

Course Outline

Course number	RBE349				
Course title	European Area of Freedom, Security and Justice				
Credit points	3 ECTS				
Total hours	75				
Contact hours	32				
Independent studies	43				
Course level	Bachelor				
Prerequisites	A student must have passed a course RBB400 European Union Law				
Category	Mandatory		Restricted elective	X	Free elective

COURSE RESPONSIBLE

<i>Name</i>	<i>Academic degree</i>	<i>Academic position</i>
Laila Medina	LL M (<i>cum laude</i>)	Guest lecturer

COURSE TEACHERS

<i>Name</i>	<i>Academic degree</i>	<i>Academic position</i>
Laila Medina	LL M (<i>cum laude</i>)	Guest lecturer

COURSE ABSTRACT

The course starts with recapitulation of EU functioning from the perspective of understanding of the place of Area of Freedom, Security and Justice of the European Union (AFSJ), and prepares for the tasks during the course. A particular attention is provided with respect to the Court of Justice and the interpretation methods of the EU law deployed by the Court. Further, the course covers introduction into AFSJ, discussing the Title V of the TFEU (constitutional foundation of AFSJ) and the Charter of Fundamental Rights of the European Union. The Charter is analysed from the perspective of fundamental rights relevant to Title V of TFEU and its impact on development of this area of law. The substantive part of the course is divided in two big groups – horizontal issues related to AFSJ: (data protection; citizenship and the principles of mutual trust and mutual recognition) and sectoral areas of law (migration and

asylum law, cooperation in criminal law, cooperation in civil law). The emphasis of the course is put on overall understanding of the EU law in this area and ability to search, interpret and apply relevant sources of the law, with particular attention devoted to ability to use ECJ case law. The course ends with a simulated oral hearing of a case before the ECJ. Thus, the course is based on even distribution of lectures and seminars- discussions.

GRADING CRITERIA

Criteria	Weighting
Exam	60%
Presentations/ participation in seminars	40%

COURSE REQUIREMENTS

In order to pass the course, **a student must:** 1) give a presentation and participate in role-play; 2) pass the exam. The final grade of the course will be the average grade of the exam and the presentation (based on the 40%-60% proportion). In case the presentation is graded below 4, it is not possible to re-take it / compensate for it. If a student fails the exam, a student is entitled to do a re-exam. If at the end of both components, the final grade turns out to be negative (1 – 3), a student needs to re-take the course.

Mandatory attendance requirement: taking into account the format of this course, it is absolutely mandatory to attend at least 11 classes. If a student misses more than five classes, the student will not be admitted to the exam.

Presentation requirements: To present a selected ECJ judgment specified by a lecturer as the facts of the case, findings of the Court, applied interpretation methods and principles of law relied upon by the Court. To prepare questions for a debate with fellow students, to manage the debate.

Exam requirements: Open book written exam regarding a topic specified by a lecturer at the time of the exam. The main evaluation criteria: clarity of legal language, ability to define a statement, ability to argue and defend the statement in concise manner, ability to use ECJ case law to support the arguments.

COURSE PLAN – MAIN SUBJECTS

No.	Main subjects	Planned hours
1.	EU framework and interpretation of EU law (ECJ case law) in the context of ASFJ	4
2.	TFEU Title 5, Charter of Fundamental Rights and horizontal issues (mutual trust, citizenship and data protection)	4

3.	ASFJ horizontal issues (mutual trust, citizenship and data protection)	6
4.	Migration and asylum law	4
5.	Criminal cooperation law	6
6.	Civil cooperation law	6
7.	Simulated oral hearing	2