COURSE DATA

Data Subject

Code	35206
Name	Legal Institutions of the EU
Cycle	Grade
ECTS Credits	6.0
Academic year	2024 - 2025

Study (s)

Degree	Center	Acad. year	Period
1303 - Degree in Law	Faculty of Law	1	Second term
1921 - Double Degree Program BMA and Law	Faculty of Law	1	Second term
1923 - Double Degree Programme Law-Criminology	Faculty of Law	1	Second term

Subject-matter

Degree	Subject-matter	Character
1303 - Degree in Law	9 - Legal institutions in the European Union	Basic Training
1921 - Double Degree Program BMA and Law	1 - Year 1 compulsory subjects	Basic Training
1923 - Double Degree Programme Law-Criminology	1 - Year 1 compulsory subjects	Obligatory

Coordination

Name	Department
CERVERA VALLTERRA, MARIA	65 - International Law 'Adolfo Miaja de la Muela'
MARTINEZ LOPEZ-SAEZ, MONICA	55 - Constitutional Law, Political and Administrative Sciences
REVUELTA PEREZ, INMACULADA	45 - Administrative and Procedural Law

SUMMARY

The elaboration of this Academic Guide is the result of the co-ordination of the three Departments having responsibilities in teaching the subject. It has a directive character containing minimum indications. Each professor, in the framework of his o her legal discipline and background, will focus on specific topics in conformity with his or her academic freedom.

1) Present status of the subject within the study plan, other related subjects and continuity with those subjects

The subject "Legal Institutions of the European Union" (LIEU) is taught during the second term of first academic year in the Law Degree as well as in the Double Degrees "ADE-Derecho" and "Derecho-Criminología". Although it is under the responsibility of three Departments of the Law Faculty (the Administrative Law Department, the section "Constitutional Law" of the Constitutional Law, Political and Administration Science, and the section "International Public Law and International Relations" of the "Miaja de la Muela" International Law Department) it is actually a transversal subject in which all legal disciplines are involved. Since the accession of Spain to the European Communities (the precedent to the current European) in 1986, a new legal order (the previous so-called European Community Law, whose current denomination is "European Union Law") co-exists with domestic legal orders of Member States of the Union: as a result of this co-existence, European Union Law determines in a substantial way the material content of domestic legislation and the entire system of law sources, as well as its application and interpretation. Together with this, it must be taken into consideration the large scope of areas having connection with sovereign competence whose exercise has been conferred, partly or totally, by the Spanish State to the European Union, what finally implies that almost all legal disciplines at the domestic legal level have been strongly conditioned by political and legal action of the European Union.

2) Short description of the subject, typology of contents and possible applications.

The subject "Legal Institutions of the European Union" includes in a broad sense the study of European Union (EU) Law. This legal order comprises not only the supra-national normative aspects governing the structure and the internal functioning of the EU –its institutional system, the European legal order, its competences– but also the relationship of the EU with its Member States, as well as with third countries and other international organisations.

The Syllabus of the subject, whose content is reproduced below, has been structured in five parts (or thematic units –T.U– according to section 6 of the present guide):

In the First Part, it is studied the process of European construction since its origins till the present configuration of the "European Union" after the entry into force of the Lisbon Treaty on 1st December 2009. In this first part, it is also explain what is the European Union as well as the distribution of competences between the Union and its Member States.

In the Second Part, the institutional system of the EU is explained together with the description of the composition, competences and functioning of all European institutions and bodies.

The Third Part describes and analyses the legal order of the European Union, it law sources system and the application of European Law by both the Union and Member States.

The Fourth Part studies the judicial structure of the Union and the procedures allowing the Court of Justice of the European Union to ensure the enforcement and application of European Union Law.

Finally, the Fifth Part deals with the competence and action of the EU at international level, including not only the Common Foreign and Security Policy (CFSP) and the Common Security and Defence Policy, but also the Union's relations with other international organisations and third countries. In this last case, cooperation policy and humanitarian aid take an important place.

PREVIOUS KNOWLEDGE

Relationship to other subjects of the same degree

There are no specified enrollment restrictions with other subjects of the curriculum.

