenges

## TEACHING METHODOLOGY

### General methodology of the subject

### Contact hours methodology: Activities

The course will follow an interactive format, combining presentations analysing legal contents, with participation of the students (exchange of views and discussions, and Q & A periods).

In addition, each of 2 content areas composing the course will feature an interactive element. They will be, respectively:

- A group debate on the future of European Integration (students will read the European Commission's White Paper on the future of Europe in preparation of the debate)
- A workshop proposing the analysis of a number legal texts (conclusions of the European Council, speeches, political statements) in order to determine the number of institutional changes to be



operated in the EU so that it can meet new policy challenges in areas such banking policy, migration, environment, etc.

At these two interactive elements of experiential learning, participation of the students is required, who will intervene under the guidance of the professor, who will provide comments and final feedback.

### Outside class methodology: Activities

Although each student is supposed to structure his / her individual study autonomously, using the course syllabus as a guideline, and taking into consideration the advice of the professor on the first day of the course, the following recommendations can be formulated:

In preparation to each lesson, students are invited to read and examine the corresponding part of the PP course presentations. Any type of background material which could be the basis of the course exercises must also be revised in advance;

After each lesson and / or the conclusion of the course, revision of course content and notes taken during lessons. Students are invited to check the titles cited as basic bibliography. The professor could provide additional references for supplementary research if required.

## SUMMARY OF STUDENT WORK HOURS

NUMBER OF CONTACT HOURS					
Lecture	Practical class	Debate	Workshop	Individual work	Evaluation
10	6	2	2		
NUMBER OF INDEPENDENT WORK HOURS					
Lecture	Practical class	Debate	Workshop	Individual work	Evaluation
7		1	2	10	10
<b>ECTS CREDITS: 2 (50,00 hours)</b>					

## GRADE EVALUATION AND CRITERIA

Evaluation Activities	Indicators	Evaluation weighting
Work in collaboration	Two short in - class research exercises where students will be expected to demonstrate the skills learned during the lectures.	10%
Debate	Participation in group debate on the future of European Integration.	5%





Workshop	Presentation of individual positions and their argumentation at the Workshop on the institutional reform of the EU.	5%
Evaluation: exam	Students will have to develop a thesis outline and corresponding bibliography. The due date will be two weeks after the class.  Written exam in take-home (essay question(s) on the contents of the course; the modalities of the essay and the date to hand it in will be presented during session 1 of the course).	20%
Attendance	The attendance to the 8 lectures is obligatory to be entitled to take part in the final exam	60%

## BIBLIOGRAPHY AND RESOURCES

### Basic Bibliography and Resources

#### TEXT BOOKS

Hesselink, Martijn, *The New European Legal Culture*, 2001, pages 22 – 33

#### Theories of EU Integration:

- Rosamond, Ben, *Theories of European integration*, The European Union series, Houndmills, Palgrave Macmillan, 2000
- Wiener, Antje, Díez, Thomas, *European Integration Theory*, Oxford University Press, 2009

#### History of EU Integration:

- Deadman, M., *The Origins and Development of the EU 1945 – 2008*, Routledge, 2009
- Gilbert, Mark, *European Integration: A concise history*, Rowman & Littlefield Publishers Inc., 2012
- McCormick, J., *Understanding the European Union: a concise introduction*, Palgrave, 2017
- Senior Dello, S., *The European Union: Economics, Politics and History*, McGraw-Hill, 2012

#### On EU Institutions :

- Peterson, John & Shackleton, Michael, *The Institutions of the EU*, The European Union Series, Oxford University Press, 2012



On EU decision-making:

- Hardacre, Alan, *How the EU institutions work and-, how to work with the EU institutions*, John Harper Publishing, 2011

**WEBSITES**

Reading: Research Guide, European Union Materials (skim)

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

Reading: *Developing a Thesis Statement*, The Writing Center at Georgetown University Law Center (2003), available at: <https://www.law.georgetown.edu/academics/courses-areas-study/legal-writing-and-student-scholarship/>

Internet resources give us access to a wealth of information on EU affairs, which can perfectly complement the research carried out by traditional academic means.

[www.cvce.eu](http://www.cvce.eu) is the website of the CVCE Centre for European Studies. Its consultation is highly recommended for those students with a keen interest in the history of the European integration project. In the digital environment provided by this site, students will find not only a detailed analysis of the landmark events of this historical evolution, but also a digital archive of relevant European documents (political declarations, speeches, treaty acts, press cuts, etc.) as well as recorded audio-visual interviews with various personalities who, in different capacities, contributed with their efforts to the advancement of the European project.

Students are also encouraged to get quickly acquainted with the European Union's portal on internet hosted at <http://europa.eu>. This portal gives access to many interesting topical sections referring to the EU and its institutions, policies, the legal system, etc.

In addition, students are strongly invited to visit each of the institutions' respective web site:

- Council of the European Union: [www.consilium.europa.eu](http://www.consilium.europa.eu)
- European Council: [www.european-council.europa.eu](http://www.european-council.europa.eu)
- European Parliament: [www.europarl.europa.eu](http://www.europarl.europa.eu)
- European Commission: [www.ec.europa.eu](http://www.ec.europa.eu)
- Court of Justice of the European Union: [www.curia.europa.eu](http://www.curia.europa.eu)
- Court of Auditors: [www.eca.europa.eu](http://www.eca.europa.eu)

All throughout the MIEBL, students will need to retrieve EU legal instruments and case-law, for their latter consultation. The quickest way to find these legal texts is consulting the electronic repository of EU law, hosted at [www.eur-lex.europa.eu](http://www.eur-lex.europa.eu)



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## 2019 - 2020 COURSE DESCRIPTIONS

Summaries of EU legislation in almost all policy fields plus commented accounts of EU action in each can be consulted in the following site: [http://europa.eu/legislation\\_summaries/index.htm](http://europa.eu/legislation_summaries/index.htm)

These list is completed with a reference to a series of websites which will help the student to keep the pulse on EU's news and current policy and legal debates:

- [www.euractiv.com](http://www.euractiv.com) (this site has versions in all of the 23 EU official languages)
- [www.europeanvoice.com](http://www.europeanvoice.com)

### **NOTES**

The explanations of the professor during the course are supported on extensive PP presentations which will be accessible by the students beforehand.

These presentations will be projected during lessons. However, they should not be exclusively regarded as visual aids for the course explanations and discussions. In addition, students are invited to use them as reference instruments and study tools. Due to the completeness of their content, they can be very useful for course revision in preparation of the exam.

### **OTHER MATERIAL**

EU legal instruments, case law, newspaper clips and other material could be handed out before / during classes as complementary material, or as background information to be used by the students for the practical components of the course.

