

# Teaching guide

## IDENTIFICATION DETAILS

Degree:	Law		
Field of Knowledge:	Social and Legal Sciences		
Faculty/School:	Law, Business and Government		
Course:	DOMESTIC MARKET AND EU POLICIES		
Type:	Optional	ECTS credits:	3
Year:	4	Code:	7262
Teaching period:	Seventh semester		
Subject:	International and Community Law		
Module:	Public Law		
Teaching type:	Classroom-based		
Language:	Spanish		
Total number of student study hours:	75		

## SUBJECT DESCRIPTION

This course introduces the student to the material law of the European Union, after having acquired in the subject "Community Law" a knowledge of the institutional aspects of the Union's legal system.

The internal market and EU policies significantly affect the national legal system, so it is essential that future jurists acquire knowledge about how community freedoms and policies affect the rights and obligations of individuals and legal entities in the European Union. This course studies the foundations of the internal market and the scope of community freedoms, and briefly presents those Community policies most related to the internal market.

The European Union is a political, cultural, economic and social project of enormous magnitude and importance.

Therefore, both the construction and functioning of the internal market and the policies of the EU, significantly affect not only the legal systems of the Member States of the EU, but also the life in society of the citizens and companies of each of them. For this reason, it is essential that future jurists know this project thoroughly, in particular its legal dimension but without ignoring the others. To have a good understanding of this legal dimension--in particular how community policies and the regime of rights, freedoms and responsibilities established by the EU affect, it is necessary to study them in the light of their anthropological, epistemological, ethical and meaningful dimension. This is because every human group organized for purposes, including the EU, has an idea of the basic man, values, goals, codes of conduct that its components have given to themselves. The idea of man that underlies EU law, implicitly or explicitly, radically conditions its development, interpretation and application. Law, as a science, studies the architecture of the legal system, aimed at achieving certain ends, mainly justice and social order. EU law has a strong teleological dimension, that is, it seeks to support the achievement of political objectives defined by its institutions, and therefore it must be analyzed from a moral and ethical point of view. In addition, EU law in practice can and often does pose ethical problems that need to be known and understood in order to carry out accurate legal analyses. Finally, the student who studies this subject must ask himself about the motivations that drive him to study this subject. There are many, both external and internal, but there are essentially two: (1) you cannot be a good jurist if you do not acquire sufficient knowledge about how community liberties and policies affect the rights and obligations of individuals and legal entities in the European Union. That is why this course studies the foundations of the internal market and the scope of community freedoms, and briefly presents those community policies most related to the internal market. For this reason, his study presupposes that he has studied the subject of "Community Law" in which a basic knowledge of the institutional aspects of the Union's legal system is achieved; (2) studying and knowing EU law is essential for an EU citizen who aspires to be a good jurist and promote justice and the common good through the various modalities in which law can be exercised. This subject is directly related to the subject of Community Law, but indirectly to all subjects of the degree in Law, for the simple reason that a large part of the national legal system derives directly from, or must be interpreted in the light of, EU law. Furthermore, there is a clear relationship with subjects from other branches of knowledge such as economics (macroeconomics and microeconomics), philosophy (political philosophy) or political science (theories about federalism).

## GOAL

The final objective of the course can be understood from several dimensions: 1. The type of graduate we want to train, capable of knowing the truth, being attracted to beauty and with the necessary competencies to promote good; (2) the methodologies used, which help to create a community that seeks to advance knowledge of good practice--knowledge of EU law; (3) the specific objectives to be pursued by the student and the teacher. As for (1) the objective is for students to understand the profound reasons that explain the project of building the European Union, the ways in which the project has been carried out, the ends it pursues, its strengths and weaknesses, and the relevance it has for the common good of citizens of the Union and of the entire world; as for (2) the methodologies used will seek to promote the generation of a community composed of students with the teacher, in which everyone works individually and in groups to better understand The right of the EU and thus contribute to its development in the future; in terms of (3) the specific objectives are the following: (i) to know the activity of the EU institutions in the functioning and development of the internal market, as well as in the configuration and execution of EU policies; (ii) to know the most important principles and rules of the EU legal system; (iii) to know and explain the most important judgments of the EU's courts; (iv) to learn to analyze the judgments of the courts of the courts the EU; (v) learning to solve hypothetical cases applying the knowledge acquired; (vi) to know the points of contact and confluence between EU law and national law; (vii) to know the foundations of the main EU policies and to be able to carry out a critical, informed and rigorous analysis of them; (vi) to feel comfortable reading specialized academic articles on EU law.

