



FACULDADE DE DIREITO
Universidade de Lisboa

Curricular unit sheet

Course Masters in Law and Legal Practice

Curricular unit

European Union Procedural law

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

Ana 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 (EU treaties, texts governing procedure, caselaw, readings and relevant links), solving fictitious cases and drafting written pleadings and observations under European Union Procedural law.

Evaluation: continuous assessment (50%) and a written exam (50%). Erasmus/mobility students' special evaluation: an essay on topics related to the course may replace the written exam.

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

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

LENAERTS, Koen / MASELIS, Ignace / GUTMAN, Kathleen – *EU procedural law*, Oxford University Press, 2014.

OPTIONAL BIBLIOGRAPHY

ENGLISH:

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

LENAERTS, Koen – “On Judicial Independence and the Quest for National, Supranational and Transnational Justice”, in: SELVIK G. et al. (eds) *The Art of Judicial Reasoning*. Springer, 2019, pp. 155-174.

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

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FRENCH:

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LOTARSKI, Jaroslaw – *Droit du contentieux de l'Union européenne*, 5th ed., L.G.D.J., 2014.

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

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SIMON, Denys (dir.) / SOULARD, Christophe / RIGAUX, Anne / MUNOZ, Rodolphe – *Contentieux de l'Union européenne /3 – renvoi préjudiciel, recours en manquement*, Lamy, 2011.

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PORTUGUESE:

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CAMPOS, João Mota de / PEREIRA, António Pinto / CAMPOS, J. L. Mota de – *Direito Processual da União Europeia*, 2.^a ed., Fundação Gulbenkian, 2014.

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DUARTE, Maria Luísa – *Contencioso Comunitário. Programa, conteúdos e métodos do ensino teórico e prático*, Principia, 2003.

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