

FACULDADE DE DIREITO DA UNIVERSIDADE DE LISBOA

Mestrado Profissionalizante

Ciências Jurídico-Forenses

EUROPEAN UNION PROCEDURAL LAW

17/06/2022

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I

Mock case

Action for damages: purpose; no jurisdiction regarding Member States' liability (competent jurisdiction: national courts);

Preliminary rulings: power to request a preliminary ruling; distinction power/duty to request a preliminary ruling; exceptions; CJ does not apply EU law to the dispute; competent jurisdiction (CJ); caselaw; see opinion case C-61/21;

Action for failure to act: purpose; pre-litigation and litigation phases (inadmissibility); defendants (only EU institutions, bodies and agencies); competent jurisdiction (GC); action manifestly bound to fail (Article 126 RPGC); caselaw;

Action for infringement: purpose; infringement procedure for failure to notify measures transposing a directive adopted under the legislative procedure: Article 260(3) TFEU (not applicable; inadmissibility); pre-litigation and litigation phases; financial sanctions (inadmissibility); competent jurisdiction (CJ); caselaw;

Interim measures: purpose; other interim measures; characteristics; in relation to action for infringement; admissibility requirements; substantive requirements (inadmissibility).

II

Comment the following sentence:

Article 47 Charter of Fundamental Rights of the European Union; article 19 TFEU; rules relating to admissibility before the CJEU; relevant caselaw

Article 263 TFEU: purpose; non-privileged applicants; admissibility requirements: *Plaumann* line judgment; Lisbon Treaty;

Article 265 TFEU: purpose; private applicants; parallelism between action for failure to act and action for annulment;

Article 260 TFEU: purpose; no standing for individuals

Article 277 TFEU: purpose; private applicants

Article 267 TFEU: purpose

Opinion

Third States legal standing before CJEU (Case *Venezuela*); recent and relevant caselaw;

CJEU and ICJ jurisdiction; opinion.

Time allowed: 1h30m

I: 11; II: 8; writing: 1.