

Law LLB

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| **Module** | **EU Law II**  Type Semester ECTS Code  MANDATORY (M) VI 4 Law-B-049 |
| **Lecturer**  **Assistant** | Ass.Prof. Elton Tota |
| **Aims and Objectives** | This module (EU Law II) aims to provide advanced knowledge of EU law focusing mainly on the issues of Internal market as an area of exclusive application of the EU law as well as further exploring the constitutional, social and economic aspects of EU Law and Policy. The module aims to reflect the nature of EU Law and its most recent developments. The module is divided in two parts. The first part covers the study of the EU internal market elaborated through the ECJ case law, the EU competition Law and Policy as well as issues in regard with EU Intellectual Property Rights. While the second part deals with issues of social policy, equal treatment, the concept of union citizenship and its relation with “third country nationals” and migration law. Then this part of the module also elaborates the development in the Area of Freedom, Security and Justice (earlier known as CJHA) and Common Foreign and Security Policy (CFSP). |
| **Learning Outcomes** | By the end of the semester, students should be able to address the following features of EU Law:   * Demonstrate an advanced understanding and be able to analyzes, evaluate and interpret EU legal norms and their effect on issues relating to the Internal market and to different EU and EU Member State perspectives. * Explain and review the EU legal doctrine, construct arguments and ability to apply and implement the gained knowledged within the EU or in relation to the national legal order of the EU Member states. * Ability to team work and execute research projects, to gather and interpret data, to debate on EU legal developments, to develope the gathering and interpreting legal aspects as well as to draft and summarize legal opinions. * Communicate in an analytical way and ability to present arguments, orally as well as in writing, in a clear and comprehensible manner when performing about solving legal issues. |
| **Content** | **Course Plan Week**  Part - I -  1. Introduction - Founding Treaties and Community Law (I)    2. Common Market, creation and Operation (2)    3. Free movement of goods: Elimination of Trade Barriers (3)    4. Free movement of Services (and the Right of Establishment) (4)    5. Free movement of Persons (Workers) and Capital (5)    6. EU Competition Law and Policy (6)    7. EU Intelectual Property Rights (IPR) (7)  8. The first colloquium (8)  Part - II -  9. European (Union) citizenship (9)  10. Immigration and treatment of third country nationals (10)  11. Social Aspects of European Integration (11)  12. Area of Freedom, Security and Justice (AFSJ) (12)  13. Common Foreign and Security Policy (CFSP) (13)    14. The second colloquium (14)  15. Final Exam (15) |
| **Teaching/ Learning Methods** | **Teaching/ Learning Activities Weight (%)**  1. Lectures 40%  2. Case studies exercises 20%  3. Legal Debates 20%  4. Reviews and Project legal summaries 10%  5. Thesis seminars 10%  6. Guest speakers and video Expose/ inserts |
| **Assesment Methods** | **Assesment Activity Number Week Weight (%)**  1. Colloquiumes 2 7,14 40%  2. Exercises 12 1-6/8-13 20%  3. Legal debates/ Active Participation 1-6/8-13 20%  4. Project legal summaries 7,14 20% 5. Seminar Paper 1 15 100%  6. Final Exam 15 100% |
| **Sources and tools of concretization** | **Tools**  1. Classroom Lectures  2. Literature (library and e-library)  3. Moodle  4. Projector |
| **Workload and activities** | **Activity Weekly hrs Total workload**  1. Lectures 2 30h  2. Exercises 1 15h  3. Contacts/ Consultations with lecturer 5h  4. Independent study/ work at home and library 2 25h  (collection of relevant materials, reading, preparation for  colloquiums, seminar papers, case studies, presentations,  home work, team work)  5. Preparation for final written exam 2 25h |
| **Literature / Referencies** | **Basic Literature:**   * Schütze, Robert, *“European Union Law”*, third Edition, Oxford University Press, 2021. * Bernard, Chaterine, *“The Substantive Law of the EU: The Four Freedoms”*, seventh Edition, Oxford University Press, 2022. * Velyvyte, Vilija, “*Judicial Authority in EU Internal Market Law: Implications for the Balance of Competences and Powers”*, Bloomsbury Academic, 2022. * Bernard, Chaterine, Peers, Steve, *“European Union Law”*, second Edition, Oxford University Press, 2017. * Ziller, Jacques “*Advanced Introduction to European Union Law”*, Elgar, 2020. * Schütze, Robert, Tridimas, Takis, *“Oxford Principles of European Union Law: The European Union Legal Order”*, Vol.1, Oxford University Press, 2018. * Tota, Elton, *“EU Enlargement and Its Impact to the Western Balkans”*, Logos Verlag Berlin, ISBN-13: 978-3832549640, 2019. * Tota, Elton, *“Refocusing the European Union attention on the Western Balkans: the impact of the Berlin Process”*, Journal of Liberty and International Affairs | Vol. 6, No. 2, 2020. * Cuthbert, Mike: *“European Union Law”*, 8th Edition, London, 2015. * Giubboni, Stefano, *“Free Movement of Persons and European Solidarity”*, Perspectives on Federalism, ISSN: 2036-5438, 2015. * Canaj, Erjona, *“Lëvizja e Lirë e Personave në Bashkimin Evropian”*, UET Press, 2014. * Canaj, Erjona, Bana, Sokol, *“E Drejta e Bashkimit Evropian”*, 2010. * Davies, Karen, *“Understanding European Union Law”*, Routledge, 2016. * Foster, Nigel, *“EU Law”*, Oxford University Press, 2007. * Lazowski, Adam, Bushati Gugu, Aida, *“Bazat e së Drejtës Evropiane, Me përmbledhje vendimesh nga Gjykata e Drejtësisë e Bashkimit Evropian”*, Tiranë, 2014. * Traktati i Bashkimit Evropian/Lisbon*ë*s (TBE), 2007. * Directive 2004/38 on the right of citizens of the Union and their families to move freely and reside. * Directive 2003/88/EC, (Working hours Directive). * European Pact on Immigration and Asylum, EU Council, 2008. * Green Paper on EU Approach to Economic Migration, EU Commission, 2005.   **Additional Literature:**   * Tota, Elton,Hasanpapaj, Bardhyl*, “The EU Competition Rules and Impact on Increasing Market Competitiveness on the Western Balkans”*, Corporate Governance and Organizational Behavior Review, Volume 5 Issue 2, Special Issue, 2021. * Jacque, J.P. (2010). *“E drejta Institucionale e Bashkimit Evropian”*. Tiranë, Papirus. * Dinan, D. *“Politikat e Bashkimit Europian”*, Tiranë: AIIS Tirana Times. * Rosas, A., and Armati, L., (2010), *“EU Constitutional Law: An Introduction”*, London and New York: Hart Publishing. * Reich, Norbert, *“Understanding EU Law. Objectives, Principles and Methods of Community Law”*, 2nd ed., Antwerp / Oxford 2005, 13-52. * Foster, Nigel, *“Blackstone's EU Treaties & Legislation* *2012-2013”* (Blackstone's Statutes), Oxford University Press, USA, 2012. * Foster, Nigel, *“EU Law Directions”*, Oxford University Press, USA, 2012. * Rules of Procedure of the European Court of Justice. * *“Council Regulation (EC) No 1/2003 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty”* (EU Anti-Trust Regulation); * *“Council Regulation (EC) No 139/2004 on the control of concentrations between undertakings”* (the EC Merger Regulation). |
| **Contact:** | [elton.tota@ubt-uni.net](mailto:elton.tota@ubt-uni.net) |