

Course	European Union Law Academic Year 2025/2026
Level and Program of Study	Five-Year Integrated Master's Degree Program in Law – Class LMG/01
Scientific-Disciplinary Sector (SSD)	GIUR-10/A (old IUS 14)
Year of Study	IV
Total Credits	9 CFU
Prerequisites	Institutions of Public Law, Constitutional Law
Lecturer	<p>Claudia Regina Carchidi</p> <p><b>CdS:</b> Law</p> <p><a href="https://ricerca.unicusano.it/author/claudia-carchidiunicusano-it/">https://ricerca.unicusano.it/author/claudia-carchidiunicusano-it/</a></p> <p><b>Email:</b> <a href="mailto:claudia.carchidi@unicusano.it">claudia.carchidi@unicusano.it</a></p> <p><b>Office Hours:</b> Please refer to the schedule on the following page of the website to check the videoconference times.</p> <p><a href="https://www.unicusano.it/calendario-lezioni-in-presenza/calendario-area-giuridica">https://www.unicusano.it/calendario-lezioni-in-presenza/calendario-area-giuridica</a>.</p>
Course Presentation	<p>The European Union Law course aims to provide advanced knowledge of the institutional framework, legislative activities, and areas of material competence of the European Union (EU). To this end, the course will analyze the origins and evolution of European integration, the issue of the legal personality of international organizations, and the presumed supranational nature of the European Union. Additionally, it will cover the EU's institutional structure, judicial system, sources of EU law, the concept of "European citizenship," the EU's external action, the Area of Freedom, Security, and Justice, and, finally, but no less importantly, the sensitive issue of immigration policies within the European geopolitical framework.</p> <p>The e-tivities associated with the course will allow students to apply the knowledge acquired to practical cases. The overall evaluation, whether through written or oral exams, will take into account the score assigned by the lecturer for these activities.</p>
Learning Objectives	<p>The European Union Law course aims to provide students with:</p> <ol style="list-style-type: none"> <li>1. Adequate knowledge to understand and describe the rules governing the institutional functioning of the European Union.</li> <li>2. The ability to comprehend and appropriately use legal terminology.</li> </ol>

	<p>3. The capacity to understand and consult key normative texts of European Union law.</p> <p>4. The skills to utilize legal tools necessary for pursuing careers in European and international organizations, public administrations, or private enterprises with an international outlook.</p>
Prerequisites	Attendance of the course requires successful completion of the prerequisite courses: <b>Institutions of Public Law</b> and <b>Constitutional Law</b> .
Expected Learning Outcomes	<p>By the end of the course, students will have acquired the following skills, knowledge, and competencies:</p> <p><b>Knowledge and Understanding:</b> Analyze and understand the dynamics and mechanisms of the European Union's legal system, with particular attention to its structure and institutional functioning. Comprehend the normative system of the EU, including legislative acts, procedures, and decision-making processes. Evaluate the interactions between EU law and the legal systems of Member States, focusing on principles such as direct effect, primacy, and subsidiarity.</p> <p><b>Applied Knowledge and Understanding:</b> The ability to apply the institutions and principles of international law and European Union law to phenomena characterizing current legal issues or to the cases and questions proposed through e-tivities. In particular: The ability to identify the EU regulation governing a specific case. The ability to understand its normative effects in relation to the national legal system. The ability to apply the knowledge acquired to one's professional fields.</p> <p><b>Autonomy of Judgment:</b> Through the general theory and methodology tools provided, students will acquire the ability to analyze the mechanisms governing the institutional framework of the European Union, along with the legal, economic, and political considerations that drive it. This will strengthen their legal analytical skills, enabling the formation of free, informed, and conscious judgments.</p> <p><b>Communication Skills:</b> By the end of the course, students will: Enhance their legal vocabulary by mastering the terminology specific to European Union law. Acquire the ability to effectively communicate their knowledge of the EU system. Develop the skills to support their critical evaluations with solid and well-founded legal arguments.</p> <p><b>Learning Skills:</b> The student will have developed the ability to learn the course content, as well as critical analysis skills, further enhancing their capacity to engage with the topics covered in a conscious and informed manner.</p>

