

GUÍA DOCENTE

DENOMINACIÓN DE LA ASIGNATURA

Denominación: **EUROPEAN INTERNAL MARKET**

Código: 142062

Plan de estudios: **GRADO DE DERECHO**

Curso:

Materia:

Carácter: OPTATIVA

Duración:

Créditos ECTS: 4.0

Horas de trabajo presencial: 40

Porcentaje de presencialidad: 40.0%

Horas de trabajo no presencial: 60

Plataforma virtual:

DATOS DEL PROFESORADO

Nombre: MAGALDI MENDAÑA, NURIA (Coordinador)

Departamento: DERECHO PÚBLICO Y ECONÓMICO

Área: DERECHO ADMINISTRATIVO

Ubicación del despacho: Facultad de Derecho y CC.EE. y Empresariales

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REQUISITOS Y RECOMENDACIONES

Requisitos previos establecidos en el plan de estudios

None

Recomendaciones

It is highly recommended to have successfully passed "European Union Law" and to be fluent in English.

COMPETENCIAS

- COP4 Conocer el mercado único europeo y situarlo en el contexto de la intervención pública en la economía y el proceso de integración europea.
- COP5 Aplicar la dogmática del Derecho Administrativo y del Derecho de la Unión Europea a la construcción y el funcionamiento del mercado único europeo.
- COP6 Aplicar los conocimientos y enjuiciar críticamente los supuestos que plantea la realidad jurídica del mercado único europeo.
- COP7 Valorar críticamente las relaciones entre Administración pública europea y mercado único.

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OBJETIVOS

The creation of a European Internal Market has been the real driving force of the European integration process for years. Nowadays, the European Internal Market can be stated to be the hardcore of the European Union. Yet, Law School's official curriculum usually pay little attention to this key matter.

This course aims to be an introduction, from a legal point of view, to the conceptual groundings and the pillars of the European Internal Market. In order to do so and to fully understand the inner structure of the European Internal Market, this course explores its four fundamental freedoms: the free movement of goods, the free movement of capital (and the Economic and Monetary Union), the free movement of workers and the freedom of establishment and to provide services. Additionally, this course focuses on some of the most relevant Common Policies, which will be selected on a yearly basis.

CONTENIDOS

1. Contenidos teóricos

Lesson 1. The Internal Market

1. Nature and concept of the Internal Market. 2. Origins and evolution of the Internal Market: situation before and after the Single European Act. 3. The "New Approach" Internal Market. 4. The key principles essential to the establishment and development of the Internal Market.

Lesson 2. Free movement of goods

1. Definition of goods. 2. Customs duties and Custom's Union. External and internal aspects. 3. Charges having an equivalent effect and permissible charges. 4. Prohibition of internal discriminatory taxation. 5. Quantitative restrictions and measures having equivalent effect to a quantitative restriction.

Lesson 3. Free movement of capital and the Economic and Monetary Union

1. Free movement of capital: origins, evolution and current framework. 2. Economic and Monetary Union: early attempts, foundation and the three stages' approach. 3. The Monetary Union, the European Central Bank and the European System of Central Banks.

Lesson 4. Free movement of workers

1. European concept of "worker" and its scope of protection. 2. Obstacles to the market access and the principle of non-discrimination. 3. The public-service exception. 4. The Directive 2004/38: right of entry and residence of workers and their families.

Lesson 5. Freedom of establishment and to provide services

1. Introduction: differences and commonalities. 2. The right of establishment. In particular, the establishment of companies. 3. The free movement of services. Discriminatory and non-discriminatory restrictions. 4. General legislation to facilitate establishment and services: the recognition of professional qualifications and the "Services Directive".

Lesson 6. Common Policies

1. Common Agricultural Policy and Common Fisheries Policy. 2. Common Transport Policy. 3. Common Commercial Policy. 4. EU Social and Employment Policy. 5. Area of Freedom, Security and Justice. 6. EU Energy Policy. 7. EU Environmental Policy. 8. EU Education, Vocational Training and Youth Policy. 9. EU Public Health Policy. 10. EU Consumer Protection Policy. 11. EU Industry Policy. 12. EU Research and Development and Space Policy.

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2. Contenidos prácticos

Practical contents vinculados con theory contents.

METODOLOGÍA

Aclaraciones generales sobre la metodología (opcional)

General clarifications on the methodology (optional)

There will be theoretical and practical sessions. Theoretical classes will largely consist of master classes, whose main contents will be included in power-point presentations previously put at the disposal of the students on our Moodle platform. Along with the teachers' explanations, theoretical sessions will also include other activities involving students' performances, such as delivering little speeches trying to summarize previous classes or selected topics, reading and discussing about selected texts, etc. In addition, an intense use of media resources in English, especially that of videos, will be made during theoretical classes.

