



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)**

The teaching activity will be part of the teaching and research activities of the Jean Monnet “Fundamental Rights and Rule of Law as European Values in a Global World after the Conference on the Future of Europe” - (2022-2025, Key Topic 1 - Fundamental Rights and Rule of Law as EU values: evolving legal and jurisprudential framework in the EU and beyond the recovery in response to the Covid-19 crisis and the Convention on the Future of Europe and Key Topic 3 – Promoting the role of Fundamental Rights and the Rule of law as EU values in national and international regional litigation [Items 1.4, 4.4 and 11.]).

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 (in particular EU fundamental rights and rule of 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. The promotion of the role of Fundamental Rights and of the Rule of Law as Values of the European Union through judicial review in the EU and its relationship with national and international regional litigation: the relevant case law of the CJEU and its evolution.

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.



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### 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 final 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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##### FRENCH:

CARTIER-BRESSON, Anémone / DERO-BUGNY, Delphine – *Les réformes de la Cour de justice de l'Union européenne - Bilans et perspectives*, Bruylant, 2020.

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SAURON, Jean-Luc / GASSO, Anna – *Droit Procédural européen – procédures devant la Cour de Justice, le Tribunal et la Cour Européenne des Droits de l'homme*, LEGITECH, 2021.

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VAN RAEPENBUSCH, Sean – *Les recours des particuliers devant le juge de l’Union européenne*, Bruylant, 2012.  
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#### PORTUGUESE:

AAVV – *Enciclopédia da União Europeia*. Petrony. 2018.  
ALVIM, Mariana de Sousa – *A tutela judicial provisória dos particulares no âmbito do Direito Comunitário*, Principia, 2008.  
CAMPOS, João Mota de / PEREIRA, António Pinto / CAMPOS, J. L. Mota de – *Direito Processual da União Europeia*, 2.ª ed., Fundação Gulbenkian, 2014.  
COUTINHO, Francisco Pereira – *Os tribunais nacionais na ordem jurídica da União Europeia. O caso português*, Coimbra editora, 2013.  
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