## PRIOR KNOWLEDGE

This subject is directly related to that of Community Law. In addition, and given the level of interpenetration between national law and EU law--mainly thanks to the combined combination of the principles of primacy and direct effectiveness, there is a clear but usually underexplored relationship between all the subjects of the degree in law, both in public law and in private law. On the other hand, a minimum knowledge of macroeconomics, microeconomics and political science (theories about federalism) is very useful for understanding EU law.

## COURSE SYLLABUS

CONTENTS 1. ECONOMIC INTEGRATION IN THE EU 2. THE INTERNAL MARKET 2.1. The free movement of goods: the customs union, import and export customs duties or levies of equivalent effect; measures of fiscal discrimination 2.2. Quantitative restrictions on imports, exports and measures of equivalent effect (I). 2.3. Quantitative restrictions on imports, exports and measures of equivalent effect (II). 2.4. The free movement of people (I): workers and citizens of the EU 2.5. The free movement of persons (II): family members and other beneficiaries. rights, limitations and justifications 2.6. The right of establishment (I): self-employed workers and companies 2.8. Freedom to provide services 2.9. Free movement of capital 2.10. The necessary complement to the internal market (II) fundamental rights and equal treatment between men and women 2.11. The necessary complement to the internal market (I): the area of freedom, security and justice 3. COMMUNITY POLICIES 3.1. Environmental and climate change policy. 3.2. A look at the main Community policies, with a special emphasis on the common commercial policy

## EDUCATION ACTIVITIES

all subjects of the degree in law, both in public law and in private law. On the other hand, a minimum knowledge of macroeconomics, microeconomics and political science (theories about federalism) is very useful for understanding EU law. CONTENTS 1. ECONOMIC INTEGRATION IN THE EU 2. THE INTERNAL MARKET 2.1. The free movement of goods: the customs union, import and export customs duties or levies of equivalent effect; measures of fiscal discrimination 2.2. Quantitative restrictions on imports, exports and measures of equivalent effect (I). 2.3. Quantitative restrictions on imports, exports and measures of equivalent effect (II). 2.4. The free movement of people (I): workers and citizens of the EU 2.5. The free movement of persons (II): family members and other beneficiaries. rights, limitations and justifications 2.6. The right of establishment (I): self-employed workers and companies 2.8. Freedom to provide services 2.9. Free movement of capital 2.10. The necessary complement to the internal market (II) fundamental rights and equal treatment between men and women 2.11. The necessary complement to the internal market (I): the area of freedom, security and justice 3. COMMUNITY POLICIES 3.1. The distribution of competencies between the EU and Member States 3.2. A look at the main Community policies, with a special emphasis on the common commercial policy 3.3. The environmental and climate change policy TRAINING ACTIVITIES David Kolb fundamentally recognizes four stages (moments) in our learning style: (i) concrete experience (which emphasizes experiences with other people in everyday situations); (ii) reflective observation (which involves assimilating ideas and understanding situations based on different points of view); (iii), abstract conceptualization (which involves using logic and ideas) and, (iv) active experimentation (exercises of testing) And error for assess what really works). All of them can be combined and mutually enriched.

The methodology used in this course is adapted to these four stages. To do this, a fundamental distinction must be made between learning activities that take place outside the classroom (before but also after it), and activities in the classroom. The main non-face-to-face training activities that will be used during the course are: -Careful reading of the material provided by the teacher in CANVAS before each session. -Group preparation before class of the cases raised by the teacher. -The individual writing of a short essay on an aspect of the syllabus of particular interest to each student. - The study for the subject exam. The main face-to-face training activities are: - Explanation by the teacher of the most important theoretical issues related to the topic covered in each session - Class discussion of the questions posed by the teacher in relation to the reading material assigned by the teacher. -Presentations by groups of students to be the subject of subsequent debate by the class. -Proposal and resolution in class of a practical case. -Carrying out the exam and the partial tests proposed by the teacher. All these training activities are aimed at achieving the learning results specific to this subject. Since the students are in the fourth year, a certain maturity in legal reasoning already acquired in previous course subjects is presumed. The training activities aimed at achieving the learning result RA1, associated with the acquisition of theoretical knowledge, are, on the one hand, the participatory expository class (face-to-face), and on the other, the theoretical study and the preparation of recommended readings (non-face-to-face activity). Carrying out self-assessment questionnaires is a training activity that allows students to check their level of theoretical knowledge, and therefore, to assess the achievement of the learning result RA1. An important training activity in this subject is the individual preparation of an academic essay consisting of a legal report on a question related to the subject of interest to the student.

