

THE ROLE OF THE REGIONS IN THE EUROPEAN UNION SYSTEM OF MULTI-LEVEL GOVERNANCE

Curso 2017/2018

(Código: 26602586)

1. PRESENTACIÓN

The involvement of regions in the European Union is a key element in the integration of federal States and in the process of European construction. The participation of the regions is a key element of the multilevel constitutionalism. It should be recalled that the European integration process involves a transfer of powers to Europe that often affects the powers of the regions. This course examines the representation of regions in the European Union, their participation in the upward phase (formation of Union Law), and the downturn or application of European Union Law. As an example, we particularly study the Spanish and German cases.

2. CONTEXTUALIZACIÓN

This Official Master on the European Union offers students a high-level academic education that allows them to achieve optimum conditions to develop their professional and academic career. It is intended to provide students with a high-level training that will place them in optimal conditions to work in professional or academic environments.

The fundamental role of this type of degrees in European Union countries is a consequence of the central place a college education must have for a better understanding of the process of integration. For this reason, the different degrees in European Union Studies are a priority for the European institutions and Member States, among which UNED is not an exception.

3. REQUISITOS PREVIOS RECOMENDABLES

- a) Those established for the admission to the Master and specifically for the itinerary in English.
- b) For the analysis of foreign documents, knowledge of any of the official EU languages will be an asset.
- c) Generally, in this speciality in Law it is helpful if the student is familiar with the terms (glossary) that are commonly used in the European Union, which will allow more and better understanding of the information.
- d) It is equally relevant in this course that students have basic computer skills, since such skills are needed to follow their course. Students need to access learning materials and other information through these systems.

4. RESULTADOS DE APRENDIZAJE

The main aims of this subject are:

To get knowledge about the role of the regions in the European Union.

To get to know the main ways of participation of the regions in the EU: External participation: regional representation in the European Union; Internal participation: Ascending phase. Participation in the national position on EU affairs; Internal participation: Descending phase. The implementation of Union law by the regions.

Considering the variety of regions in the EU, the subject will be centered in the Spanish and the German case.

It will also focus in the constitutional mechanisms for the enforcement of EU law by the regions.

5. CONTENIDOS DE LA ASIGNATURA

1. The regions in the European Union

- 1.1. Concept of region
- 1.2. Decentralized States

2. External participation: regional representation in the European Union

- 2.1. Participation in institutions
- 2.2. Participation in the organs

3. Internal participation: Ascending phase. Participation in the national position on EU affairs

- 3.1. The Spanish case
- 3.2. The German case

4. The internal participation: Descending phase. The implementation of Union law by the regions

- 4.1. The Spanish case
- 4.2. The German case

5. Constitutional mechanisms for the enforcement of EU law by the regions

6. EQUIPO DOCENTE

- [CRISTINA ELIAS MENDEZ](#)
- [AMALIA BALAGUER PEREZ](#)

7. METODOLOGÍA

This subject will be taught according to the distance education methodology that characterizes the UNED. Thus, students face a self-learning process but assisted by the teacher. The education process is articulated through various communication distance learning systems. Within these systems, the Master in European Union is provided with support in a virtual interactive platform where the student finds both basic materials and supplementary teaching materials, information, news, exercises and is also trained to perform the evaluation for different subjects. More specifically, the virtual platform will contain: legislation, case law, internet links, a glossary of terms, teaching materials, exercises.

8. BIBLIOGRAFÍA BÁSICA

Comentarios y anexos:

BAUER, M. W. y BÖRZEL, T.A., "Regions and the European Union", ENDERLEIN, H., WÄLTI, S. and ZÜRN, M., *Handbook on Multi-Level Governance*, ps. 253-263.

Elías Méndez, C., "Participation of the German Länder and Autonomous Communities in the European Union: a Comparative Analysis" DOI: 10.1007/978-3-642-27720-7_16

Ref. Revista/Libro: *The Ways of Federalism and the Horizons of the Spanish State of Autonomies*, Springer-Verlag, Berlin, Heidelberg. (A. López Basaguren and L. Escajedo San-Epifanio (eds.), *The Ways of Federalism in Western Countries and the Horizons of Territorial Autonomy in Spain*, Vol. 1, Springer Berlin Heidelberg)

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SEVILLA SEGURA, J., VIDAL BELTRÁN, J.M., ELÍAS MÉNDEZ, C., *Vertebrando España. El Estado autonómico*, Fundación Ortega, 2009.

