

# LEGAL SYSTEM OF THE EUROPEAN UNION

Curso 2017/2018

(Código: 26602497)

## 1. PRESENTACIÓN

The study of the sources of European Union law is essential within the framework of the Master on European Union. Only with an excellent knowledge of this subject, students will be able to understand properly the other subjects of the Master. It is therefore a compulsory subject. We have to take into account that the Union Legal System is based on several sources of law, and in this sense, the competences conferred upon the Community and later the Union have grown considerably in strength and extent since the inception of the Union. Therefore, the field of application of Union Law has been widened by each successive Treaty and the Union institutions have received more powers through these Treaties.

During the academic year, emphasis will be placed on the novelties deriving from the entry into force of the Lisbon Treaty, both at the primary and secondary law levels.

## 2. CONTEXTUALIZACIÓN

Extensive knowledge of the EU Law system is fundamental within the framework of the Official Master's Degree on the European Union (specialization in Law). It is a basic premise to understanding how EU law is created.

In the teaching of the contents, the theoretical and practical point of view will be combined. Moreover, in addition to the theoretical contents, practical issues can be analysed through the use of specific material with the purpose of clarifying and deepening particularly complex and important aspects of the subject.

At the same time, we will include in the teaching methodology the orientation of the contents, methods and research techniques toward the elaboration of work in accordance with the lines of the Master programme and the bibliographical and jurisprudential material related to the subject of study.

## 3. REQUISITOS PREVIOS RECOMENDABLES

Students must have a legal background, and more specifically, a previous knowledge of EU Law and International Law (the Law of International Organizations in particular). Sufficient knowledge of English will be required.

## 4. RESULTADOS DE APRENDIZAJE

Knowledge: Students are expected to acquire extensive and advanced knowledge of the EU legal system. Familiarity with the sources of law, as well as with the basic legal system of the European Union, is intended to be the minimum result of the course. Learning will be based on the materials referred to or provided by the teaching staff. If required, academic guidance will be available on-line. In this regard, the teaching staff is committed to providing guidance that is tailored to the specific needs of individual students.

Skills: Students are expected to develop their ability to find their way through the complex EU legal framework when confronted with EU affairs. One of the crucial skills to be honed

by students is the selection, usage and management of documentary sources and doctrinal materials.

Attitudes: Students are encouraged to have a positive attitude towards the inter-relation of the various aspects of the EU legal and institutional organization. A good disposition towards autonomous work is essential to maximize the results of the course.

This combination of knowledge, skills and attitudes will prepare students for the task of understanding the complexities of the EU legal framework, providing them with the tools required to understand the challenges it faces and its possible evolution and development.

## 5. CONTENIDOS DE LA ASIGNATURA

The objective of this course is to study the sources of Union law, in particular:

-Primary legislation: the Constitutive Treaties, subsidiary Conventions and acts by member States;

-Secondary legislation: regulations, directives and decisions;

-Other sources of law: international agreements, general principles of law, case law of the Court of Justice, recommendations and opinions, "soft law", memoranda, circular, statements and resolutions.

There are other subjects connected with the sources of European Union Law, as the legislative procedures, legislative powers and the application of the principle of subsidiarity and proportionality, that can be taken into account.

It would be also very important the special analysis of the European Union Judicial Decisions related to sources.

## 6. EQUIPO DOCENTE

- [CONCEPCIÓN ESCOBAR HERNANDEZ](#)
- [M<sup>a</sup> CARMEN QUESADA ALCALA](#)

## 7. METODOLOGÍA

The course is divided into two distinct parts. In the first part, students are introduced to the instrumental methodology currently used in the study of sources of European Law; this includes the use of databases, electronic publications, websites, and other technologies. Specifically, this part of the course is designed to give students the basic groundwork and tools they need to complete the dissertation.

The second part of the course takes a more theoretical approach, and its intention is to focus on the difficulties of legal system of the European law in the context of the European integration process. In order to do this, we first examine the basic framework of European law. Afterwards we continue by analysing the European Union Judicial Decisions related to sources.