Other requirements

To follow the present subject, it is recommended among others:

To have a fluent oral and written level of the language in which the subject is taught.

To be able to read texts in several official languages of the European Union such as English and French.

To manage new technological tools and, in particular, the platform Aula Virtual of the University of Valencia,

Etc.

COMPETENCES (RD 1393/2007) // LEARNING OUTCOMES (RD 822/2021)

1303 - Degree in Law

- Conocer el origen, evolución y situación actual de las instituciones, órganos y competencias de la Unión Europea.
- Conocer el ordenamiento jurídico de la UE y su relación con los ordenamientos nacionales de los Estados miembros.
- Ser capaz de identificar, procurarse, manejar y analizar los textos y documentos propios de la asignatura.
- Capacidad para trabajar en grupo en el tratamiento y solución de problemas jurídicos internacionales.

LEARNING OUTCOMES (RD 1393/2007) // NO CONTENT (RD 822/2021)

In this subject, it is intended that students acquire the following competencies as a result of their learning:

- Knowledge on the origin, evolution and present situation of institutions, bodies and competences of the European Union. (Competence number 1 of the so-called “VERIFICA” programme of the Law Degree, p. 67).
- Knowledge of the European Union’s legal order and its relationship with domestic legal orders of Member States. (Competence number 2 of the VERIFICA programme, p 67).
- • Ability to identify, to accede, to manage and to analyse texts and documents within the scope of the subject. (Competence number 3 of the VERIFICA programme, p 67).
- Ability to work in group in order to deal with and to solve legal problems within the scope of the subject (Competence number 4 of the VERIFICA programme, p 67).

DESCRIPTION OF CONTENTS

1. The European Union: General Aspects

Lesson 1. The European Integration Process.

1. Historical evolution of the European integration process. 2. The creation of the European Coal and Steel Community, the European Economic Community (EEC) and the European Atomic Energy Community (Euratom). 3. The reforms of deepening of the European Union. 4. The successive enlargements of the European Union. 5. From the Nice Treaty to the Lisbon Treaty.

Lesson 2. The European Union.

1. The European Union (EU): concept and legal-political nature. 2. Values, objectives and fundamental principles of the EU. 3. The condition of Member State (membership). 4. The Charter of Fundamental Rights of the EU. 5. European citizenship and participation within the EU. 6. The enhanced co-operations.

Lesson 3. The Competences of the European Union.

1. The competences of the EU: conceptual clarifications. 2. Basis of the competences of the Union: the principle of conferral. 3. Categories and areas of competences. 4. The principles governing the exercise of competences: subsidiarity, proportionality and sufficient means. 5. The principles of solidarity and loyal cooperation.

2. The institutional system of the European Union

Lesson 4. The Institutional System (I)

1. The institutional framework of the EU. 2. The European Parliament. 3. The European Council. 4. The Council. 5. The European Commission. 6. The Court of Justice of the European Union: introduction.

Lesson 5. The Institutional System (II)

7. The European Central Bank. 8. The Court of Auditors. 9. The consultative/advisory Bodies: The Economic and Social Committee; the Committee of the Regions. 10. Other bodies, offices and agencies.

3. The European Union Legal Order

Lesson 6. European Union Law Sources.

1. The law sources of the EU: general aspects. 2. The founding Treaties. 3. The legal acts adopted by the institutions of the Union. 4. The legal instruments of the Common Foreign and Security Policy (CFSP). 5. The international Treaties. 6. The general principles of EU Law and the constitutional traditions common to Member States.

Lesson 7. The Principles Governing the Relationship between European Union Law and Legal Orders of Member States.

1. Autonomy and primacy of EU Law. 2. Direct application and effect of EU Law. 3. The application of EU Law by Member States. 4. The national judge as judge of European Law.

4. The Judicial System of the European Union

Lesson 8. The Judicial System of The European Union.