With this non-face-to-face activity, supported by tutoring, learning outcomes RA2, RA3, RA4 and RA5 are expected to be achieved. The RA5 learning result is also expected to be achieved through other training activities, mainly commentary on texts (press news, case law, etc.), and discussion forums. It is important to note that training activities, as well as the distribution of working hours, can be modified and adapted according to the different scenarios established following the instructions of the health authorities.

## DISTRIBUTION OF WORK TIME

TEACHER-LED TRAINING ACTIVITIES	INDIVIDUAL WORK
30 Horas	45 Horas

## SKILLS

### Basic Skills

Students must have demonstrated knowledge and understanding in an area of study that is founded on general secondary education. Moreover, the area of study is typically at a level that includes certain aspects implying knowledge at the forefront of its field of study, albeit supported by advanced textbooks

Students must be able to apply their knowledge to their work or vocation in a professional manner and possess skills that can typically be demonstrated by coming up with and sustaining arguments and solving problems within their field of study.

Students must have the ability to gather and interpret relevant data (usually within their field of study) in order to make judgments that include reflections on pertinent social, scientific or ethical issues

Students must be able to convey information, ideas, problems and solutions to both an expert and non-expert audience

Students must have developed the learning skills needed to undertake further study with a high degree of independence

To be familiar with the substantive content of legal disciplines and all supplementary fields.

To apply theoretical knowledge in the solving of problems.

To research, manage sources and handle information.

To acquire an ability for analysis, synthesis, assessment and critical reasoning.

To learn independently.

To communicate orally and in writing within different contexts, using technical language when the situation calls for it.

## **General Skills**

To be familiar with the substantive content of legal disciplines and all supplementary fields.

To apply theoretical knowledge in the solving of problems.

To research, manage sources and handle information.

To acquire an ability for analysis, synthesis, assessment and critical reasoning.

To learn independently.

To communicate orally and in writing within different contexts, using technical language when the situation calls for it.

## **Specific skills**

Know the concepts, institutions and legal relationships and their basis.

To achieve the perception of the unitary nature of the legal system and of the necessary interdisciplinary vision of legal problems.

Offer creative and imaginative solutions to legal, personal and professional problems, based on the approach or

sources used.

Manage the legal sources (legal, jurisprudential and doctrinal) applicable to the case study.

Show a critical conscience in the analysis of the legal system, being able to identify the appropriateness of the norm to the ideal of Justice.

Develop habits of rigorous thinking, exercising the capacity for analysis and synthesis.

Reflect on their own learning with a self-critical sense, identifying aspects of improvement based on quality and excellence criteria.

Use feedback.

Read and interpret legal texts.

Write legal texts and other documents of university interest, with clarity, precision and a correct use of legal terminology.

## LEARNING RESULTS

Learn about the activity of EU institutions in the functioning and development of the internal market, as well as in the configuration and execution of EU policies

It understands the foundation, origin and evolution of the internal market, the basic characteristics of the policies associated with it and the principles that govern community freedoms.

Knows and explains the most important judgments of EU courts

He is able to resolve hypothetical cases by applying the acquired knowledge

Knows the points of contact and confluence between EU law and national law

He knows the foundations of the main EU policies and is able to carry out a critical, informed and rigorous analysis of them

He distinguishes, locates and manages the sources of EU law, original and derivative, as well as the jurisprudence to the subject of study.

He writes short and concise research and legal analysis papers with precision and rigor

He is able to argue, orally and rigorously and persuasively, a legal opinion.

