

COURSE DESCRIPTION

Academic year: 2023/2024	
University: Comenius University Bratislava	
Faculty: Faculty of Law	
Course ID: PraF.UEP/EnM17-3002/17	Course title: European Law 1
Educational activities: Type of activities: lecture / seminar Number of hours: per week: 1 / 2 per level/semester: 14 / 28 Form of the course: on-site learning	
Number of credits: 5	
Recommended semester: 1.	
Educational level: II.	
Prerequisites:	
Course requirements: Continuous evaluation : 40% (written exam, 40 pts) Final exam: 60% (oral examination based on solution of case-study and follow-on discussion) Minimal evaluation - 61 % each. Grades: A/1 = 91 – 100 %; B/1,5 = 81 – 90 %; C/2 = 73 – 80 %; D/2,5 = 66 – 72 %; E/3 = 60 – 65 %; FX = 0 – 59 %. During the exam, the student is allowed to use all available sources of legal information, non-commented legal texts, commentaries, case-law, legal books and legal information systems).	
Learning outcomes: The course shall provide systematic overview in institutional, substantial and procedural EU law in order to make acquired skill a basis for further study of EU law courses specialized in particular fields of EU law provided at respective departments.	
Class syllabus: 1. Division of competences within the EU - The aim is to understand the division of competences between the Union and the Member States, and at the same time co-operation with shared competences. Historical development of European integration (system of three founding treaties, JEA, Maastricht, former three-pillar structure, Lisbon, etc.) 2. The EU Institutional System - EU Institutions, in particular the European Council, the EU Council, the European Commission and the European Parliament, their composition, creation, powers, functioning and interaction. The case-law of the EU Court of Justice dealing with these issues will also be dismantled, but in particular the dispute between the EU Council, the European Parliament and the European Commission. Current questions. Informative European Court of Auditors, ECB 3. Democracy in the EU - The Seminar will partly focus on the enhanced role of the European Parliament in EU decision-making processes following the changes introduced by the Treaty of Lisbon. However, its main objective will be to analyze the tasks of national parliaments, including the so-called yellow and orange cards and actions for breach of the principle of subsidiarity. In addition, the seminar will also focus on the new Institute established by the Treaty of Lisbon, which aims to strengthen the democratic dimension of the EU - the European Citizens' Initiative.	

4. Sources and nature of EU law I - The aim of the seminar is to give students a focus on the sources of EU law and to learn how these sources are applied in national conditions. The types of sources will be elucidated in terms of their legal force and commitment, with particular emphasis on the regulation, the directive and the decision. The methods leading to the acquisition of knowledge will be. i. also work with specific examples of sources for the seminar.
5. Sources and nature of EU law II - Attention will also be paid to the legal characteristics of EU law and the principles of its application in the territory of the Member States in interaction with national law such as priority, direct applicability, direct effect, indirect effect and liability of the Member State for damage individual. The methods leading to the acquisition of knowledge will be inter alia the analysis of important CJ EU case law and the solution of simulated case studies.
6. Law-making I - Legislative process - The aim is to gain orientation in the important decision-making process of the EU that leads to the adoption of legislation. In addition to the delimitation of the competences of the individual institutions, attention will be paid to the specifics of the ordinary and extraordinary legislative procedure and the most important case law of the Court of Justice of the EU related to legislative procedures. The status of advisory committees.
7. Law-making II - Implementation of EU law, comitology - The subject of the seminar will be an elucidation of the basic principles of the implementation of EU law. The focus will be on the system of implementing and delegated acts enshrined in the Lisbon Treaty, their relationship to legislative acts, the reasons for their introduction and the historical development that preceded them.
8. Law-making III - legislative technique - Students acquire the formal characteristics of individual regulations, the principles of their creation and the basics of legislative rules. Students should be able to prepare the draft document and describe the progress of the legislative process of its admission.
9. Law-making IV - Non-legislative decision-making processes - Change in the founding treaties of the EU, accession to the EU. Decision-making processes within the Common Foreign and Security Policy. Decision making processes sui generis. European Commission as an administrative body, principles of action.
10. EU Judicial System I - The subject of the seminar will be the institutional issues of the EU judicial system (composition, creation, powers, functioning) and individual types of actions and actions before the Court of Justice of the EU (Part 1)
11. The EU Judicial System II - The subject of the seminar will be individual types of actions and proceedings before the Court of Justice of the EU (Part 2)
12. EU judicial system III - Rules of procedure before the Court of Justice of the EU
13. Conclusion of international treaties - The seminar focuses on the techniques, procedures and powers of contracting and the possibility of review by CJ EU
14. Specific issues of European law
Implementation and application of European law in national conditions
State Aid (particular topics)
Common commercial policy
Proceedings before the EC in competition matters or other specific procedural procedures

Recommended literature:

- Barnard, C. : The Substantive Law of the EU The Four Freedoms. Oxford University Press, 2013.
- Vivien Rose, V.—Bailey, D.: Bellamy and Child: European Union Law of Competition, Oxford University Press, 2013.
- Ashiagbor, D. – Countouris , N. – Lianos, I.: The European Union after the Treaty of Lisbon. Cambridge University Press, 2012.
- Lenaerts, K. – Van Nuffel,P.: European Union Law, Third Edition, Londýn, Sweet and Maxwell, 2011.
- Craig,P. – de Búrca, G. :EU LAW, Text, Cases, and Materials. Fifth Edition. 2011, New York, Oxford University Press.

Woods, L. – Watson, P.: EU Law, Oxford University Press, 2012
Chalmers, D. – Davies, G.— Monti, G.: European Union Law, Cambridge University Press, 2010
Weatherill, S.: Cases and Materials on EU law. Oxford University Press, 2012

Languages necessary to complete the course:

English

Notes:

Past grade distribution

Total number of evaluated students: 87

A	ABS	B	C	D	E	FX
24,14	0,0	35,63	19,54	10,34	6,9	3,45

Lecturers: prof. JUDr. Ing. Ondrej Blažo, PhD., doc. JUDr. Hana Kováčiková, PhD., doc. JUDr. Mária Patakyová, PhD., prof. PhDr. JUDr. Lucia Mokrú, PhD., doc. JUDr. Andrej Beleš, PhD., JUDr. Sára Kiššová, PhD., Mgr. Adam Máčaj, PhD., Mgr. Igor Sloboda

Last change: 11.07.2022

Approved by: