

European Union Law

Course Outline

2007 – 2008

Winter Semester

School of Law / International Law Institute



Lecturer

Julien Chaisse

Alternate Leader IP11, World Trade Institute , Bern

Visiting Professor Wuhan University

Office: Room 510, Phone 27 6875 3756

julien.chaisse@wti.org

Time and Place of Classes

The class meets on Thursday 14.00 – 17.30

in Room 323

Introduction

The “European Union Law” course will essentially seek to analyse the most important characteristics of the complex legal order established by the European Union. The course will examine various elements of the legal order of the European Union, the system of judicial remedies, and the nature of the obligations of the Member States vis-à-vis the European Union. The European institutions and their methods of decision-making will be discussed and the legal structure of European integration, the rules governing the internal market and their application, will be explained.

Practical skills play an important role in this course. Students will learn to search the web for European legal sources, and will use those resources as well as academic writing when writing a legal essay.

During the classes, you will become acquainted with the some of the current issues and discussions regarding European integration, always seeking to approach those questions from a legal perspective.

Aims

The overall aims of the programme are:

- To provide you with a working knowledge of the European Union’s institutional framework including the legislative process and the judicial system;
- To develop your understanding of the methods adopted by the European Union to achieve the goals of economic and political integration through the Single Market and Economic and Monetary Union;

- To provide specialist expertise by offering you insights cases brought to the European Court of Justice (ECJ);
- To enable you to have an operational understanding of the relationship between the commercial, social and political aims of the European Union;
- To enable you to comment critically on all aspects of European Union law and policy which you have encountered during the course.

Course Outline

Below is a very brief overview of the topics to be covered. Their order may be subject to change.

1. Introduction to Course

What is the EU?

2. Creation of the European Economic Community

Historical background to, and the nature of, European integration resulting in the Treaty of Rome.

3. Formation of the European Union

Broadening of the scope/depth of integration with the Treaty of Maastricht: economic & political integration.

4. Enlargement

How the different stages have effected the EU, negotiations surrounding recent enlargement, pros & cons for the EU/new members, future enlargements (e.g. Turkey), where are the borders of Europe?

5. EU Institutional Framework

Reviewing the constitution, roles, inter-relation & accountability of the key EU institutions.

6. EU Law

A study of the unique nature of EU Law: the different types of laws, how they are formed & how they affect business in the Member States

7. Towards a Single Market.

EU's evolution from Rome to the Single European Act, stages of economic integration, the Single Market (4 freedoms).

8. Economic and Monetary Union

Benefits of single currency, early attempts, explaining steps towards EMU, convergence criteria, membership debates

9. The Euro

Significance for EU & international economy in general, management, Stability & Growth Pact, problems (adjustment, flexibility, ECB etc)

10. European External Economic Relations

The nature of EU's various international trading agreements with the rest of the world (e.g. Mediterranean countries, ACP, Latin America etc)

11. Common Commercial Trade Policy
EC and the World Trade Organization

11. EU-China Trade Relations

12. Common Agriculture Policy
Objectives, nature, regional & international effects, attempts at reform, WTO context

13. EU Competition Policy
Objectives, what is permitted/illegal, case studies, its effectiveness, areas of dispute (merger policy), role of the Commission

Course Materials

A course pack will be made available for the students, containing several chapters from textbooks, and some journal articles from primary literature related to the course.

Core Texts

- P. P. Craig, Grainne De Burca: *EU Law - Text, Cases and Materials*, Oxford University Press, Oxford 2002.
- Jan Hoogmartens: *EC Trade Law Following China's Accession to the WTO*, Kluwer Law International 2004.

Recommended readings

There is an enormous amount of literature on the legal aspects of European integration. The following textbooks are widely used:

- C. Barnard: *The Substantive Law of the European Union*, Oxford: Oxford University Press 2004.
- P. Eeckhout : *External Relations of the European Union*, Oxford: Oxford University Press 2004.
- S. Griller et B. Weidel : *External Economic Relations and Foreign Policy in the European Union*, Europainstitut Wirtschaftsuniversität Wien Publication Series, Springer 2002.
- S. Inama : *Custom and Trade Laws of the European Community*, Kluwer Law International 1999.
- Jones and B. Sufrin : *European Community Competition Law*, 2nd Edition, Oxford: Oxford University Press 2004.
- K. Lenaerts and P. van Nuffel, Robert Bray : *Constitutional law of the European Union*, Second Edition, London: Sweet & Maxwell 2005.
- R. Mehdi : *Institutions européennes*, Hachette Université Droit, Hachette, Paris 2007 (319 p.).
- D. Simon : *Le système juridique communautaire*, 3^{ème} édition, Droit fondamental, Presses Universitaires de France, Paris 2001 (779 p.).

Websites

- Julien Chaisse Website
http://works.bepress.com/julien_chaisse
- EUR-Lex (direct free access to European Union law)
<http://eur-lex.europa.eu/en/index.htm>

➤ Treaty on European Union and Treaty establishing the European Community :
<http://eur-lex.europa.eu/en/treaties/index.htm>

➤ European Commission
<http://ec.europa.eu>

➤ Council of the European Union
<http://www.consilium.europa.eu>

➤ European Parliament
<http://www.europarl.europa.eu>

➤ Court of Justice of the European Communities
<http://www.curia.europa.eu>