Teaching and learning are to take place through well-tested methods of distance education as understood in open universities. Learning materials will be referred or provided by the teaching staff through on-line channels. Acquisition of knowledge will take place through: 1) Reading the basic learning materials; 2) Research, guided by the teaching staff through on-line tutorials and 3) Use of information in situations and cases presented by the teaching staff.

## 8. BIBLIOGRAFÍA BÁSICA

Título: THE FOUNDATIONS OF EUROPEAN UNION LAW (seventh)

Autor/es: Tc Hartley ;

Editorial: : OXFORD UNIVERSITY PRESS

Buscarlo en librería virtual UNED

Buscarlo en bibliotecas UNED

Buscarlo en la Biblioteca de Educación

Buscarlo en Catálogo del Patrimonio Bibliográfico

ISBN(13): 9788430951383

Título: LAS ORGANIZACIONES INTERNACIONALES (16ª edición, reimpresión, 2018)

Autor/es: Díez De Velasco Vallejo, Manuel ; Sobrino Heredia, Jm. ;

Editorial: Tecnos

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Buscarlo en bibliotecas UNED

Buscarlo en la Biblioteca de Educación

Buscarlo en Catálogo del Patrimonio Bibliográfico

Comentarios y anexos:

The students can prepare this matter with whatever book related to the Legal System of the European Union.

## 9.BIBLIOGRAFÍA COMPLEMENTARIA

ISBN(13): 9780203884416

Título: THE EUROPEAN UNION AND INTERNATIONAL ORGANIZATIONS (2009)

Autor/es: Jorgensen, Sven Erik ;

Editorial: : ROUTLEDGE

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Buscarlo en bibliotecas UNED

Buscarlo en la Biblioteca de Educación

Buscarlo en Catálogo del Patrimonio Bibliográfico

ISBN(13): 9788430937004

Título: TRATADO DE LA UNIÓN EUROPEA, TRATADOS CONSTITUTIVOS DE LAS COMUNIDADES EUROPEAS : (9ª ed.)

Autor/es: Mangas Martín, Araceli ;

Editorial: Tecnos

Buscarlo en librería virtual UNED

Buscarlo en bibliotecas UNED

Buscarlo en la Biblioteca de Educación

Buscarlo en Catálogo del Patrimonio Bibliográfico

ISBN(13): 9788430947591

Título: INSTITUCIONES Y DERECHO DE LA UNIÓN EUROPEA (Sexta)

Autor/es: Mangas Martín, Araceli ; Liñán Nogueras, Diego J. ;

Editorial: EDITORIAL TECNOS

Buscarlo en librería virtual UNED

Buscarlo en bibliotecas UNED

Buscarlo en la Biblioteca de Educación

Buscarlo en Catálogo del Patrimonio Bibliográfico

## 10. RECURSOS DE APOYO AL ESTUDIO

Monitoring of learning is made through the virtual platform, with "virtual" tutorials by teachers of the module. This will create a virtual classroom which aims to make continuous assessment of student, you will have access to course materials, virtual libraries and forums, sent work and communicate with teachers. This mode is a form of flexible learning that adapts to the availability of each student, allowing to combine studies with work or other activities.

## 11. TUTORIZACIÓN Y SEGUIMIENTO

Although communication between students and the teaching staff will take place preferably on-line, an extra resource for tutorials and guidance will be provided by the traditional system of academic service practiced by UNED. In this regard, Dr. Carmen Quesada Alcalá will be on duty on Fridays from 10 p.m. to 14 p.m. The email is: [cquesada@der.uned.es](mailto:cquesada@der.uned.es).

## 12. EVALUACIÓN DE LOS APRENDIZAJES

### 1) GENERAL OVERVIEW OF THE LEGAL SYSTEM OF THE EUROPEAN UNION (50 HOURS)

Reading and analysis of various texts

TASK: On-line multiple-choice test on EU legal matters.

### 2) DETAILED, IN-DEPTH STUDY OF PRIMARY LEGISLATION, SECONDARY LEGISLATION AND OTHER SOURCES OF LAW (75 HOURS)

Reading materials

TASK: Selection of a subject on which to write a legal essay dealing with different theoretical and practical legal issues. A list of specific subjects will be provided to guide the choice of students.

## 13. COLABORADORES DOCENTES

Véase equipo docente.