As for the practical sessions, students will be asked to write down their comments on historical texts, judgments delivered by European or Spanish Courts or legal acts adopted by the European Union. Those commentaries will aim to answer several questions previously posed by the teachers and will be publicly discussed by the students with the teachers' guidance.

Adaptaciones metodológicas para alumnado a tiempo parcial y estudiantes con discapacidad y necesidades educativas especiales

Methodological adaptations for part-time students and students with disabilities and special educational needs

Only full-time students are allowed to take part in this course. Therefore, there are no adaptations for part-time students.

The methodological strategies and the evaluation system contemplated in this Course Description will be adapted according to the needs presented by students with disabilities and special educational needs in the cases that are required.

Actividades presenciales

Actividad	Grupo completo	Total
<i>Actividades de evaluación</i>	3	3
<i>Análisis de documentos</i>	6	6
<i>Estudio de casos</i>	6	6
<i>Lección magistral</i>	25	25
Total horas:	40	40

Actividades no presenciales

Actividad	Total
<i>Búsqueda de información</i>	10
<i>Ejercicios</i>	10

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Actividad	Total
<i>Estudio</i>	40
Total horas:	60

MATERIAL DE TRABAJO PARA EL ALUMNO

Casos y supuestos prácticos
Dossier de documentación
Manual de la asignatura

EVALUACIÓN

Competencias	Estudio de casos	Exposición oral	Exámenes
<i>COP4</i>	X	X	X
<i>COP5</i>	X	X	X
<i>COP6</i>	X	X	X
<i>COP7</i>	X	X	X
Total (100%)	20%	20%	60%
Nota mínima (*)	4	4	4

(*)Nota mínima para aprobar la asignatura

Valora la asistencia en la calificación final:

No

Aclaraciones generales sobre los instrumentos de evaluación:

General clarifications on instruments for evaluation:

There will be a final examination which counts up to 60% of the final mark. This final examination will be a theoretical written examination in English, made up of short and some medium-length answer questions. The final examination will include several questions specifically aimed to assess the acquisition of the technical vocabulary both, in English and Spanish. The final mark of this examination will be determined by the theoretical content of the answers and the proper use of the specific terminology. In addition, class marks (case studies and oral presentations) count up to 40% of the final mark. Class marks are determined by the result of several classroom activities, such as practical activities, short written questions and frequent oral interaction, both asking or answering questions.

Class marks will be taken into consideration in the June and July exam sessions.

The same regime shall apply to repeat students.

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Aclaraciones sobre la evaluación para el alumnado a tiempo parcial y necesidades educativas especiales:

Clarifications on the methodology for part-time students and students with disabilities and special educational needs:

Only full-time students are allowed to take part in this course. Therefore, there are no adaptations for part-time students.

The methodological strategies and the evaluation system contemplated in this Course Description will be adapted according to the needs presented by students with disabilities and special educational needs in the cases that are required.

Criterios de calificación para la obtención de Matrícula de Honor:

Qualifying criteria for obtaining honors (Matrícula de Honor) are to get a minimum final degree of 9 out of 10 and to achieve excellence in every area under assessment. In the event of a tie, honors will be granted to the student having achieved a h

BIBLIOGRAFIA

1. Bibliografía básica

Basic Bibliography

CRAIG, Paul, and Gráinne DE BÚRCA, *EU Law. Text, cases and materials*, Oxford University Press, Oxford.

2. Bibliografía complementaria

Among others, latest editions of the following books and textbooks:

BARNARD, Catherine, *The substantive law of the EU: The Four Freedoms*, Oxford University Press, Oxford.

KACZOROWSKA-IRELAND, Alina, *European Union Law*, Routledge, London-New York.

KOUTRAKOS, Panos, Niamh Nic SHUIBNE and Phil SYRPIS (eds.), *Exceptions from EU Free Movement Law: Derogation, Justification and Proportionality*, Hart Publishing, Oxford.

MALETIC, Isidora, *The Law and Policy of Harmonization in Europe's Internal Market*, Edward Elgar, Cheltenham.

SHUIBNE, Niamh Nic (ed.), *The Coherence of EU Free Movement: Law, Constitutional Responsibility and the Court of Justice*, Oxford University Press, Oxford.

SYRPIS, Phil, *The Judiciary, the Legislature and the EU Internal Market*, Cambridge University Press, Cambridge.

TRYFONIDOU, Alina, *Reverse Discrimination in EC Law*, Kluwer Law International, London.

WEISS, Friedl, and Clemens KAUPA, *European Union Internal Market Law*, Cambridge University Press, Cambridge.

Webgraphy (Websites with relevant information about the European Union)

- General information on the European Union: <http://europa.eu>

- European Union legal data base (Eur-Lex): <http://eur-lex.europa.eu>

- Institutions of the European Union's websites:

European Parliament: <http://www.europarl.europa.eu>

European Council: <http://www.european-council.europa.eu>

Council of the European Union: <http://www.consilium.europa.eu>

European Commission: <http://ec.europa.eu>

Court of Justice of the European Union: <http://curia.europa.eu>

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CRITERIOS DE COORDINACIÓN

Actividades conjuntas: conferencias, seminarios, visitas...

Criterios de evaluación comunes

Aclaraciones

The methodological strategies and the evaluation system contemplated in this Course Description will be adapted according to the needs presented by students with disabilities and special educational needs in the cases that are required.

Las estrategias metodológicas y el sistema de evaluación contempladas en esta Guía Docente serán adaptadas de acuerdo a las necesidades presentadas por estudiantes con discapacidad y necesidades educativas especiales en los casos que se requieran.

PLAN DE CONTINGENCIA: ESCENARIO A

El escenario A, se corresponde con una menor actividad académica presencial en el aula como consecuencia de medidas sanitarias de distanciamiento interpersonal que limite el aforo permitido en las aulas.

METODOLOGÍA

Aclaraciones generales sobre la metodología en el escenario A

Se adoptará un sistema multimodal o híbrido de enseñanza que combine, en todo lo posible, las clases presenciales en aula y las clases presenciales por videoconferencia (sesiones síncronas) que se impartirán en el horario aprobado por el Centro. La distribución temporal de las actividades que se llevarán a cabo de forma presencial en aula y presencial por videoconferencia estará determinado por el Centro en función del aforo permitido en los espacios docentes y las medidas sanitarias de distanciamiento interpersonal que estén vigentes en cada momento.

General clarifications on the methodology on case scenario A

A multimodal (hybrid) teaching system will be adopted, combining both on-site and remote classes via videoconference (synchronous) that will be held in the timetable approved by the corresponding Faculty or School. The time distribution of teaching activities (both on-site and remote) will be decided by the aforementioned Faculties and Schools bearing in mind the permitted capacity of classrooms and social distancing measures as established at that time.

There will be theoretical and practical sessions. Theoretical classes will largely consist of master classes, whose main contents will be included in power-point presentations previously put at the disposal of the students on our Moodle platform. Along with the teachers' explanations, theoretical sessions will also include other activities involving students' performances, such as delivering little speeches trying to summarize previous classes or selected topics, reading and discussing about selected texts, etc. In addition, an intense use of media resources in English, especially that of videos, will be made during theoretical classes.

As for the practical sessions, students will be asked to write down their comments on historical texts, judgments delivered by European or Spanish Courts or legal acts adopted by the European Union. Those commentaries will aim to answer several questions previously posed by the teachers and will be publicly discussed by the students with the teachers' guidance.

General clarifications on the methodology (optional)

There will be theoretical and practical sessions. Theoretical classes will largely consist of master classes, whose main contents will be included in power-point presentations previously put at the disposal of the students on our Moodle platform. Along with the teachers' explanations, theoretical sessions will also include other activities

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involving students' performances, such as delivering little speeches trying to summarize previous classes or selected topics, reading and discussing about selected texts, etc. In addition, an intense use of media resources in English, especially that of videos, will be made during theoretical classes.

As for the practical sessions, students will be asked to write down their comments on historical texts, judgments delivered by European or Spanish Courts or legal acts adopted by the European Union. Those commentaries will aim to answer several questions previously posed by the teachers and will be publicly discussed by the students with the teachers' guidance.

EVALUACIÓN

Competencias	Estudio de casos	Exposición oral	Exámenes
COP4	X	X	X
COP5	X	X	X
COP6	X	X	X
COP7	X	X	X
Total (100%)	20%	20%	60%
Nota mínima (*)	4	4	4

(*)Nota mínima para aprobar la asignatura

Valora la asistencia en la calificación final (Escenario A):

No

Aclaraciones generales sobre los instrumentos de evaluación (Escenario A):

General clarifications on instruments for evaluation:

There will be a final examination which counts up to 60% of the final mark. This final examination will be a theoretical written examination in English, made up of short and some medium-length answer questions. The final examination will include several questions specifically aimed to assess the acquisition of the technical vocabulary both, in English and Spanish. The final mark of this examination will be determined by the theoretical content of the answers and the proper use of the specific terminology. In addition, class marks (case studies and oral presentations) count up to 40% of the final mark. Class marks are determined by the result of several classroom activities, such as practical activities, short written questions and frequent oral interaction, both asking or answering questions.

Class marks will be taken into consideration in the June and July exam sessions.

The same regime shall apply to repeat students.

Aclaraciones sobre la evaluación para el alumnado a tiempo parcial y necesidades educativas especiales (Escenario A):

Clarifications on the methodology for part-time students and students with disabilities and special educational needs:

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Only full-time students are allowed to take part in this course. Therefore, there are no adaptations for part-time students.