Work as a team in solving practical cases

## LEARNING APPRAISAL SYSTEM

A CONTINUOUS EVALUATION SYSTEM is proposed, with different strategies and evaluation tests, aimed at observing the achievement of the proposed learning outcomes. - Participation (debates, comments, presentations, group case resolution, self-evaluation questionnaires...): 40% of the final grade. To positively evaluate participation, it is necessary that student interventions are frequent, relevant to the topic under discussion and of technical quality (measured by the language used, the conceptual depth, and the novelty brought to the debate). - Exam: 60% of the final grade. The exam will consist of two blocks with two questions each. The first will have two questions of a theoretical nature, and the second will have two questions of an applied nature (such as brief cases). The student must choose one question from each block. STUDENTS WHO DO NOT PASS BY CONTINUOUS EVALUATION (only those who do not pass, it is not a means of raising grades) must: - Submit the work assigned for this purpose before a date to be specified by the teacher: (30% of the final grade). - Take the exam on the date of the official call (60% of the final grade). - Take a single self-evaluation questionnaire on the entire subject (10%) before the date of the exam in their official call. The same system will apply to students who enroll in second or successive calls (repeat students) who do not follow the continuous evaluation system, and to those who have prior exemption from assistance with prior authorization from the Career Management. In the EXTRAORDINARY CALL, in addition to the written exam, the preparation of an additional work will be required, the deadline for submission being that of the official exam. The grade of the subject will be calculated as follows: exam (70%), work (30%). EVALUATION CRITERIA - A minimum of 4/10 is required in the written exam for this score to average with the rest of those obtained in other evaluation tests. - Spelling errors penalize the result of the test in which they are found: one point less for lack or three points of accentuation. - If plagiarism is detected in any evaluation test, the grade of the subject will be considered so (0), regardless of the average that might result from the rest of evaluation tests. - The Matrix of Honor is a recognition of excellence. It is awarded only to students who stand out markedly from the rest of their peers, not only for the grades obtained in the subject, but also for their excellence in making the most of it. The decision to grant an Honorary Matrix is up to the teacher. If there is more than one candidate, an additional test may be requested, either an oral exam, a research paper, etc.

ALTERNATIVE EVALUATION SYSTEM TO RESPOND TO THE RECOMMENDATIONS OF THE HEALTH AUTHORITIES RELATED TO COVID-19. In the event that health recommendations force us to return to a scenario where teaching has to be taught exclusively remotely, it will be necessary to slightly adjust the evaluation system, which will be as follows: -Academic essay: 20% of the final grade -Participation (debates, comments, self-evaluation questionnaires...): 30% of the final grade. Since debates will have to take place in an online environment where it may be more difficult to ensure the participation of all students, participation will be evaluated including entries in the forum enabled in CANVAS for each session. - Exam: 50% of the final grade. The exam will, in any case, be carried out in person.

## ETHICAL AND RESPONSIBLE USE OF ARTIFICIAL INTELLIGENCE

- 1.- The use of any Artificial Intelligence (AI) system or service shall be determined by the lecturer, and may only be used in the manner and under the conditions indicated by them. In all cases, its use must comply with the following principles:
  - a) The use of AI systems or services must be accompanied by critical reflection on the part of the student regarding their impact and/or limitations in the development of the assigned task or project.
  - b) The selection of AI systems or services must be justified, explaining their advantages over other tools or methods of obtaining information. The chosen model and the version of AI used must be described in as much detail as possible.
  - c) The student must appropriately cite the use of AI systems or services, specifying the parts of the work where they were used and describing the creative process followed. The use of citation formats and usage examples may be

consulted on the Library website([https://www.ufv.es/gestion-de-la-informacion\\_biblioteca/](https://www.ufv.es/gestion-de-la-informacion_biblioteca/)).

d) The results obtained through AI systems or services must always be verified. As the author, the student is responsible for their work and for the legitimacy of the sources used.

2.- In all cases, the use of AI systems or services must always respect the principles of responsible and ethical use upheld by the university, as outlined in the [Guide for the Responsible Use of Artificial Intelligence in Studies at UFV](#). Additionally, the lecturer may request other types of individual commitments from the student when deemed necessary.

3.- Without prejudice to the above, in cases of doubt regarding the ethical and responsible use of any AI system or service, the lecturer may require an oral presentation of any assignment or partial submission. This oral evaluation shall take precedence over any other form of assessment outlined in the Teaching Guide. In this oral defense, the student must demonstrate knowledge of the subject, justify their decisions, and explain the development of their work.

## **BIBLIOGRAPHY AND OTHER RESOURCES**

### **Basic**

Fernando Díez Moreno Manual of European Union Law 6th edition

(Fernando Díez Moreno Manual of European Union Law 6th edition , Daniel Sarmiento, The Law of the European Union, 4th edition)