

Judicial Protection in the EU
Lectures (L): Tuesdays, 11.30-13.00, 401C
Classes (C): Mondays, 17:00-18.30, 501B
Academic Year 2023/2024

Supplementary reading:

Robert Schütze, *European Union Law*, Oxford University Press 2021

3.10 (L)

- Judicial protection: aims, benefits, limitations
- Domestic systems of judicial protection vs. international/supranational systems

9.10 (C)

- Primary law, secondary law, supplementary law of the EU

10.10 (L)

- The principle of primacy of EU law, judicial independence: Case C-430/21, [RS](#)

Reading: Ch. 6

16.10 (C)

- Court of Justice of the EU – Court of Justice, General Court
- Competences, internal structure (Art. 19 [TEU](#), art. 251-257 [TFEU](#))
- Arts 16,17, 50 [Statute](#)

Reading: Ch. 4.2

17.10 (L)

- The requirement to interpret national law in conformity with EU law (indirect effect) and direct effect of EU law: Case C-68/17, [IR v JQ](#)

Reading: Ch. 5.1, 5.2, 5.3.a, 5.3.b

23.10 (C)

- Direct/indirect effect of directives: C-122/17, [David Smith v Patrick Meade and Others](#)

Reading: Ch. 5.1, 5.2, 5.3.a, 5.3.b

24.10 (L)

- Failure of a Member State to fulfil obligations (Art. 258-260 [TFEU](#))
- Statistics: [2022 Annual Report on monitoring the application of EU law](#)

Reading: Ch. 10.3

30.10 (C)

- The principle of the procedural autonomy of Member States:
- Case C-120/19, [X v College van burgemeester en wethouders van de gemeente Purmerend](#)
- Case C-452/09, [Tonina Enza Iaia and Others v Ministero dell'Istruzione, dell'Università e della Ricerca and Others](#)

31.10 (L)

- Failure of Member States to fulfil obligations:
- Case C-63/19, [European Commission v Italian Republic](#)
- Double failure: Case C-658/19, [European Commission v Kingdom of Spain](#)

Reading: Ch. 10.3

6.11 (C)

- Review of decisions of the GC by CJ: Art. 256(1) TFEU, Arts 56-61 [Statute](#)
- Non-contractual liability of the EU: Art. 268, 340 TFEU
- Case C-350/16 P, [Pappalardo and Others v Commission](#)
- Case C-150/17 P, [European Union v Kendrion](#)

Reading: Ch. 10.2

7.11 (L)

- Art. 260(3) TFEU: Case C-543/17, [European Commission v Kingdom of Belgium](#)

13.11 (C)

- Liability of Member States for damages: Joined cases C-6/90 and C-9/90, [Francovich and Others](#)
- Liability of Member States in the event of infringement of EU law by national courts or tribunals: C-620/17, [Hochtief Solutions AG Magyarországi Fióktelepe v Fővárosi Törvényszék](#)

Reading: Ch. 11.3

14.11 (L)

- Preliminary rulings: Art. 267 TFEU, Arts. 93-118 [Rules of the Procedure of the CJ](#)
- Scope of the obligation on national courts or tribunals of last instance to make a reference for a preliminary ruling: Case C-561/19, [Consorzio Italian Management](#)

Reading: Ch. 10.4

20.11 (C)

- Action for annulment: Art. 263 [TFEU](#)
- Case C-565/19 P, [Carvalho and Others v Parliament and Council](#)

Reading: Ch. 10.1

27.11 (C)

- Case C-132/12 P, [Stichting Woonpunt and Others v European Commission](#)
- Powers as a public authority: Case C-3/22 P, [Equinoccio-Compañía de Comercio Exterior, SL v European Commission](#)

Reading: Ch. 10.1

28.11 (L)

- Doctrine of ultra vires: Bundesverfassungsgericht, [Public Sector Purchase Programme, Case 2 BvR 859/15, 2 BvR 980/16, 2 BvR 2006/15, 2 BvR 1651/15, judgment of 5 May 2020](#)

4.12 (C)

- Failure to act actions: Art. 265 [TFEU](#)
- Case C-284/19 P-OST, [Andrew Clarke v European Commission](#)
- Case C-412/18 P, [Anthony Andrew King v European Commission](#)

5.12 (L)

- Independence of judges, effective judicial protection in the fields covered by Union law, the right to an effective remedy and to a fair trial (Art. 47 [Charter](#))
- Case C-791/19, [European Commission v Republic of Poland](#)
- Interim measures: Art. 279 [TFEU](#)
- Case C-204/21 R, European Commission v Republic of Poland, orders of [14 July 2021](#)

11.12 (C)

- Class exam