

SSP, 3rd year, European Union Law 2022/2023

European Union Law

Academic Year 2022/2023

Lectures (L) (prof. dr hab. Dariusz Adamski (DA), dr hab. Agnieszka Frąckowiak-Adamska, prof. UW r (AFA)): **Friday 9:45-11.15 and 11.30-13.00, room 401 C**

Seminars (S) (dr hab. Jakub Kociubiński, prof. UW r): **Monday 8:00-9:30 and 9:45-11:15, room 214 A**

Reading:

Robert Schütze, *European Union Law*, Oxford University Press 2021 [**textbook**]

Available in the library, online resources: <https://european-union-law.schutze.eu/chapter/>

24.02 (L - DA)

- European integration: origins, stages (Treaties, enlargements), the political model, the founding treaties
- Purposes of the EU according to the Treaties, assessment: Arts 1-3 TEU
- Origins of the institutional setup and its current form: Art. 13 TEU

Reading: **textbook**, Chapter 1

27.02 (S)

- European Union against the backdrop of other international organisations
- The EU as object and subject of international law
- An international organisation or something else?

Reading: **textbook**, Chapter 2

3.03 (L - DA)

- European Council: Art. 15 TEU and Arts. 235-236 TFEU
- European Parliament: Art. 14 TEU and Arts. 223-234 TFEU
- Commission: Art. 17 TEU and Arts. 244-250 TFEU
- Council: Art. 16 TEU and Arts. 237-243 TFEU

Reading: **textbook**, Chapters 3 & 4.1

6.03 (S)

- The EU as a Community of Values (Arts. 2, 7 TEU)

Reading: **textbook**, Chapter 2 & 12

10.03 (L - DA)

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- High Representative of the Union for Foreign Affairs and Security Policy: Art. 18 TEU
- Sources of EU law in general: primary and secondary law
- Legislative, delegated and implementing acts (Art. 289-291 TFEU)
- Ordinary legislative procedure (Art. 294 TFEU)
- Summary of the institutional dynamics in European legislation and decision-making

Reading: **textbook**, Chapters 7.3, 9.1-9.2

13.03 (S)

- Competences and conferral
- Subsidiarity
- Proportionality

Reading: **textbook**, Chapters 7.1, 7.3-7.4, 8

17.03 (L - DA)

- Direct effect of primary EU law: Case 26/62, van Gend & Loos, opinion of the AG
- Principle of primacy of EU law: Case 6/64, Flaminio Costa v. ENEL
- Direct effect of secondary EU law: Case 152/84, M. H. Marshall v. Southampton; Case C-91/92, Paola Faccini Dori v Recreb Srl

Reading: **textbook**, Chapters 5 & 6.1-.6.2

20.03 (S)

- Enhanced cooperation within the EU (Art. 20 TEU).
- Treaty amendments, accessions, withdrawals, personal, territorial and temporal scope of application of the Treaties (Arts. 48-55 TEU).

24.03 (L - DA)

- Principle of harmonious interpretation (indirect effect): Case C-44/21, Phoenix Contact
- Principle of state liability for a breach of EU law: Cases C-6/90 and C-9/90, Francovich
- Direct/indirect effect of directives/state liability: C-122/17, David Smith v Patrick Meade and Others

Reading: **textbook**, Chapter 11.3

27.03 (S)

EU external action:

- principles, objectives and institutions
- instruments: international agreement as a source of EU law
- EU external policies
- EU and its neighbours

Reading: [textbook](#), Chapter 19

14.04 (L - AFA)

- Court of Justice of the EU: goals (Art. 19 [TEU](#)), institutional arrangements (Art. 251-257 [TFEU](#) and the reform of the Court of Justice
- Preliminary references – part I

Reading: [textbook](#), Chapters 4.2, 10.4 and [here](#)

3.04 (S)

EU Internal Market

- The European Economic model
- The EU Internal Market – concept and its evolution
- Freedom of Establishment

21.04 (L - AFA)

- Preliminary references – part II
- Action against Member States for failure to fulfil their obligations under the Treaties (Articles 258 -260 [TFEU](#)) – part 1

Reading: [textbook](#), chapter 10.3-10.4

17.04 (S)

EU Internal Market – Free movement 1

- Free movement of goods
- Free movement of capital

Reading: [textbook](#), chapters 13, 14 & 16

28.04 (L - AFA)

- Action against Member States for failure to fulfil their obligations under the Treaties (Articles 258 -260 [TFEU](#)) – part 2
- Judicial review of EU acts (actions for annulment) and action for failure to act (Articles 263-265 [TFEU](#))

Reading: [textbook](#), Chapter 10.1

24.04 (S)

EU Internal Market – Free movement 2

- Free movement of persons
- Free movement of services

Reading: [textbook](#), chapters 15, 16

5.05 (L - AFA)

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- EU Fundamental Rights, origins, The EU Charter of Fundamental Rights application - Åklagaren v Hans Åkerberg Fransson (C-617/10) Relationship between the EU legal system and the European Convention for the Protection of Human Rights and Fundamental Freedoms (background here), opinion 2/13
- EU Citizenship, Arts. 18-25 TFEU
- Area of Freedom, Security & Justice – judicial cooperation in civil and criminal matters

Reading: **textbook**, chapter 12

8.05 (S)

- Immigration and asylum: legal framework, visas and border control, irregular migration, legal migration, asylum (Arts. 77-80 TFEU)

12.05 (L - AFA)

- Principle of effective legal protection (Article 19 TEU): obligation to ensure independence of national courts

15.05 (S)

- Exam

19.05 (9:45-11:15)

- Exam ('zero term')