



FACULDADE DE DIREITO
Universidade de Lisboa

Curricular unit sheet

Licenciatura Course 2018/2019

Curricular unit

European Union Procedural Law (1st Semester)

Responsible Academic staff

Prof. Maria Luísa Duarte – 2 hours / week

Other Academic staff

Prof. Rui Lanceiro (2 classes) / Mestre Cecília A. Correia (3 classes)

Learning outcomes of the curricular unit

To study the EU Court of Justice's functioning, its procedure and its jurisdiction, specially the various categories of proceedings available before the Court (for instance, references for preliminary rulings, actions for annulment, actions for failure to act, and infringement proceedings), and also its relationship with the national courts of the Member States.

Syllabus

1. Introduction: EU Justice and rule of law
2. The judicial structure of the EU: the EU Courts
3. Procedural Law – sources and general principles
4. The preliminary ruling procedure
5. Special focus: the dialogue between the CJEU and the national courts
6. Control of EU legality: Direct actions before the CJEU (actions for annulment of EU acts and actions for failure to act)
7. Infringement proceedings against the Member States
8. Actions for damages
9. Interim measures and injunctions

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

The subjects included in the syllabus will allow the student to have a deep understanding of the functioning of the EU judicial system.

Teaching methodologies (including evaluation)

The teaching methodology includes theoretical classes, where the subjects will be presented and analyzed, namely through references to relevant case-law, and practical classes, where those subjects will be studied in a practical and critical way, through discussion and the presentation of cases.

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

The teaching methodology, based on theoretical and practical classes, is envisaged to allow the students to acquire and consolidate expertise on judicial guarantees in the EU.

Bibliography

Main Bibliography

- Maria Luísa DUARTE – *Direito do Contencioso da União Europeia*, Lisboa, AAFDL, 2017.
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- Maria Luísa DUARTE / Rui T. LANCEIRO – *Tratado de Lisboa*, 4.^a ed., Lisboa, AAFDL, 2017.
- LENAERTS, Koen, e outros – *EU Procedural Law*, Oxford Univ. Press, 2015.

Other Bibliography



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- 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 – *O Direito Processual da União Europeia*, 2.ª edição, FCG, 2014.
- COUTINHO, Francisco Pereira – *Os tribunais nacionais na ordem jurídica da União Europeia. O caso português*, Coimbra Editora, 2013.
- Sérgio Saraiva DIREITO – *A figura do Advogado-Geral no Contencioso Comunitário*, Coimbra Editora, 2007.
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- Ricardo Alonso GARCÍA – *Sistema jurídico de la Unión Europea*, 2.ª ed., Madrid, Thomson-Civitas, 2010.
- Francisco Paes MARQUES – *A exceção de ilegalidade no Contencioso da União Europeia*, Lisboa, AAFDL, 2008.
- M. José Rangel de MESQUITA – *Introdução ao Contencioso da União Europeia*, Coimbra, Almedina, 2013.
- Nuno PIÇARRA – *O Tribunal de Justiça das Comunidades Europeias como juiz legal e o processo do artigo 177.º do Tratado CEE*, Lisboa, AAFDL, 1991.
- Carlos Carranho PROENÇA – *Tutela jurisdicional efectiva no Direito da União Europeia*, Petrony, 2017.
- Inês QUADROS – *A função subjectiva da competência prejudicial do Tribunal de Justiça das Comunidades Europeias*, Lisboa, Almedina, 2006.
- SIMON, Denys (dir.) – *Contentieux de l'Union européenne*, Paris, Ed. Lamy, 2011 (3 vols.).
- WATHELET, Melchior – *Contentieux européen*, Bruxelles, Larcier, 2010.