Course Organization	<p>The teaching of European Union Law is developed through expository teaching and interactive teaching methods.</p> <p><b>a)</b> Expository Teaching (ET) includes pre-recorded audio-video lectures by the instructor, available in SCORM format on the platform, which explain the course content and are supplemented with slides and handouts.</p> <p><b>b)</b> Interactive Teaching (IT) is conducted online and includes:</p> <p><b>c)</b> Web forums, email messages, videoconferences, and chats where students interact with the instructor and/or tutor;</p> <p><b>d)</b> Asynchronous self-assessment tests accompanying the pre-recorded lectures, allowing students to verify their understanding and the level of knowledge acquired from each lecture;</p> <p><b>e)</b> The "virtual classroom" forum serves as an asynchronous discussion space where instructors and/or tutors introduce e-tivities aimed at applying the theoretical concepts provided. In this space, students interact with one another and with the instructor and/or tutor, receiving feedback and formative evaluations.</p> <p>The European Union Law course, which is worth 9 CFU (University Educational Credits), requires a total study workload of at least 225 hours, distributed as follows:</p> <p><b>1-</b> Approximately 189 hours for viewing the pre-recorded lectures and studying the topics covered in those lectures;</p> <p><b>2-</b> Approximately 36 hours of interactive teaching, including 9 hours dedicated to the two e-tivities.</p> <p><b>3-</b> It is recommended to distribute the study of the subject evenly over a 12-week period, dedicating about 19 hours of study per week.</p>
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Course contents	<p><b>Module I: From the European Communities to the European Union: The Origins of European Cooperation/Integration.</b></p> <p><b>1. The Early europeanist ideas. - 2. Marshall Plan e l'OECE. - 3. The European Federalist Movement and the Council of Europe. - 4. The UEO and the NATO. - 5. Significant Achievements of European Cooperation. - 6. Cooperation among Eastern European countries. - 7. The Schuman Initiative and the CECA. - 8. L'Efta and European Economic Area. - 9. Geographical evolution: from Europe of six to Europe of nine. - 10. The accession of Greece, Spain, and Portugal. - 11. The enlargement of the European Union. - 12. Institutional Evolution: Common Institutions in the Treaties of Rome. - 13. Evolution, crises, and revival of the community process. - 14. The Cee and l'Euratom. - 15. From the Assembly to the European Parliament. 16. Reforms of the Single European Act and the Maastricht and Amsterdam Treaties. - 17. Political Evolution from the Communities to the European Union: The Summits of Heads of State and Government. - 18. The Solemn Declaration on the European Union: The Spinelli Project and the European Union. - 19. Negotiations for the Adoption of the Single European Act: The Content of the Single European Act. - 20. Cooperation with Eastern European Countries.</b></p>
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## **Module II: Primary Norms in the European Union's Legal System. Regulatory Criteria for the Allocation of Competences Between the European Union and the Member States.**

**1. Conventional Norms. -2. Treaty Revision -3. The Allocation of Competences Between the EU and Member States: Principle of Attribution, Principle of Subsidiarity, and Principle of Proportionality - 4. General Principles of EU Law - 5. The Amsterdam Treaty - 6. The Nice Treaty and the Charter of Fundamental Rights. - 7. From the "Constitutional" Treaty to the Lisbon Treaty of 2009.**

## **Module III: The System of Sources of European Union Law: Derivative Law.**

**1. Introduction. - 2. Derivative Law. - 3. Binding Acts: Regulations, Decisions, and Directives; Non-binding Acts: Recommendations and Opinions. - 4. Common Elements in EU Acts: Motivation, Legal Basis, Temporal Effectiveness. - 5. Brief Overview of the Relationship Between EU Law and the Domestic Law of Member States.**

## **Module IV: The Institutions and Bodies of the European Union**

**1. The European Council. - 2. The European Parliament. - 3. The European Commission. - 4. The Council of the European Union. - 5. The Council of Strasbourg. - 6. The Court of Justice of the European Union. - 7. The European Ombudsman. - 8. The European Economic and Social Committee.**

## **Module V: Inter-System Relations, Supranationality or Delegation of Competence in the Relationship Between Member States and the European Union. The Jurisprudence of the Italian Constitutional Court**

**1. Introductory Considerations: Inter-System Relations Between "Community" Norms and National Laws. The Origins of the Issue. - 2. Judgment No. 183/1973 and the "Community" Jurisprudence on the Constitutional Review of State Legislation Regarding "Community" Law. The Issue of State Sovereignty. - 3. Judgment No. 170/1984: The Dualist Choice and the Question of Legal Order, Specifically Regarding "Community" Law. - 4. The Problem of "Supranationality" of Community Law and the Relations Between Legal Orders, Also in Light of the So-Called European Constitution.**

## **Module VI: Judicial Protection in the European System**

**1. General Considerations on Judicial Protection in the European Union System. - 2. Direct Control over the Legitimacy of Acts and Behavior of EU Institutions: The Action for Annulment. - 3. Action for Failure to Act. - 4. Continued. Extinction of the Judgment. Non-Existence of the Obligation of the EU Institution/Body to Modify or Revoke a Persistent Act. - 5. Continued. Binding Nature of the Omitted Act. Interest in Bringing an Action and Procedural Standing. - 6 Continued. Interim Measures. - 7. Incidental Plea of Invalidity: Content and Structure. - 8. The Existence of the Act. The Different Regimes of the Plea of Invalidity of Regulations and Directives in the Infringement Procedure**



- 9. Judicial Review and Cooperation Between National and "Community" Judges. The Function and Purpose of the Preliminary Ruling Procedure. - 10. The Infringement Procedure.

