

General Information			
Course name	European Union Constitutional Law	ECTS Credits	(5 ECTS)
		Semester	autumn/spring
Aims			
<p>The aim of the course is to obtain a practical-based understanding of how the European Union works. The course aims to provide the basic overview of those aspects of EU law which are of constitutional nature. The attention is particularly paid to the aims of the EU, democratic principles of its functioning, powers of the EU and division of competencies between the EU and the Member States as well as between the EU institutions themselves, institutional architecture of the EU, process of the EU primary and secondary law creation, peculiar character of the EU law, its sources of law and its status within the Member States' legal orders (the doctrines of direct effect and primacy of EU law), ways of invoking the EU law (the judicial system of the EU) and EU's citizenship and protection of fundamental rights within the EU. The course aims to make students understand the constitutional structure of the EU, how the EU's legal system operates, and also to provide them with an approach to handle cases involving an European element. It provides the students with the ability to explain, discuss and analyse the Court of Justice of the EU's decisions, as well as to use them in solving cases involving EU law issues.</p>			
Content			
<p>The course consists of the lectures and classes providing a basic and practical introduction to the history of EU integration, the aims and the powers of the EU (horizontal and vertical separation of powers in the EU), the democratic character of the functioning of the EU, EU institutions and law-making mechanism of the EU, the <i>sui generis</i> character of the EU law and its legal system, the principles of EU law securing the uniform and effective EU law application, the ways of invoking the EU law and EU citizenship and the protection of EU fundamental rights. Students will be introduced to actual cases of the Court of Justice of the EU to exemplify how the EU works and how the powers of the Court of Justice are used to interpret the EU law and to fill the lacuna in EU positive law. An insight will be given into the practical impacts of the decisions of the Court of Justice of the EU.</p>			
<p>Syllabus of the course:</p> <ol style="list-style-type: none"> <li>1. The History of European integration.</li> <li>2. The powers of the EU and the division of competencies within the EU (vertical and horizontal separation of powers in the EU), aims of the EU, democratic principles of the functioning of the EU.</li> <li>3. Institutional system of the EU.</li> <li>4. Legal system of the EU. Typology and hierarchy of the EU's sources of law. The <i>sui generis</i> character of EU law, its autonomy and basic features.</li> <li>5. EU's primary and secondary law-making procedures.</li> <li>6. The relationship of EU law towards the Member States' law – EU law supremacy doctrine and the doctrine of direct effect.</li> <li>7. The ways of invoking the EU law - judicial system of the EU.</li> <li>8. An understanding of the EU's substantive law on EU citizenship and fundamental rights protection. The scope of application of EU fundamental rights, the rules guiding the application and interpretation of the Charter of Fundamental Rights of the EU.</li> </ol>			

## Assessment Methods and Criteria

The final grade is based on in-class participation, written take-home assignment and oral assignment. Written assignment shall be based on individual research on an agreed topic discussed during the course. Rules of academic honesty apply to the written work. Unsatisfactory written assignment may be returned for revision. Oral assignment comprises of the discussion on questions/topics presented during the course. The list of questions/topics for oral assignment shall be announced in advance. No one shall be admitted to the oral assignment without presenting written assignment in due time.

### Grading Scale (in %):

### Grading System:

The University recognises the following six degrees for the evaluation of the study results:

- a) A – excellent (excellent results) (numerical value 1)
- b) B – very good (above average results) (1.5)
- c) C – good (average results) (2)
- d) D – satisfactory (acceptable results) (2.5)
- e) E – sufficient (results meet the minimum criteria) (3)
- f) FX – failed (requires further work) (4)

## Bibliography

- Paul Craig and Grainne de Búrca: *EU Law: Texts, Cases and Materials*. Seventh Edition. Oxford: Oxford University Press, 2020.
- Allan Rosas and Lorna Armata: *EU Constitutional Law: An Introduction*. Third Edition. Oxford: Hart Publishing, 2018.