# European Union Law

## Prof. Chiara Marenghi

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The course aims to provide specialised knowledge of European Union law and its impact on the Italian legal system. The first part of the course will be dedicated to an in-depth study of the *institutional profiles* ofthe Union as a sui generis international organisation which gives form to the highest level of integration among its members. In the second part of the course the *material law of the Union* will be analysed, with particular regard to policies regulating the *internal market* and the *area of freedom, security and justice*. Both parts will put special emphasis on current issues affecting the European integration process.

*Intended learning outcomes*

KNOWLEDGE AND UNDERSTANDING

At the end of the course, students will be able to understand the uniqueness of the European Union among international organisations as a whole, its institutional architecture, and the dynamics at the basis of the European integration process, with focus on the tension between its supranational dimension and its intergovernmental one. Furthermore, students will be able to describe the characteristics and the sources of the EU legal framework, and its relationship with national legal orders. Finally, they will be able to distinguish the different legal regimes regulating the internal market and the area of freedom, security and justice.

ABILITY TO APPLY KNOWLEDGE AND UNDERSTANDING

At the end of the course, students will be able to make full use of the legal terminology of European Union law and carry out a critical analysis of its sources along with the case law of the European Court of Justice. In addition, students will be able to solve legal issues regarding the relationship between the EU legal order and national ones. Finally, they will acquire a study method which applies to EU policies not covered in the course.

***COURSE CONTENT***

*1. General part: institutional profiles*

* Origins and development of the process of European integration
* Characteristics of the European Union, founding values ​​and objectives
* The system of EU competences
* The institutional framework (institutions, bodies, and agencies)
* The EU legal system and its sources
* EU law and domestic law
* The judicial protection of rights

*2. Special part: substantive law*

* The internal market
* The area of freedom, security and justice

***READING LIST***

For the *general part*:

U. Draetta-F. Bestagno-A. Santini, *Elementi di diritto dell’Unione Europea. Parte istituzionale,* Giuffrè Francis Lefebvre, Milano, 2022, 7th ed. [Acquista da V&P](https://librerie.unicatt.it/scheda-libro/ugo-draetta-francesco-bestagno-andrea-santini/elementi-di-diritto-dellunione-europea-parte-istituzionale-ordinamento-e-struttura-dellunione-europea-9788828805007-552849.html?search_string=draetta%20Elementi%20di%20diritto%20dell%E2%80%99Unione%20Europea&search_results=1)

or

N. Parisi-V. Petralia, *Elementi di diritto* *dell’Unione europea*, Le Monnier Università, Firenze, latest ed. [Acquista da V&P](https://librerie.unicatt.it/scheda-libro/ugo-draetta-francesco-bestagno-andrea-santini/elementi-di-diritto-dellunione-europea-parte-istituzionale-ordinamento-e-struttura-dellunione-europea-9788828805007-552849.html?search_string=draetta%20Elementi%20di%20diritto%20dell%E2%80%99Unione%20Europea&search_results=1)

For the *material part:*

U. Draetta-N. Parisi (eds.), *Elementi di diritto dell’Unione europea. Parte speciale* - diritto sostanziale, Giuffrè Francis Lefebvre, Milano, 2018, 5th ed. [Acquista da V&P](https://librerie.unicatt.it/scheda-libro/ugo-draetta-francesco-bestagno-andrea-santini/elementi-di-diritto-dellunione-europea-parte-istituzionale-ordinamento-e-struttura-dellunione-europea-9788828805007-552849.html?search_string=draetta%20Elementi%20di%20diritto%20dell%E2%80%99Unione%20Europea&search_results=1)

*Students attending classes* will be required to prepare for the exam on the basis of lecture notes along with the sections of one of the textbooks covering the general part according to indications given by the lecturer, as well as supplementary material that will be made available on Blackboard.

*Students not attending classes* will be required to study one of the textbooks covering the general part together with the one dedicated to the material part in accordance with lecturer’s instructions on Blackboard.

For an adequate understanding of European Union law, it will be *necessary* to consult EU sources readily available online or collected in one of the codices available on the market, for example B. Nascimbene, *Unione europea. Trattati*, Giappichelli, Torino, latest ed.

***TEACHING METHODOLOGY***

Traditional lectures will be supplemented with analysis of materials in class, in order to illustrate course contents and engage students in active participation. Emphasis will also be on online search for sources.

***ASSESSMENT METHOD AND CRITERIA***

Oral examination on the basis of the above programme, taking into account differences between attending and non-attending students. Attending students will be allowed to split their exam into two parts, in accordance with arrangements made with the lecturer at the beginning of the course.

Marks will be out of thirty and will take into account relevance of students’ answers, their knowledge of topics, critical understanding of the issues dealt with, presentation skills and their use of appropriate legal language.

***NOTES AND PREREQUISITES***

Sound knowledge of fundamental principles and sources of the Italian legal order, like that acquired through the previous study of Constitutional Law, is required for course attendance and examination.

Further information can be found on the lecturer's webpage at http://docenti.unicatt.it/web/searchByName.do?language=ENG or on the Faculty notice board.