

LECTURE: Recent issues of European Union law

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WINTER Semester

HOURS: 10

ASSESSMENT:

- General course available to PHD students of 2nd and 3rd year
- Credit requirements: active participation in classes
- Duration: 16.30-19:00 (4 x 45 minutes) every two weeks (for a total of 10 hours)
- Commencement date: 1.10.2018

COURSE AIMS AND CONTENT:

The course is aimed at presenting the most recent theoretical and practical issues of European Union law in the context of Poland's integration within the European Union. The programme reflects the core assumption that research in legal sciences, including traditionally domestic fields such as civil, criminal and administrative law, necessitates taking into account the impact of EU law on the domestic regulation (lawmaking and application).

The aim of the course is also to develop students' skills necessary for individual analysis of EU law provisions and jurisprudence of the Court of Justice of the European Union, which is a crucial capability in the scientific research concerning the relations between EU and Polish legal orders.

The course is conducted in the form of lecture with elements of workshop, including discussion, analysis and interpretation of legal texts.

KNOWLEDGE TO BE ACQUIRED:

During the course students will be acquainted with the most recent legal issues of EU system, including selected topic of systemic, institutional and substantive EU law, which influence the most the domestic legal order.

EDUCATIONAL OUTCOMES:

Knowledge:

- student knows and understand the theoretical and selected particular issues of legal science of EU law;
- student knows and understands the main trends of evolution of EU law;

Skills:

- student has skills to employ the acquired knowledge in creative identification and formulation of legal problems connected with the integration of Poland within the EU, as well as the obligation to ensure the conformity of domestic law with the EU law; student has skills to solve the problems identified in an innovative way;
- student has skills to initiate a debate;
- student has skills to participate in a scientific discussion;

Social Competence:

- student is prepared to assess critically the legal doctrine of EU law;
- student is prepared to acknowledge the importance of knowledge and solving theoretical and practical problems in the process of integration within the EU.

TIME & VENUE:

INP PAN (Staszic Palace), room 273, Monday 16.30-19.00.

SHORT DESCRIPTION OF THE CLASSES AND CORRESPONDING LITERATURE

The course covers in particular:

- EU law issues as integral part of research in legal sciences: effect of fundamental freedoms, harmonising measures, mutual recognition principle for the domestic legal provisions (for lawmaking and application of national law)
- systemic issues of EU Law: respect of fundamental rights, control of the rule of law, independence of national courts as EU courts, primacy of EU law over domestic regulation, application of EU law in the domestic legal order by the judges;
- substantive issues of EU Law: selected issues concerning the conformity of EU law with the substantive law of the EU as well as selected aspects of mutual recognition of decisions in asylum policies, judicial cooperation in civil matters and judicial cooperation in criminal matters

Further reading:

Th. Konstantinides, The rule of law in the European Union, Hart Publishing 2017

Ch. Janssens, The principle of mutual recognition in EU law, Oxford University Press 2014

C. Barnard, The substantive law of the European Union, Oxford University Press 2016.