

## COURSE GUIDE

# European Union Law

**Degree in Law**  
**University of Alcalá**  

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**Academic Year 2021/2022**  
**Second Year - Second Term**

## COURSE GUIDE

Course name:	<b>European Union Law</b>
Code:	<b>400012</b>
Degree Course:	<b>Degree in Law</b>
Department and Area:	<b>Department of Legal Sciences Constitutional Law</b>
Type:	<b>Compulsory</b>
ECTS Credits:	<b>8 Credits ECTS</b>
Year/Term/Timetable:	<b>Second Year – Second Term</b>
Course covener/ course tutor	<b>Faustino Gudín Rodríguez-Magariños</b>
Office hours:	Personal meetings with students should be arranged in advance, by email or at request of the students in the class
Language of instruction:	<b>English</b>
English Maximum number of students	<b>25</b>

## 1. COURSE DESCRIPTION

European Union Law is a compulsory course offered in the second term of the second year of the Degree in Law. In the framework of this course, the main features of the European integration process, its institutions and the European legal system will be studied.

The course studies, first, the institutional framework of the European Union, making particular emphasis in how the Commission, the Council and the European Parliament exercise their competences in the decision-making process.

Secondly, the course analyses the European Union legal framework by distinguishing between primary and secondary law and systematizing the different principles through which these rules are implemented in the member States: the principles of direct effect and supremacy. Particular attention is given to the interaction between European Union Law and the Spanish domestic system.

Finally, the course deals with some of the policies of the European Union being at the core of the European integration process: citizenship, human rights protection, and the European Union external action.

The knowledge gained in this course is essential for professional practice, research or access to the internal and international public function, in particular, for access to the diplomatic career, or to the public function within the scope of the European Union, the Council of Europe or the United Nations, with a growing need for human resources in an increasingly globalized and interdependent world. It will also be advantageous for any career not only in the field of International law and international relations, but in multiple practice areas of domestic law, such as Constitutional law, Administrative law, Company law, Labour law or Criminal law, too.

### Prerequisites and Recommendations

It is not required to have passed any subject to be able to take the subject European Union Law, although it is recommended to have taken Constitutional Law and Public International Law.

## 2. LEARNING OBJECTIVES - SKILLS

The student is expected to gain the following skills through studying this course:

### 2.1. General Skills

1. Researching, selecting and evaluating information and data.
2. Analyzing legal texts.
3. Analyzing complex problems from an interdisciplinary standpoint.
4. Improving oral and written skills, as well as team working skills.
5. Developing self-regulated learning.

### 2.2. Specific Skills

1. Understanding the basic categories and legal concepts of European Union law
2. Analyzing the fundamental characters of the European integration process and applying them within the legal and political framework of the European Union

3. Understanding the consequences of the Spanish accession to the EU and analyzing how European Union Law interacts with the Spanish legal system.

### 3. COURSE CONTENT

**Unit I:** An Introduction to European Union Law.

**Unit II:** The European Union Institutions.

**Unit III:** The European Union Legal System.

**Unit IV:** The Enforcement of the European Union Law.

**Unit V:** The Fundamental Rights in the European Union Law.

#### Programación

<b>UNIT I:</b> An introduction to European Union Law.	<ul style="list-style-type: none"> <li>• 2 theoretical sessions</li> <li>• 2 Practical session</li> </ul>
<b>UNIT II:</b> The European Union Institutions	<ul style="list-style-type: none"> <li>• 5 theoretical sessions</li> <li>• 5 practical sessions</li> </ul>
<b>UNIT III:</b> The European Union legal system	<ul style="list-style-type: none"> <li>• 3 theoretical sessions</li> <li>• 3 practical sessions</li> </ul>
<b>UNIT IV:</b> The enforcement of the European Union Law	<ul style="list-style-type: none"> <li>• 3 theoretical sessions</li> <li>• 3 practical sessions</li> </ul>
<b>UNIT V:</b> The fundamental rights in the European Union Law	<ul style="list-style-type: none"> <li>• 2 theoretical sessions</li> <li>• 2 practical sessions</li> </ul>

### 4. METHODOLOGY

#### Total hours of teaching: 200

<b>Teaching hours: 75</b>	<ul style="list-style-type: none"> <li>• Classes: 60</li> <li>• Guided study: 15</li> </ul>
<b>Self-study: 125</b>	<ul style="list-style-type: none"> <li>• Self Study: 85</li> </ul>

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## Learning methodologies

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The classes will follow the methodology below:

- **Theoretical classes:**

These will consist of the presentation and discussion of the subject by both the professor and the students. The students, with the professor's support, will present and debate the course contents which will have been previously prepared, along with any doubts that may arise from this.