The methodological strategies and the evaluation system contemplated in this Course Description will be adapted according to the needs presented by students with disabilities and special educational needs in the cases that are required.

Criterios de calificación para la obtención de Matrícula de Honor (Escenario A):

Qualifying criteria for obtaining honors (Matrícula de Honor) are to get a minimum final degree of 9 out of 10 and to achieve excellence in every area under assessment. In the event of a tie, honors will be granted to the student having achieved a h

PLAN DE CONTINGENCIA: ESCENARIO B

El escenario B, contempla la suspensión de la actividad presencial en el aula como consecuencia de medidas sanitarias.

METODOLOGÍA

Aclaraciones generales sobre la metodología en el escenario B

La actividad docente presencial se llevará a cabo por videoconferencia (sesiones síncronas) en el horario aprobado por el Centro. Se propondrán actividades alternativas para los grupos reducidos que garanticen la adquisición de las competencias de esa asignatura.

Case scenario B will bring about a suspension of all on-site academic activities as a consequence of health measures.

General clarifications on the methodology on case scenario B

On-site teaching activities will be held via videoconference (synchronous) in the timetable approved by the corresponding Faculty or School. Alternative activities will be proposed for reduced groups in order to guarantee the acquisition of course competences.

There will be theoretical and practical sessions. Theoretical classes will largely consist of master classes, whose main contents will be included in power-point presentations previously put at the disposal of the students on our Moodle platform. Along with the teachers' explanations, theoretical sessions will also include other activities involving students' performances, such as delivering little speeches trying to summarize previous classes or selected topics, reading and discussing about selected texts, etc. In addition, an intense use of media resources in English, especially that of videos, will be made during theoretical classes.

As for the practical sessions, students will be asked to write down their comments on historical texts, judgments delivered by European or Spanish Courts or legal acts adopted by the European Union. Those commentaries will aim to answer several questions previously posed by the teachers and will be publicly discussed by the students with the teachers' guidance.

General clarifications on the methodology (optional)

There will be theoretical and practical sessions. Theoretical classes will largely consist of master classes, whose main contents will be included in power-point presentations previously put at the disposal of the students on our Moodle platform. Along with the teachers' explanations, theoretical sessions will also include other activities involving students' performances, such as delivering little speeches trying to summarize previous classes or selected topics, reading and discussing about selected texts, etc. In addition, an intense use of media resources in English, especially that of videos, will be made during theoretical classes.

As for the practical sessions, students will be asked to write down their comments on historical texts, judgments

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delivered by European or Spanish Courts or legal acts adopted by the European Union. Those commentaries will aim to answer several questions previously posed by the teachers and will be publicly discussed by the students with the teachers' guidance.

EVALUACIÓN

Competencias	Estudio de casos	Exposición oral	Exámenes
COP4	X	X	X
COP5	X	X	X
COP6	X	X	X
COP7	X	X	X
Total (100%)	20%	20%	60%
Nota mínima (*)	4	4	4

(*)Nota mínima para aprobar la asignatura

Herramientas Moodle	Estudio de casos	Exposición oral	Exámenes
Cuestionario	X	X	X
Participación	X	X	X
Pruebas simultáneas por videoconferencia	X	X	X
Tarea	X		

Valora la asistencia en la calificación final (Escenario B):

No

Aclaraciones generales sobre los instrumentos de evaluación (Escenario B):

General clarifications on instruments for evaluation:

There will be a final examination which counts up to 60% of the final mark. This final examination will be a theoretical written examination in English, made up of short and some medium-length answer questions. The final examination will include several questions specifically aimed to assess the acquisition of the technical vocabulary both, in English and Spanish. The final mark of this examination will be determined by the theoretical content of the answers and the proper use of the specific terminology. In addition, class marks (case studies and oral presentations) count up to 40% of the final mark. Class marks are determined by the result of several classroom activities, such as practical activities, short written questions and frequent oral interaction, both asking or

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answering questions.

Class marks will be taken into consideration in the June and July exam sessions.

The same regime shall apply to repeat students.

Aclaraciones sobre la evaluación para el alumnado a tiempo parcial y necesidades educativas especiales (Escenario B):

Clarifications on the methodology for part-time students and students with disabilities and special educational needs:

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The methodological strategies and the evaluation system contemplated in this Course Description will be adapted according to the needs presented by students with disabilities and special educational needs in the cases that are required.

Criterios de calificación para la obtención de Matrícula de Honor (Escenario B):

Qualifying criteria for obtaining honors (Matrícula de Honor) are to get a minimum final degree of 9 out of 10 and to achieve excellence in every area under assessment. In the event of a tie, honors will be granted to the student having achieved a h