

Economic Law of the European Union for Non EU-Lawyers

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Description: This course examines the most important aspects of European Union (EU) economic law that are relevant for non-EU lawyers, as well as for non-EU companies and nationals. After a general introduction to the institutional structure and legal principles governing the EU, details of the free movement of goods, persons, services and capital (together making up the so-called internal market of the EU) are discussed. Moreover, the EU's own legal regime on competition and state aid is highlighted, an area of EU law that is also highly relevant for U.S. companies. Attention is also paid to the common commercial policy of the EU and in particular the role of the EU in setting international trade standards. Finally, the EU immigration rules that are relevant for any non-EU national who wants to move to the EU are discussed.

Course book:

Margot Horspool and Matthew Humphreys, *European Union Law*, 8th edition, Oxford University Press (Core Texts Series), 2014 (ISBN: 978-0-19-968561-5 (paperback))

Participation and Final Exam: Students are expected to participate in class discussions and come to class prepared. The course will culminate in a 2 hour, open book, in-class examination.

Class 1: 18 December 2015

Introduction to the course: History of the European Community and (later) European Union (EU) – structure of the Treaties – territorial scope of the EU (outermost regions, overseas countries and territories and the position of Curaçao therein)

Class 2: 19 December 2015

EU institutions: European Parliament, European Council, Council of the EU, European Commission, Court of Justice

Decision-making procedures: Ordinary and special legislative procedures, passerelle clauses

Class 3: 21 December 2015

General principles of EU law: Attribution, supremacy, subsidiarity, direct effect

Legal instruments: Regulations, directives, decisions

Class 4: 22 December 2015

Judicial protection in the EU: Direct action before European courts & preliminary reference procedure

Class 5: 23 December 2015

Free movement of goods I: Introduction to the EU internal market, basic principles of free movement of goods, notion of a common trade tariff and common external border, discriminatory internal taxation

Class 6: 24 December 2015

Free movement of goods II: Quantitative restrictions on imports or exports and measures having an equivalent effect, exceptions and justifications of restrictive national measures

Class 7: 26 December 2015

Free movement of services and freedom of establishment: Notion of services, different service situations, notion of establishment, cross border establishment of agencies, branches and subsidiaries, cross border transfer of company seat in the EU, exceptions and justifications of restrictive national measures, relationship between establishment and services

Class 8: 28 December 2015

Free movement of persons: notion of workers – conditions – rights of (non-EU) family members - justifiable restrictions – EU citizenship

Class 9: 29 December 2015

European Economic and Monetary Union I: Free movement of capital - European single currency area (Eurozone) – legal and economic conditions – European System of Central Banks and European Central Bank

Class 10: 30 December 2015

European Economic and Monetary Union II: General economic and monetary principles of the EU - system of economic coordination in the EU – excessive (government) deficit procedure

Class 11: 31 December 2015

Introduction to EU competition law I: Procedural aspects (role of Commission, of national courts and competition authorities, role of the European Court of Justice), restrictive practices

Class 12: 2 January 2016

Introduction to EU competition law II: Abuse of dominant position, state interventions

Class 13: 4 January 2016

Common commercial policy of the EU: Conventional and autonomous commercial policy, Treaty-making powers of the EU (trade agreements), position in WTO, EU anti-dumping and anti-subsidy measures

Exam: 5 January 2016.
