



STUDY PROGRAMME

(1) European Legal Studies Programme

(2) Transatlantic Affairs

ACADEMIC YEAR

2019-20

SEMESTER

First

COURSE TITLE

Internal Market and EU Citizenship Law

COURSE PROFESSOR

L.W. GORMLEY and N. NIC SHUIBHNE

COURSE ASSISTANTS

V. Delhomme

NATURE OF COURSE (COMPULSORY, OPTIONAL)

Compulsory

LANGUAGE OF INSTRUCTION

English

ECTS CREDITS

7

1. COURSE OBJECTIVES

To provide students with an in-depth knowledge of the Law of the Internal Market within the European Union and of the law of Citizenship of the Union. It should serve as a basis for specialised legal practice or academic research in this area.

On completion of the course, the student will be expected to be able to discuss the legal aspects of free movement of goods, persons, services, capital and payments, and Citizenship of the Union laid down in the provisions of the TFEU and in secondary Union legislation, in the light of the case-law of the Court of Justice of the European Union.

For MATA students, this course improves their knowledge about the EU internal market, which could be used in a comparative perspective with the US (in particular the commerce clause case-law in US Constitutional law).

2. LEARNING OUTCOMES

The course objectives tie in with the following learning outcomes of the programme **European Legal Studies** :

- 1.1. Possess advanced knowledge of the European Union (EU), its institutions, competences, substantive principles and legal doctrines
- 1.2. Possess general knowledge on the main elements of the EU's law and policy at large
- 1.3. Possess in-depth, scientific knowledge on specific areas of EU law
- 2.1. Be able to think analytically, correctly analysing complex legal problems in a multi-level legal order, the various sources of law, legal instruments and actors, and to formulate a scientifically sound



position on the basis of logical reasoning

2.2. Be able to think dynamically, to understand the constantly changing and evolving nature of the European integration process and to provide constructive commentary on its possible future development

2.3. Be able to think critically, formulating an independent opinion and interpretation of complex legal problems, contextualising findings and weighing a multitude of different factors, including findings from other disciplines

2.4. Be able to process a large amount of information within a short amount of time and to deliver accurate and reflective outcomes

2.5. Be able to work with primary sources of law, such as judgments and legislation, and to reflect independently on their significance and interpretation

2.6. Be able to work in a multi-cultural context, understanding and mediating different legal systems, legal traditions and normative frameworks in a constructive way

2.7. Be able to develop, research, discuss and critically answer questions regarding a scientific research question of EU law in a scientifically responsible way

2.9. Draft a clear legal scientific text in the area of EU law

2.10. Present and defend orally an issue relating to EU law on the basis of legal argumentation or a personal position

2.11. Be able to study and work in the area of EU law in English and French, including through interaction with native speakers

The course objectives tie in with the following learning outcomes of the programme **Transatlantic Affairs** :

1.1 The graduate masters the most important theoretical approaches and concepts of, depending on his or her disciplinary focus, Economics, International Relations and Diplomacy Studies, Legal Studies and/or Political Science relevant for the analysis of transatlantic affairs.

1.3 The graduate has good knowledge of, depending on his or her disciplinary focus, the political and/or legal systems, the decision-making processes, the economic structures and the main internal and external policies of the European Union and the United States.

2.4 The graduate is capable of processing a large amount of information and appropriately analyse relevant sources depending on his or her disciplinary focus within a short period of time and of suggesting possible actions that contribute to problem-solving in a creative way.

2.5 The graduate has the intellectual maturity and skills to take responsibilities and function autonomously in a professional environment at national or international level, and especially in a transatlantic context, and to work efficiently and effectively through planning, organizing, setting priorities, meeting deadlines, cooperating across cultural boundaries and networking.

3. COURSE CONTENTS

Goods - Charges having equivalent effect to custom duties

Prohibition of fiscal discrimination

Measures having equivalent effect to quantitative restrictions

Persons

Establishment

Services - General

Gambling cases

Medical tourism cases

Capital



College of Europe
Collège d'Europe



Natolin

ECTS CARD

Harmonisation
Citizenship of the Union

4. TEACHING METHOD

The course is structured as a series of interactive lectures given by the Professors, whereby the students are invited to interrupt with questions and Professors also asks questions to the students.

Students receive a comprehensive syllabus with a wide selection of cases covering the topics enlisted above, which should be read and prepared in advance of the lecture. A list of recommended books and articles is also included in the syllabus.

An academic assistant accompanies the course with tutorials, which reinforce the key teaching points. A mock exam is organized in November, corrected by the assistant.

5. COURSE MATERIAL

Syllabus

6. EVALUATION

The course is assessed on the basis of a 3 hours written exam, for which the students can bring the syllabus, the Treaties and relevant legislation. The examination paper contains 5 questions; three on the Internal Market, and two on Union Citizenship. The student must answer three questions (two from the Internal Market part, and one from the Citizenship of the Union part). The examination questions include both practical cases and essay questions that demand more academic reflection.

Exams organised in second session period are 100% written exams.