1. The Court of Justice of the European Union (Court of Justice, General Court and specialized courts). 2. The contentious jurisdiction of the Court of Justice of the European Union: actions for failure to fulfil obligations; actions for annulment; actions for failure to act; exception of illegality; action tor. 3. Preliminary rulings: the collaboration of judicial bodies of Member States. 4. Appeals on points of law and re-examination. 5. The judicial supervision of the Common Foreign and Security Policy. 6. The consultative jurisdiction of the Court of Justice of the European Union.

5. The external action of the European Union

Lesson 9. The External Action of The European Union (I).

1. The EU as subject of International Law. 2. The external competence of the Union: extent, scope and nature. 3. The Common Foreign and Security Policy (CFSP): material scope, structure and functioning. 4. The Common Security and Defence Policy.

Lesson 10. The External Action of The European Union (II).

1. The EUs relations with international organizations and third countries. 2. Cooperation policy and humanitarian aid. 4. The European External Action Service.

WORKLOAD

ACTIVITY	Hours	% To be attended
Theoretical and practical classes	60,00	100
Study and independent work	60,00	0
Preparing lectures	30,00	0
TOTAL	**150,00**	

TEACHING METHODOLOGY

Students are supposed to learn the theoretical-dogmatic knowledge integrating the subject "Legal Institutions of the European Union"/"*Instituciones Jurídicas de la Unión Europea*", whose content (syllabus) is included in section 5 (*infra*). The subject is composed of 6 credits ECTS ("European credit transfer and accumulation system"/"*Sistema europeo de transferencia y acumulación de créditos*"), according to the following parameters: 6 credits x 25 hours = 150 hours (RD 1125/2003, Art. 4.5).

The total number of hours is distributed in three types of activities to be carried out by students:

- Guided activities (outside the classroom): 30 hours.

- Activities requiring the actual presence of students and professors: 60 hours.

a) Theoretical Classes: 30 hours.

b) Applied Classes: 20 hours.

c) Complementaries Activities and exams: 10 hours.

- Students' own work: 60 hours.

During the academic year, all student groups following the subject (together with the activities which will be proposed by their instructor) will carry out one activity under the co-ordination of the three involved Departments teaching the subject (Administrative, Constitutional and International Law). In particular, it will be held a workshop on the access and use of electronic resources of the EU.

EVALUATION

Evaluation system.

A. Oral or written test consisting of one or more exams, which may have an objective nature and include theoretical and practical questions and/or practical cases.

B. Continuous assessment of each student, based on regular attendance and active participation in activities developed in class, such as resolution of practical cases or participation in workshops, delivery of papers and/or reports and/or oral presentations about such activities, either individually or in group, taking into consideration the degree of involvement and the effort done by the student in the teaching-learning process and his/her skills and attitude shown during the development of such activities.

C. Continuous assessment of each student, based on attendance to seminars and visits to entities; and, if applicable, delivery of papers/reports and/or oral presentations about the organized activity, either individually or in group, taking into consideration the degree of involvement and the effort done by the student in the teaching-learning process and his/her skills and attitude shown during the development of such activity.

D. For the accomplishment of the applied and complementary activities, the lecturer of the subject will be able to use the methodology of the Learning-Service.

E. The activities pertaining to the continuous, by their nature, assessment cannot be made up. Therefore, those activities not carried out within the deadline of the first call will not be accepted. In addition shall not be accepted in order to receive a higher mark.

Weighing

The final global exam is to be assessed at between 50% and 70% of the final grade of the course, while the set of continuous assessment activities is to be assessed in the remaining proportion. In particular, the final grade will be determined by adding the marks of the final global examination together with the marks corresponding to the continuous evaluation, but the final grade will be only averaged when successfully passing the final global examination (e.g., 2.5/5). The final grade of the continuous evaluation will be kept only for the second call, but not for the following academic year

Only if the global final exam is passed with a minimum grade of 5 out of 10 will the weighting be carried out with the continuous evaluation.

Regardless of the general evaluation system to be established for all students (written or oral exam) established for all the students (written or oral exam), the teacher responsible for the teachers responsible for the course may determine in the annexe to the teaching guide the possibility of changing, with reason, the modality of the final exam modality when it is necessary to take the exam on a date other than the official the exam on a date different from the official date, in application of the rules foreseen for the case of coincidence of exams in the Regulations for the Evaluation and Grading of the Undergraduate and

Master's Degrees of the University of Valencia, or any other of the University of Valencia, or any other cause established by regulations (e.g., in the case of established (e.g. justified cases of force majeure).In these cases, the new type of exam to be taken must maintain the same level of demand and difficulty as the one taken in the rest of the group.