SUSCYCKA-JASCH, M. y JASCH, H.-C., "The participation of the German Länder in Formulating EU-policy", *German Law Journal*, vol. 10, núm. 9, 2009, ps. 1215-1256.

9. BIBLIOGRAFÍA COMPLEMENTARIA

Comentarios y anexos:

ARROYO GIL, A., *La reforma constitucional del federalismo alemán*, Institut d'Estudis Autònoms, 2009.

CASTELLÀ ANDREU, J.M., "Las Comunidades Autónomas en Bruselas: la dimensión externa de la participación autonómica en la Unión Europea", *REAF*, núm. 6, 2008, ps. 37-91.

ELÍAS MÉNDEZ, C., "La reforma de la Constitución financiera en Alemania: una reforma pendiente", *Revista de Derecho Constitucional Europeo*, núm. 6, 2006, ps. 223-254.

GONZÁLEZ PASCUAL, M.I., "¿Deben continuar los Länder negociando en el Consejo de la UE? De la Landesblindheit a la Europafähigkeit en el marco de la reforma federal de 2006", *Revista española de derecho europeo*, núm. 29, 2009, págs. 49-97.

MARTÍN Y PÉREZ DE NANCLARES, J., "La nueva regulación del régimen de competencias en el Tratado de Lisboa: especial referencia al control del principio de subsidiariedad" y PÉREZ GONZÁLEZ, M., "La incidencia del principio de subsidiariedad en las regiones", MARTÍN Y PÉREZ DE NANCLARES, J., (coord.), *El Tratado de Lisboa*, Iustel, 2008, ps. 273-292 y ps. 295-307, respectivamente.

MONTILLA MARTOS, J.A., "Las relaciones de colaboración en el nuevo marco estatutario: bilateralidad y participación", *Revista de Estudios Políticos*, núm. 151, 2011, ps. 153-199.

TILINDYTE-HUMBURG, L., *Regional participation in EU decision-making: Role in the legislature and subsidiarity monitoring*, European Parliamentary Research, 2016, Service, [http://www.europarl.europa.eu/RegData/etudes/IDAN/2016/580913/EPRS_IDA\(2016\)580913_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/IDAN/2016/580913/EPRS_IDA(2016)580913_EN.pdf)

10. RECURSOS DE APOYO AL ESTUDIO

Websites:

Useful information is available to students at:

http://www.uned.es/dpto_con/

Links:

http://europa.eu/index_es.htm

<http://curia.europa.eu/es/index.htm>

<http://cor.europa.eu/en/Pages/home.aspx>

www.calrenet.eu/

<http://www.coe.int/>

<http://www.boe.es>

<http://www.la-moncloa.es>

<http://www.congreso.es>

<http://www.senado.es>

<http://euro.ucl.ac.be/bede/>

<http://www.consejo-estado.es>

<http://www.poderjudicial.es>

<http://www.tribunalconstitucional.es/>

<http://www.poderjudicial.es/eversuite/GetRecords?Template=cgpj/ts/principal.htm>

<http://www.cepc.es>

<http://www.un.org/spanish/>

11.TUTORIZACIÓN Y SEGUIMIENTO

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It is highly advisable that students previously contact the teacher by E-MAIL.

12.EVALUACIÓN DE LOS APRENDIZAJES

The specific methodology of UNED allows students to be evaluated through presential exams performed in the network of Associate Centers of UNED in Spain and abroad, or to

be evaluated at "distance" through the virtual platform that provides support to education.

Accordingly, the teaching team determines each academic year under the rules adopted by the UNED the student's assessment of the subject, by one or more of the following systems:

- a) In person through tests performed in the associated centers of UNED.
- b) Conduct of a research.
- c) On-line test.
- d) Writing of essays.
- e) Case Studies.
- f) Analysis of case law.

13. COLABORADORES DOCENTES

Véase equipo docente.