

Curricular unit sheet
2024/2025
Bachelor's Degree Course

Curricular unit

European Union Procedural law

Responsible Academic staff (enter full name)

João Tornado

Syllabus

I. Introduction

- I.1. Judicial organization: the courts of the EU
- I.2. The role of national courts
- I.3. Preliminary rulings on interpretation and validity

II. Common Procedural

- II.1. Action for infringement
- II.2. Action for annulment
- II.3. Action for failure to act
- II.4. Action for damages against the EU
- II.5. Objection of illegality
- II.6. Interim measures

III. Fundamental Rights and the Rule of Law as Values through judicial review in the EU: the relevant case law of the CJEU and its evolution

Teaching methodologies and evaluation

Discussion and critical analysis of the subjects will be deeply encouraged throughout all classes. Student participation is highly encouraged.

Throughout the semester, students will present selected case-law of their choice.

Final evaluation will be made according to the following factors:

- Participation in class activities (25%);
- Presentation of selected case-law (25%);
- Written commentary of selected case-law (50%)

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

This chair aims 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 and relevant case law. The flexibility of the curriculum and the collaborative work in classes aim at stimulating the critical analysis of students over the theoretical and practical aspects of the chair.

Bibliography

Main:

K. LENAERTS / I. MASELIS / K. GUTMAN – *EU Procedural Law*, 2nd ed., Oxford Univ. Press, 2023

Optional:

AA.VV. – *The Court of Justice and the construction of Europe. Analyses and perspectives on sixty years of case law*, The Hague, Asser, 2013

BIRKINSHAW, Patrick J. / VARNEY, Mike (ed.) – *The European Union Legal Order after Lisbon*, Kluwer Law International, 2010

DUARTE, Maria Luísa – *Direito do Contencioso da União Europeia*, Lisboa, AAFDL, 2017

DUARTE, Maria Luísa – *Direito da União Europeia. Lições desenvolvidas*, Lisboa, AAFDL, 2021

ECEIZABARRENA, J. I., et al – *El futuro jurisdiccional de Europa*, Onãti, IVAP, 2019

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

MARTINS, Patrícia Fragoso – *Rethinking access by private parties to the CJUE*, Lisboa, UCP Editora, 2016

MARQUES, Francisco Paes – “O acesso dos particulares ao recurso de anulação após o tratado de Lisboa : remendos a um fato fora de moda” in Ana Maria Guerra Martins.. [et al] *O Tratado de Lisboa*, 2010

MARQUES, Francisco Paes – “*A Excepção De Ilegalidade No Contencioso Da União Europeia*”, AAFdl, 2008

MESQUITA, Maria José Rangel de – *Introdução ao Contencioso da União Europeia*, Coimbra, Almedina, 2017

PROENÇA, Carlos Carranho – *Tutela jurisdiccional efectiva no Direito da União Europeia: dimensões teóricas e práticas*, Lisboa, Petrony, 2017

SIMON, Denys (dir.) – *Contentieux de la Union européenne*, Paris, Ed. Lamy, 2011, vol. 1 / vol. 2 / vol. 3