The students who have followed the continuous evaluation and have been evaluated, if they do not take the final exam on the official date of the final exam date (both in 1st and 2nd will obtain the grade of "NOT PRESENTED.

REFERENCES

Basic

- BASIC HANDBOOK (free open access):
  BORCHARDT, K.D., The ABC of the EU law, Luxembourg, Publications Office of the European Union, 2017, 148 pp. Available in:
  https://op.europa.eu/en/publication-detail/-/publication/5d4f8cde-de25-11e7-a506-01aa75ed71a1

  En orden alfabético:

  http://europa.eu

  - Reference b2: BAR CENDÓN, A. (ed.), Los Tratados de la Unión Europea, versión consolidada tras el Tratado de Lisboa de 13 de diciembre de 2007, Valencia, Tirant-lo-Blanch, 2010.
  Reference b3: BOU FRANCH, V. (dir.), Introducción al Derecho de la Unión Europea, Madrid, Civitas, 2014.
  Reference b4: MANGAS MARTÍN, A.; LIÑÁN NOGUERAS, D. L., Instituciones y Derecho de la Unión Europea, 10th ed. Madrid, Tecnos, 2020.
  Reference b5: MILCZAREK, D., ADAMCZYK, A., and ZAJACZKOWSKI, K. (eds.), Introduction to European Studies: A New Approach to Uniting Europe Warsaw: Centre for Europe/University of Warsaw, 2013.
  Reference b6: ALONSO GARCÍA, R., Sistema jurídico de la Unión Europea, 4th ed, Cizur Menor, Civitas-Thomson-Reuters, 2014.
  Reference b7: CHALMERS, D., DAVIES, G. and MONTI, G.: European Union Law. Texts and materials, Cambridge, Cambridge University Press, 4th ed., 2019.
  Reference b8: CRAIG, P. and DE BÚRCA, G.: EU Law: Text, Cases and Materials, Oxford University Press, 7th ed., 2020.
  Reference b9: DIAZ LAFUENTE, J.: Montblanc, recursos educativos para la enseñanza de la Unión Europea, Valencia, Universitat de València, 2013.
- b10: Referència b10 FERRER LLORET, JAUME (Eds). Introducción al Derecho de la Unión Europea, Tirant lo Blanch, u. ed.
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  b11: HORVÁTH, Zoltan: Handbook on the European Union, HVG-ORAC Publishing House Ltd, 2012 (u. ed.).
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b12: LÓPEZ CASTILLO, Antonio (Dir.): Instituciones y Derecho de la Unión Europea, Valencia, Tirant lo Blanch, Vols. I, II and III (u. ed.).
Reference b13: SARMIENTO, Daniel: El Derecho de la Unión Europea, Madrid, Marcial Pons, u. ed.
Reference b14: PARDO IRANZO, Virginia (Dir.): El Sistema Jurisdiccional de la Unión Europea, Cizur Menor, Thomson-Reuters Aranzadi, u. ed.

Additional

- Reference c1: http://cde.uv.es/
Referència c2: https://www.openeuropeuv.es/temas/
Reference c3: GUTIÉRREZ ESPADA, Cesáreo, CERVELL HORTAL, M.ª José: Adaptación al Tratado de Lisboa (2007) del sistema institucional decisorio de la Unión, su acción exterior y personalidad jurídica, Granada, Comares, u. ed.
Reference c4: BOU FRANCH, Valentín & CERVERA VALLTERRA, María: Normativa y jurisprudencia básica del Derecho de la Unión Europea, Valencia, Tirant lo Blanch, 2nd ed., u. ed.
Reference c5: JIMENA QUESADA, Luis: Social Rights and Policies in the European Union. New Challenges in a Context of Economic Crisis (Valencia, Tirant lo Blanch u. ed.).