

European Union Law

Degree in Law – 2022/2023

Course

European Union Law (2nd semester)

Professor and respective teaching load in the course

Maria Luísa Duarte (2h/week)

Professor for the English classes

Class 1: Heloísa Oliveira (2h/week)

Class 2: Joana Gama Gomes (2h/week)

Class 3: Francisco Cordeiro de Araújo (2h/week)

Teaching objectives (knowledge, skills and competences to be developed by students)

- acquisition of in-depth knowledge of the origins and development of the European construction process
- knowledge about the institutional structure and legal and political bases of the European Union (EU)
- ability to analyse problems relating to European integration
- knowledge and interpretation of EU normative texts, in particular institutional treaties
- critical reasoning, oral and written expression, collaborative skills

Contents

1. Introduction
2. The organizational structure of the EU
3. EU decision-making procedures
4. The sources of EU law
5. The link between the EU Law and the national legal systems
6. Scope and nature of EU competences
7. Fundamental rights protection in EU Law

Demonstration of the coherence of the syllabus contents with the objectives of the course

The definition of contents, in the broad field of subjects covered by EU law, aims to provide students with an introductory and solid training in EU law, with a particular focus on internormative relations.

Teaching methodologies/Evaluation

Classes will include critical analysis of texts, decisions of EU courts, and resolution of problems.

Student participation is encouraged. For that purpose, specific readings will be indicated for each class. Discussion and critical analysis of problems will be promoted in small groups of students and then discussed with the entire class.

Evaluation comprises the following features:

- case law comments and solving practical cases in classes; and
- a written test at the end of semester.

Students who obtain a grade equal to or higher than 10 points are approved. Students who do not obtain such grade are admitted to a written exam.

Main bibliography

Basic Bibliography

- CRAIG, Paul / BURCA, Gráinne de – *EU Law. Text, cases and materials*, 7th ed., Oxford Univ. Press, 2020.

Bibliography in portuguese

- DUARTE, Maria Luísa – *Direito da União Europeia – Lições desenvolvidas*, Lisboa, AAFDL, 2021
- ___ *Tratado de Lisboa*, 4.ª edição, Lisboa, AAFDL, 2017 (em co-autoria com Rui Tavares Lancelero).
- ___ *Estudos sobre o Tratado de Lisboa*, Coimbra, Almedina, 2010.
- ___ “O ramo e a árvore – a propósito do Direito da União Europeia. Notação sobre Botânica Jurídica”, in *Revista de Direito Público*, n.º 1, 2009, p. 247.
- ___ *Direito do Contencioso da União Europeia*, Lisboa, AAFDL, 2017.
- ___ *A teoria dos poderes implícitos e a delimitação de competências entre a União Europeia e os Estados-membros*, Lisboa, Lex, 1997.
- ___ *Estudos de Direito da União e das Comunidades Europeias*, Coimbra Editora, 2000.
- ___ *Estudos de Direito da União e das Comunidades Europeias*, Coimbra Editora, 2006, vol. II.
- ___ *Contencioso Comunitário*, Lisboa, Principia, 2003.
- ___ *União Europeia e jurisprudência constitucional dos Estados-membros*, em co-autoria com Pedro Delgado ALVES), Lisboa, AAFDL, 2006.
- ___ *20 Anos de Jurisprudência da União sobre Casos Portugueses* (em co-coordenação com Luís Fernandes e Francisco Pereira Coutinho), Lisboa, MNE, ID, 2011.
- MOTA DE CAMPOS, João / MOTA DE CAMPOS, João Luiz – *Manual de Direito Europeu*, 6.ª ed., Coimbra Editora, 2010.
- PAIS, Sofia Oliveira – *Princípios fundamentais de Direito da União Europeia*, Almedina, 2011.

Bibliography in other languages

- AA.VV. – *Abécédaire de Droit de l’Union Européenne*. En l’honneur de C. Flaesch-Mougin, Presses Univ. De Rennes, 2017.
- BLUMANN, Claude / DUBOIS, Louis – *Droit institutionnel de l’Union européenne*, Paris, Litec, 2007.
- CHALMERS, D. / DAVIES, G. / MONTI, G. – *European Union Law*, 4th ed., Cambridge Univ. Press, 2019.
- DONY, Marianne – *Droit de l’Union européenne*, Ed. de l’Université de Bruxelles, 2008.
- GARCÍA, Ricardo Alonso – *Sistema jurídico de la Unión Europea*, 2nd ed., Madrid, Civitas, 2010.
- HARTLEY, T. C. – *The Foundations of European Community Law. An introduction to the Constitutional and Administrative Law of the European Communities*, 7th ed., Oxford, 2010.
- HONRUBIA, Victoria Abéllan / COSTA, Blanca Vilà / RAYO, Andreu Olesti – *Lecciones de Derecho Comunitario Europeo*, 5th ed., Barcelona, Ariel, 2008.



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- JACQUÉ, J. P. – *Droit institutionnel de l'Union européenne*, 6th ed., Paris, Dalloz, 2010.
- LARRUCEA, José A. Girón – *El sistema jurídico de la Unión Europea. La reforma realizada en el Tratado de Lisboa*, Valencia, Tirant lo blanch, 2008.
- LENAERTS, K. / NUFFEL, P. Van – *Constitutional Law of the European Union*, Londres, Sweet & Maxwell, 2005.
- MARTÍN, Araceli Mangas / NOGUERAS, Diego J. Liñán – *Instituciones y Derecho de la Unión Europea*, 5th ed., Madrid, Tecnos, 2010.
- PESCATORE, Pierre – *Droit de l'intégration* (reimpressão da obra editada em 1972), Bruxelas, Bruylant, 2005.
- TESAURO, G. – *Diritto Comunitario*, 6th ed., Pádua, CEDAM, 2010.
- SCHÜTZE, Robert – *European Union Law*, 2nd ed., Cambridge, 2018.
- STEINER, Josephine / WOODS, Lorna – *EU Law*, Oxford Univ. Press, 2009.

Other elements

- Treaties (Treaty of the European Union and Treaty on the Functioning of the European Union)
- Charter of the Fundamental Rights
- Portuguese Constitution
- European case law (available at <http://www.curia.eu>)