

BALTISCH-DEUTSCHES HOCHSCHULKONTOR

Autumn Semester 2009

EC Internal Market Law

- Eiropas iekšēja tirgus tiesības (angļu valodā) -

with an Introduction to the Techniques of Case-solving in European Law

Prof. Dr. Thomas Schmitz
DAAD lecturer

- **Course description:**

(course code JurZ5058)

The European Union represents not only the institutional framework but as well the location for the *substantive law of the European integration*. The law of the European internal market forms the biggest part of that substantive law. This course deals with this subject, in particular with the *economic fundamental freedoms* of the citizens of the Union (free movement of goods, freedom of movement for workers, freedom of establishment, freedom to provide services, freedom of the movement of capital and of payments). These economic freedoms have a great impact on the daily life in the European Union. The course will present the general theory and the specific features of the fundamental freedoms. It will introduce to new developments like the judgement in the case Laval (C-341/05, december 2007). The course also deals with the approximation of laws in the internal market and the competition law of the European Union. As well, it presents an overview of the European Economic and Monetary Union.

The handling of practical cases is an important part of the everyday work of most legal experts. For that reason, the course is not limited to a theoretical presentation but introduces as well to the *techniques of case-solving* in the field of European law. The participants will learn how to approach a concrete case, how to work out precisely the exact question of the case and how to structure and formulate a case solution in European law. The case studies will deal with the economic fundamental freedoms.

- **Conditions:**

The joint course of the Faculty of Law and the Riga Graduate School of Law is open for students of all faculties. In order to get 4 credit points (B), participants are required to pass an interim examination (60 %) and a final examination (40 %). The students at the Riga Graduate School of Law will follow part I and II and pass the first test only, in order to get 2.5 credit points. They are, however, invited to participate in the whole course.

- **Time and Place:**

Tuesday, 16.30 - 18.00, Auditorium 42, and Wednesday, 16.30 - 18.00, Auditorium 9 (Raiņa bulv. 19). The course starts on Sept. 8. (For the students of the Riga Graduate School of Law, the first two lectures will be repeated in September.)

- **Further informations:**

At www.lanet.lv/~tschmit1 or directly from the lecturer (tschmit1@gwdg.de).

• **Contents:**

Part I: Introduction

- § 1 Institutional and substantive Law of the European Union
- § 2 The European Union as framework for the economic development in Europe
- § 3 The European unified economic area - an overview

Part II: The Fundamental Freedoms

- § 4 General theory
- § 5 The free movement of goods (art. 23 et seq., 90 et seq. EC Treaty / 28 et seq., 110 et seq. FEU Treaty)
- § 6 The freedom of movement for workers (art. 39 et seq. EC Treaty / 45 et seq. FEU Treaty)
- § 7 The freedom of establishment (art. 43 et seq. EC Treaty / 49 et seq. FEU Treaty)
- § 8 The freedom to provide services (art. 49 et seq. EC Treaty / 56 et seq. FEU Treaty)
- § 9 The free movement of capital and payments (art. 56 et seq. EC Treaty / 63 et seq. FEU Treaty)

Part III: The Realization and Safeguard of the Internal Market

- § 10 The approximation of laws in the internal market
- § 11 The competition law of the European Union

Part IV: The Economic and Monetary Union (overview)

- § 12 Economic and budgetary policy in the European Union
- § 13 The Monetary Union

• **Bibliography (selection):**

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| Barnard, Catherine | The Substantive Law of the EU: The Four Freedoms, 2 nd edition 2007 |
| Davies, Gareth | European Union internal market law, 3rd edition 2006 |
| Ehlers, Dirk (editor) | Europäische Grundrechte und Grundfreiheiten, 3 rd edition 2009 [coming soon; 2 nd edition 2005 = European Fundamental Rights and Freedoms, 2007] |
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| Gormley, Laurence | EU Law of Free Movement of Goods and Customs Union, 2009 [coming soon] |
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Sufrin, Brenda | EC Competition Law. Text, Cases, and Materials, 3 rd edition 2007 |
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| Craig, Paul
Búrca, Gráinne de | EU Law. Text, Cases and Materials, 4 th edition 2007 |
| Fairhurst, John
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