

EUROPEAN UNION LAW

Degree in Legal Studies (Solicitors)

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Code: 16704

Main Scientific Area: Public Legal Sciences

Lecturer: Ricardo Alexandre Sousa da Cunha

Language of Instruction: Portuguese

Regime: S1

Contact Hours: 60h Total Workload: 108h

ECTS: 6,0

Objectives

This curricular unit aims at approaching european integration in general and, specifically, the structure of European Union, from a legal perspective. It intends to reinforce awareness about the transnational nature of legal ruling. The european scale, from the concrete perspective of integration, on which the curricular unit is focused, is particularly relevant in achieving an articulate and sufficient understanding of today's complex legal systems. This relevance is paradigmatic in legal matters and is indispensable in the context of this degree.

Learning Outcomes

At the end of this course students shall be able to:

1. identify the historical background to the european integration, pointing out its most important moments and documents, as well as the most important steps in the its development;
2. describe the institutional framework of the European Union, how it works and the decision-making procedures.;
3. characterize the EU legal order, identifying its sources and understanding its articulation with the internal legal orders;
4. understand the legal framework regarding the Single Market and Competition.

Course Contents

Chapter 1. Introduction

1.1. History

1.2. Economic Theory of Integration

1.3. Customs Union, Single Market, Common Market and Competition

1.4. Freedom, Security and Justice

1.5. Common Foreign and Security Policy

Chapter 2. EU Institutional Order

2.1. EU Legal Personality and Capacity

2.2. EU Institutions

2.3. Decision-making procedures

Chapter 3. EU Legal Order

3.1. Sources of EU Law

3.1.1. Primary Sources

3.1.2. Secondary Sources

3.1.3. Other Sources of EU Law

3.2. Jurisdictional Safeguard

3.2.1. Dual Jurisdictional System: ECJ and National Courts

3.2.2. ECJ: competences and procedures

3.3. The EU “legal federalism”

3.3.1. Autonomy

3.3.2. Primacy

3.3.3. Direct Applicability and Direct Effect

3.3.4. Uniform Interpretation

Recommended Bibliography

SOUSA da CUNHA, Ricardo – Introdução ao Estudo do Direito da União Europeia, IPCA, 2010

- AA. VV. – Tratado de Lisboa - Anotado e Comentado, Almedina, 2012

Learning and Teaching Methods

Chapter 1 of the syllabus sets the context and the lines of evolution of the European integration process, the understanding of which is an objective of the curricular unit and that serve as background to approaching the subsequent chapters. Chapters 2 and 3 analyze, particularly and in a legal perspective, the European Union in its structure and activity, the knowledge of which is a basic objective of the curricular unit. The syllabus concludes, under 3.3., with case study that underlines the original relation between the national and Union legal orders, then understanding of which is the more advanced objective of the curricular unit.

Assessment Methods

The evaluation regime shall consist of mix evaluation, composed of the following elements:

- two tests, each one having similar ponderation;
- it os a condition for.sucessful approval obtaining a grade of at least 8/20 on both tests.