The students' presentations will essentially be oriented towards demonstrating learning and understanding European Union law, as well as the progressive development of legal reasoning. The teacher will conclude the presentations and will present to the students the issues which may arise from the corresponding legal system and the difficulties in its interpretation and application. In this way, the students take on a main role in classes, which becomes a space for dialogue, the exchange of ideas, resolution searching and debate.

- **Practical classes:**

These will consist of the students presenting courts' pronouncements or documents which have previously been supplied by the teacher. The aim of this is that the student becomes accustomed to working directly with laws, judicial rulings and other documents.

In particular, for the resolution of cases the teacher will provide the students with key facts from a problematic real-life situation and the student must identify the relevant aspects of the case and legal matter at issue, as well as searching for the applicable legal system and interpreting and resolving the specific issue. The aim is that the student develops their abilities in researching information, managing legislative codes, and reasoning based on the rules of legal logic. Solving cases at the same time as studying the course material allows the student to learn and retain the most relevant aspects of European Union legal system.

- **Student's own work:**

- a) Reading and studying the topic's reading list
- b) Studying and understanding the concepts, institutions and principals explained in lectures and, based on these, creating notes, mind maps, diagrams
- c) Reading the materials (laws, case law, legal news, articles and other documents).
- d) Researching legal information.
- e) Preparing practical cases and the notes necessary to participate in the debate which will take place in class.
- f) Completing short essays on the subjects selected by the teacher or proposed by the student and approved by the professor
- g) Resolving practical cases selected by the professor

The personalized tutorials will consist of one-on-one sessions (within the timetable) for students in order to guide them on developing their learning, resolving any issues, filling gaps in knowledge, making suggestions and so that the teacher has more direct

information on the students' opinions of the class. These traditional tutorials may be complemented by electronic or virtual tutorials.

## 5. ASSESSMENT

Students to whom the system of continuous evaluation does not apply, will be graded according to the grade obtained in the final exam.

### 5.1 Assessment grading criteria

Qualifications are awarded in accordance with R.D 1125/2003, in the following manner:

- a) Fail (Suspenso): From 0 to 4.9.
- b) Pass (Aprobado): From 5 to 6.9.
- c) Merit (Notable): From 7 to 8.9.
- d) Distinction (Sobresaliente): From 9 to 10.
- e) Graduate with Honors (Matrícula de Honor): From 9 to 10.

The grades will be awarded as follows:

- a) Fail: when the student shows deficiencies and gaps in the acquisition of the basic subject knowledge, or when their level of understanding is low and their participation in practical classes and seminars has not demonstrated the expected level of knowledge acquisition.
- b) Pass: when the student shows adequate knowledge and abilities to be able to cope independently with the study of and application of administrative legislation in their professional life.
- c) Merit: when the student masters the content of the subject and has acquired and developed their own abilities in the practical classes and seminars to a reasonably high level, demonstrating capabilities of critical thought, reflection and most importantly of interpretation and application of law to the resolution of cases.
- d) Distinction: a high level in both the conceptual understanding of the subject and in the preparation of work, presentations and the resolution of cases. Conceptual clarity, ability to make connections, extensive knowledge of the discipline. Accuracy in the use of legal terminology. Depth and originality in the execution of case studies and pieces of work.
- e) 'Graduate with honors' will be awarded to those students who, having achieved a grade of distinction, stand out in particular due to their dedication to the subject and brilliance in work carried out. Initiative, depth and originality will be of particular value.

### 5.1 Assessment procedure

#### A. Continuous evaluation

##### A.1 Ordinary examination period:

For those students who follow the system of continuous evaluation, the final grade will result from the grades obtained in carrying out two partial theoretical exams, a practical

case that will be carried out individually in the classroom, some practical cases that will be exposed in each of the practical classes of the subject and an overall final exam

The **two partial theoretical exams** represent 40% of the final grade for the subject (20% each).

**Practical exam:** students will have to solve individually and in writing a practical case that will be proposed by the teacher and will be carried out in the classroom with the help of the corresponding Code of European Legislation (15%).

The resolution of the **practical cases** that will be presented to the students throughout the semester represents another 15% of the final grade. Each student will present a minimum of two practices throughout the course.

Finally, the global (overall) **final exam** will be a practical test, which will represent 30% of the final grade. To solve this test it will be necessary to have a Code of European Legislation.

Students who follow the system of continuous evaluation and have complied with attendance requirements will be considered 'ABSENT' where they have not completed any of the summative assessments of the course.

#### A.2 Re-sit examination period:

This exam will consist of a theoretical part, which will account for 50% of the grade, and a practical part, which will represent the other 50%. To carry out the practical part, it will be necessary to have a Code of European Legislation.

Maximum duration: 4 hours.

### B) Evaluation by Final Exam

Students wishing to be assessed by a final exam should submit a written request to the Dean of the School of Law during the first two weeks of the term explaining why continuous assessment is unsuitable for them. Once granted the final evaluation, the students must sit a final exam in May/June to demonstrate that they have gained every general and specific skills required.