## **Module VII: Common Foreign and Security Policy (CFSP)**

1. Introduction: The Historical Development from the European Political Community (EPC) to the CFSP. - 2. Innovations of the Treaty of Nice (2001). - 3. Content and Structure of the CFSP. - 4. Adequacy of the CFSP in Achieving Its Objectives.

## **Module VIII: Common Security and Defence Policy (CSDP)**

1. Introduction. Historical Overview. - 2. The Security Policy and Defence Policy. - 3. Relations Between the Western European Union (WEU) and the EU. - 4. Relations Between the EU and NATO. - 5. Concluding Considerations.

## **Module IX: National and European Citizenship**

1. Citizenship: An Expanding Concept. - 2. Citizenship as Membership in a Political Community. - 3. Citizenship as Membership in the State. - 4. European Citizenship. - 5. Origin and Evolution of European Citizenship.

## **Module X: The External Relations of the European Union.**

1. General Considerations on the International Legal Personality of the European Union. - 2. Provisions of the CEEA Treaty. - 3. Provisions of the Euratom Treaty - 4. Provisions of the EEC Treaty on External Relations: a) Tariff and Trade Agreements; b) Cooperation Agreements; c) Association Agreements. - 5. Function of the Court of Justice of the European Union to the Attribution of External Competences of the "Community": a) Relationship Between Internal and External Competences; b) Subsidiary Competences. - 6. The Procedure for Concluding Agreements: a) Negotiation; b) European Parliament Opinion; c) Opinion of the Court of Justice; d) Conclusion of the Agreement; e) Mixed Agreements. - 7. The EU's Participation in International Organizations: a) Observer Status; b) Full Membership. - 8. The EU and Development Cooperation: a) Development Framework; b) Association with Overseas Countries and Territories (OCTs); c) Cooperation with Developing Countries (ACP States); d) Euro-Mediterranean Partnership.

## **Module XI: The European Arrest Warrant, the European Public Prosecutor's Office, and the Stockholm Programme 2010-2014**

1. Adoption of Framework Decision No. 584/2002 on the European Arrest Warrant: Definition and Scope of Application. - 2. The Surrender Procedure under the Framework Decision: Role of the Executive and Judicial Authorities. - 3. Execution of the Request and Grounds for Non-Execution. - 4. The European Public Prosecutor's Office (EPPO). - 5. The Stockholm Programme 2010-2014.

	<p><b>Module XII: The Rescue of Human Lives in Danger in the So-Called "High Seas".</b></p> <p><b>1. The Phenomenon of Floating Communities in the European Geopolitical Landscape. - 2. International and European Legal Provisions on the Rescue of Human Lives in Danger. - 3. Strengths and Weaknesses of the Dublin III Regulation.</b></p>
Study materials	<p><b>Teaching Materials Provided by the Lecturer (Erasmus Section)</b></p> <p>The following textbook is recommended: Robert Schutze, "European Union Law", Cambridge. (Chapters: 1,3,5,6,7,8,9,10).</p> <p>The teaching materials available on the platform are divided into twelve modules, covering the entire course program. Each module includes handouts, slides, and video lectures in which the lecturer provides commentary on the slides. This material encompasses all the essential elements necessary for effectively studying the subject.</p> <hr/> <p><b>For the reduced program of up to 6 CFU, students are required to study Modules I, II, IV, V, and VI:</b></p> <p>Recommended texts: <b>Manuale di diritto dell'Unione europea del Prof. Gian Luigi Cecchini, published by Edicusano in September 2022, is strongly recommended for an in-depth study of the subject.</b></p>
Assessment Methods	<p>The final examination typically consists of an oral test.</p> <p>The final evaluation will also take into account the student's active participation in forums (virtual classrooms) and the successful completion of the proposed e-tivities.</p> <p>The oral exam involves a discussion with at least three questions designed to evaluate the student's level of preparation and understanding of the subject matter.</p>

Criteria for assigning the final dissertation	<p>The assignment of the final dissertation (thesis) will be based on a discussion with the lecturer, during which the student will express their specific interests in relation to a topic they wish to explore in greater depth. Students can contact the lecturer regarding this matter through the messaging system on the platform. The assignment of the thesis is not conditional on achieving a minimum grade in the exam..</p>
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