



FACULDADE DE DIREITO
Universidade de Lisboa

Curricular unit sheet

Course Masters in Law and Legal Practice

Curricular unit

European Union Procedural law (Course in English)

Responsible Academic staff and respective workload in the curricular unit (enter full name)

Ana Isabel Cruz Soares Pinto

Other academic staff and respective workloads in the curricular unit

N/A

Learning outcomes of the curricular unit

This course aims at offering an overview and thorough analysis of the remedies organized under European law both to ensure enforcement of EU law and to provide for protection against unlawful EU acts.

Syllabus

- I. Introduction. Judicial organization: the CJEU.
- II. Role of national courts – national procedural autonomy.
- III. Preliminary rulings on interpretation and validity.
- IV. Action for infringement.
- V. Action for annulment.
- VI. Action for failure to act.
- VII. Action for damages against the EU.
- VIII. Objection of illegality.
- IX. Interim measures.
- X. Allocation of jurisdiction. Appeals.
- XI. Procedure and special forms of procedure.
- XII. European Union procedural law and effective judicial protection.
- XIII. European Union litigation in a global context: CJEU, national courts and international courts.

Demonstration of the syllabus coherence with the curricular unit's objectives.

Syllabus grants an overview and thorough analysis of the remedies organized under European law.

Teaching methodologies (including evaluation)

Theoretical introduction to each subject through the expositive method. Discussion and analysis of previously assigned reading material. Presentations by Master Students on topics related to the sessions or to their own research interests. A paper may replace the final written exam.

Demonstration of the coherence between the teaching methodologies and the learning outcomes

Theoretical/practical classes aim to give an overview and thorough analysis of the remedies organized under European law and to become acquainted with the relevant legal sources: the EU Treaties, the texts governing the procedure, relevant Commission's documents and case law.

Main Bibliography

KOEN LENAERTS/ IGNACE Maselis/Katheleen Gutman, *EU procedural law*, Oxford University Press, 2014.

OPTIONAL BIBLIOGRAPHY

ENGLISH:

RENÉ BARENTS, «EU procedural law and effective legal protection», *Common Market Law Review*, vol. 51, n.º 5, 2014, pp. 1437–1461.

M. BROBERG/ N. FENGER, *Preliminary References to the European Court of Justice*, 2 ed., Oxford University Press 2014.



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PAUL CRAIG, «Legal control of regulatory bodies: principle, policy and theology», in Patrick J. Birkinshaw / Mike Varney (ed.), *The European Union Legal Order after Lisbon*, Kluwer Law International, 2010.

CAROLINE NAÔMÉ, *Appeals Before the Court of Justice of the European Union*, OUP, 2018.

STEVE PEERS/ M. COSTA, «Judicial review of EU acts after the Treaty of Lisbon», *European Constitutional Law Review*, vol. 8(1), 2012, pp. 82-104.

Alan Rosas / E. Levits / Y. Bot, (ed.), *The Court of Justice and the construction of Europe: analyses and perspectives on sixty years of case-law*, Asser Press, Springer, 2013.

ALEXANDER H. TURK, *Judicial review in EU Law*, Edward Elgar Publishing, 2009.

FRENCH:

JAROSLAW LOTARSKI, *Droit du contentieux de l'Union européenne*, 5.^a ed., L.G.D.J., 2014.

FRANÇOIS-XAVIER PRIOLLAUD / DAVID SIRITZKY, *Le traité de Lisbonne: Commentaire, article para article, des nouveaux traits européens* (TUE et TFUE), La Documentation Française, Paris, 2008.

JEAN-LUC SAURON, *Procédures devant les juridictions de l'Union européenne et devant la CEDH*, 4.^a ed., Gualino, 2016.

DENYS SIMON (DIR.) / FLAVIEN MARIATTE / DOMINIQUE RITLENG, *Contentieux de l'Union européenne /1 – annulation, exception d'illégalité*, Lamy, 2011.

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DENYS SIMON (DIR.) / CHRISTOPHE SOULARD / ANNE RIGAU / RODOLPHE MUNOZ, *Contentieux de l'Union européenne /3 –renvoi préjudiciel, recours en manquement*, Lamy, 2011.

SEAN VAN RAEPENBUSCH, *Les recours des particuliers devant le juge de l'Union européenne*, Bruylant, 2012.

SEAN VAN RAEPENBUSCH, *Le contrôle juridictionnel dans l'Union européenne*, 3.^a ed., Bruylant, 2018.

MELCHIOR WATHELET, *Contentieux européen*, 2.^a ed., Collection de la Faculté de Droit de l'Université de Liège, Larcier, 2014.

PORTUGUESE:

MARIANA DE SOUSA ALVIM, *A tutela judicial provisória dos particulares no âmbito do Direito Comunitário*, Principia, 2008.

JOÃO MOTA DE CAMPOS / ANTÓNIO PINTO PEREIRA / J. L. MOTA DE CAMPOS, *Direito Processual da União Europeia*, 2.^a ed., Fundação Gulbenkian, 2014.

FRANCISCO PEREIRA COUTINHO, *Os tribunais nacionais na ordem jurídica da União Europeia. O caso português*, Coimbra editora, 2013.

MARIA LUÍSA DUARTE, *Contencioso Comunitário. Programa, conteúdos e métodos do ensino teórico e prático*, Principia, 2003.

MARIA LUÍSA DUARTE, *Direito do Contencioso da União Europeia*, AAFDL editora, 2017.

ANA MARIA GUERRA Martins, *Manual de Direito da União Europeia*, 2.^a ed., Almedina, reimpressão 2019.

MARIA JOSÉ RANGEL DE MESQUITA, *Introdução ao Contencioso da União Europeia. Lições*, 3.^a ed., Almedina, 2019.

SOFIA PAIS (coord.), *Princípios fundamentais de direito da União Europeia - uma abordagem jurisprudencial*, reimpressão da 3.^a edição de 2014, Coimbra: Almedina, 2018.

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