#### B.1 Ordinary Examination Period:

The FINAL EXAM will consist of an oral and a written test, with theoretical and practical content, in which they will have to demonstrate that they have acquired the generic and specific skills required in the course's teaching guide.

The **written exam** will consist of a theoretical part, which will account for 40% of the grade and the resolution of a practical case that will represent another 40%. To carry out the practical part, it will be necessary to have a Code of European Legislation.

The **oral exam** will be carried out in the presence of at least two Professors of the subject and will consist of one or more short questions from the Teaching Guide, which will account for 20% of the final grade.

Maximum duration: 4 hours.

#### B.2 Re-sit examination period:

This exam will consist of a theoretical part, which will account for 50% of the grade, and a practical part, which will represent the other 50%. To carry out the practical part, it will be necessary to have a Code of European Legislation.

Maximum duration: 4 hours.

## 6. BIBLIOGRAPHY

The following textbook will be used during the classes

### For theoretical classes:

HARTLEY, T.C., *The Foundations of European Law*, Oxford University Press.

JIMÉNEZ PIERNAS, C. (ed.), *The Legal Practice in International Law and European Community Law. A Spanish Perspective*, Martinus Nijhoff Publishers

MANGAS MARTÍN y D. J. LIÑÁN NOGUERAS, *Instituciones y Derecho de la Unión Europea*, Ed. Tecnos, Madrid, última edición.

MOLINA DEL POZO, C. F., *Derecho de la Unión Europea*, Reus

SARMIENTO, DANIEL, *El Derecho de la Unión Europea*, Marcial Pons, última edición.

SCHÜTZE, R., *An Introduction to European Law*, Cambridge University Press.

### For practical classes:

CHALMERS, D., DAVIES, G. and MONTI, G., *European Union Law Text and Materials*, Cambridge University Press. CRAIG, P. and BÚRCA, G., *EU Law: Text, Cases, and Materials*, Oxford University Press

LOPEZ CASTILLO, Antonio (Director), *Instituciones y Derecho de la Unión Europea, vol. III. Casos prácticos*, Tirant Lo Blanch, última edición.

MANGAS MARTÍN, A., *Tratado de la Unión Europea, Tratado de Funcionamiento y otros actos básicos de la Unión Europea*, Ed. Tecnos, última edición.

Recommended Websites for documentation and teaching materials:

- European Union: <http://europa.eu>
- European Court of Justice: <http://curia.europa.eu>
- Official Journal of the European Union: <http://eur-lex.europa.eu>
- Centro de Documentación Europea de la Universidad de Alcalá: [www.uah.es/biblioteca/biblioteca/cde04.html](http://www.uah.es/biblioteca/biblioteca/cde04.html)



## 7. TEACHING ORGANIZATION IN A SCENARIO WITH MOBILITY OR PRESENTIALITY RESTRICTIONS

The dynamics and monitoring of the teaching will take into account the health situation caused by Covid-19, applying the corresponding protocol of the Alcalá University and the Guidelines issued by the academic authorities.

The programming and exam dates will be officially approved, which will be compulsory and in no case may they be changed or extended without the express approval of the academic authorities.

In relation to teaching and the academic relationship between teachers, students, departments and staff, the established institutional channels will be used (institutional email and Blackboard). The tutorials, support classes, talks, review of evaluation tests or similar will be carried out primarily online. The preferred mechanism is the virtual mode, in order to minimize any possible contagion.

The teachers of the subject will make the teaching material available to the students so that they could be able to follow the subject and all its content established in this Course Guide. In the case of our subject, the monitoring of virtual teaching constitutes a fundamental mechanism for communication and exchange of materials between teachers and their students.

**IMPORTANT REMINDER:** Online teaching sessions may be recorded by the teachers with the strictly educational purpose of complying with the public mission of higher education. The online assessment tests may be viewed remotely by the responsible teaching staff during their performance in order to verify the identity of the students and solve any doubts or incidents that may arise, such as in a face-to-face exam. The recorded images will be kept during the corresponding academic year, always keeping in mind the provisions of the academic regulations for the evaluation tests.

Students will be responsible for adapting their environment so that third parties unrelated to them are not seen during the classes or the tests. The UAH will not be responsible for the capture of images or sounds from third parties. In any case, the instructions of the teaching staff must be followed.

Students may not record, use or distribute the teaching sessions, or capture images of them or distribute them, without the consent of the teaching staff and the rest of the students if their image or voice could be captured.

It is recalled that only the reproduction of the materials and virtual classes recorded in and by the means provided by the University is authorized, so its use or distribution by other means such as social networks, is forbidden, because it is not only against the right to one's own image or privacy and data protection, but against intellectual property rights, and such action may cause, among others, academic responsibilities.

In any case, and especially to establish contact between members of the university community, you should use the tools that the University makes available to you, such as the virtual classroom (Blackboard) or the institutional email.