Judicial Protection in the European Union (Ochrona sądowa w Unii Europejskiej) 23-AD-S2-AIO-S3-JPEU

*Course syllabus*

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*Issues to be covered*

* The Court of Justice of the European Union and its structure
* The role of national courts in the judicial system of the European Union
* An individual as an addressee of rights and obligations under EU law
* Direct effect of EU law
  + Validity, direct applicability and direct effect
  + Vertical direct effect
  + Horizontal direct effect
  + The so-called ‘triangular situations’
* Primacy of EU law
  + The legal basis of primacy
  + Effects of primacy on national law
  + Restrictions of primacy
* The duty of harmonious interpretation (“indirect effect”)
  + Effects of harmonious interpretation
  + Limits of harmonious interpretation
* The liability of a Member State for breaches of EU law
  + Legal basis
  + Liability criteria: sufficiently serious breach of an EU norm meant to protect individuals for which there is a causal link with the harm suffered
  + The special case of courts that rule at the last instance
* Non-Contractual Liability of the Union (Article 340(2) TFEU)
* The Action for Annulment (Article 263 TFEU)
* The Preliminary Ruling Procedure (Article 267 TFEU)

Final assignment: a 30-question test, 4 answers, only one correct, during final class; second term during office hours

* 60% of answers correctly answered required to pass
* 1 correct answer = 1 point
* 17 pts or less = fail
* 18-20 pts : pass (3.0)
* 21-23 pts : pass+ (3.5)
* 24-26 pts : good (4.0)
* 27-28 pts : good+ (4.5)
* 29-30 pts : very good (5.0)