ldrhd2203
2023

Advanced European Law - Advanced European Law

5.00 credits	18.0 h	Q2

This biannual learning is being organized in 2023-2024

Teacher(s)	Desaunettes Luc ;
Language :	French
Place of the course	Louvain-la-Neuve
Prerequisites	Foundations of EU Law or similar course covering EU institutional law.
Main themes	This course covers the core of substantive EU law, namely internal market law. It deals with the four freedoms: free movement of goods, persons, capital and services. It complements the course on Foundation of EU institutional law, which focused on EU institutions and dealt with how legislation is produced as well as enforcement mechanisms of EU law. The EU substantive law course focuses on the content of EU rules.
Learning outcomes	**At the end of this learning unit, the student is able to :**
	1 **Learning outcomes specific to EU law**After taking this course, students will have a basic command of internal market law and possess the know-how to apply the relevant legal rules in simple factual situations. They will be familiar with how various sources of European law interact, in particular treaty and directives. **Generic learning outcomes**This course also aims to provide opportunities to learn skills that are useful beyond the practice of European law, in particular: 1) being able to identify legal rules applicable to a given factual situation and relevant in order to reach a practical aim; 2) being able to present in writing the legal analysis of a given factual situation clearly and correctly. At the end of the course, students will be able to identify whether or not European law governs a given factual situation. They will be capable of solving simple problems involving one or several of the four freedoms and develop by themselves the types of legal reasoning most common in European law.
Evaluation methods	Assessment consists of a **written exam**, with a **problem** and **several questions**. Assessment criteria are as follows: • ability to correctly identify a legal issue in a given factual situation, • ability to identify correctly the applicable rule • ability to enunciate clearly a legal rule • ability to adequately explain applicable legal rules • ability to justify the choice of a legal rule with regard to practical aims • exact knowledge of legal rules • ability to select relevant knowledge in relation to a given question or problem, • logical reasoning, • quality and sufficiency of reasons given to justify the analysis proposed or the point of view argued, • correct use of legal vocabulary • adequate structure of written answer (link with the question, logical order of arguments, link between sentences and between paragraphs)
Teaching methods	This course is partly lecture based and partly a seminar. As a rule, each meeting will consist of a lecture, a discussion on readings to be prepared before class and a problem.
Content	This course deals with internal market law and European citizenship. **The four basic freedoms** (free movement of goods, persons, capital and services) form the backbone of this course. Note however that free movement of capital will only be dealt with briefly. A short introduction to **European competition law** will be provided. The **methods which characterise European legislation** on the one hand (harmonisation, mutual recognition, administrative cooperation) **and case-law** of the Court of Justice of the European Union on the other (typical patterns of reasoning) **will be emphasised throughout the course**.
Inline resources	Readings and exercises on MoodleUCL.

Bibliography	***Lecture obligatoire*** • N. de Grove-Valdeyron, *Droit du marché intérieur européen*, 5ème éd., Paris : LGDJ, 2017. Ce bref manuel contient la base indispensable. Sa lecture est obligatoire. ***Autres références*** *En français* • M. Dony, *Droit de l'Union européenne*, 8ème éd., Éditions de l'ULB, 2022. Ce manuel couvre un domaine plus large que celui du cours (droit institutionnel et matériel). • L. Dubouis et Cl. Bluman, *Droit matériel de l'Union européenne*, 8ème éd., Montchrestien, 2019. Un manuel de référence, plus approfondi que le précédent, qui traite de l'ensemble du droit matériel européen : le droit du marché intérieur, sur lequel porte principalement ce cours, mais aussi les autres politiques européennes (ex. agriculture, transports, concurrence, coopération judiciaire). • J-S. Bergé et S. Robin-Olivier, *Droit européen*, 2ème éd., P.U.F., 2011. Ce manuel présente l'originalité de traiter à la fois du droit de l'Union et du droit européen des droits de l'homme. Il commence cependant à être daté. *En anglais* • Catherine Barnard, *The Substantive Law of the EU : The Four Freedoms*, Oxford : OUP, 2022 (7th Edition). L'ouvrage de référence par excellence sur le droit du marché intérieur. • Paul Craig et Gráinne de Búrca, *EU Law : Text, Cases, and Materials*, Oxford : OUP, 2020 (7th Edition). L'ouvrage de référence par excellence en droit européen (couvre un domaine beaucoup plus large que le cours). • Robert Schutze, *European Union Law*, Cambridge : Cambridge University Press, 2021 (3rd Edition). Manuel également très bien fait, avec moins d'extraits de jurisprudence que le précédent. Couvre également une matière beaucoup plus large que le cours.
Other infos	For each session, students will have to read cases or other materials and/or prepare a problem. Students may bring to the exam the European treaties as well as the documentation package. Authorised documents may not be annotated. Students may however highlight and/or flag certain sections in authorised documents. They may write a few letters or words on flags in order to mark specific locations in the course pack. Students may bring a monolingual and/or a bilingual dictionary.
Faculty or entity in charge	BUDR

Programmes containing this learning unit (UE)

Program title	Acronym	Credits	Prerequisite	Learning outcomes
Master [120] in Law (shift schedule)	DRHD2M	5		🔍