

17-18

MÁSTER UNIVERSITARIO EN UNIÓN
EUROPEA

GUÍA DE ESTUDIO PÚBLICA



SPANISH CASE-LAW ON DOMESTIC IMPLEMENTATION TO EU LAW

CÓDIGO 26602590



Ámbito: GUJ - La autenticidad, validez e integridad de este documento puede ser verificada mediante el "Código Seguro de Verificación (CSV)" en la dirección <https://sede.uned.es/valida/>



922954B36A2816ABD5798CAE983DA525

ÍNDICE

PRESENTACIÓN Y CONTEXTUALIZACIÓN	
REQUISITOS Y/O RECOMENDACIONES PARA CURSAR ESTA ASIGNATURA	
EQUIPO DOCENTE	
HORARIO DE ATENCIÓN AL ESTUDIANTE	
COMPETENCIAS QUE ADQUIERE EL ESTUDIANTE	
RESULTADOS DE APRENDIZAJE	
CONTENIDOS	
METODOLOGÍA	
SISTEMA DE EVALUACIÓN	
BIBLIOGRAFÍA BÁSICA	
BIBLIOGRAFÍA COMPLEMENTARIA	
RECURSOS DE APOYO Y WEBGRAFÍA	



Nombre de la asignatura	SPANISH CASE-LAW ON DOMESTIC IMPLEMENTATION TO EU LAW
Código	26602590
Curso académico	2017/2018
Títulos en que se imparte	MÁSTER UNIVERSITARIO EN UNIÓN EUROPEA
Tipo	CONTENIDOS
Nº ETCS	5
Horas	125.0
Periodo	SEMESTRE 2
Idiomas en que se imparte	INGLÉS

PRESENTACIÓN Y CONTEXTUALIZACIÓN

INTRODUCTORY REMARKS

This course is aimed at offering an specialized approach to the interface between European Law and domestic law from the point of view of the application and interpretation by the Spanish courts and judges, focusing not only on the theoretical formulation of the autonomous involvement in implementing European Union Law, but also on the existing problems related to its practical application.

Special relevance will be attached to the principles governing this relationship, such as supremacy and direct effect.

Emphasis will be placed on the influence of the novelties deriving from the entry into force of the Lisbon Treaty in our case-law.

REQUISITOS Y/O RECOMENDACIONES PARA CURSAR ESTA ASIGNATURA

RECOMMENDED PREVIOUS QUALIFICATIONS

Students must have a broad legal background (we assume that they have coursed a Degree in Law or Political Sciences) and more specifically, a previous knowledge of EU Law and International Law.

Sufficient knowledge of English will be required, and French skills would be helpful as well.



EQUIPO DOCENTE

Nombre y Apellidos
Correo Electrónico
Teléfono
Facultad
Departamento

FANNY CASTRO-RIAL GARRONE
fcastrorial@der.uned.es
91398-6184
FACULTAD DE DERECHO
DERECHO INTERNACIONAL PÚBLICO

Nombre y Apellidos
Correo Electrónico
Teléfono
Facultad
Departamento

MARIA TERESA MARCOS MARTIN
tmarcos@der.uned.es
91398-8360
FACULTAD DE DERECHO
DERECHO INTERNACIONAL PÚBLICO

HORARIO DE ATENCIÓN AL ESTUDIANTE

TUTORIALS AND FOLLOW-UP

Although communication between students and the teaching staff will take place preferably on-line, an extra resource for tutorials and guidance will be provided by the traditional system of academic service practiced by UNED. In this regard, Drs. CASTRO-RIAL GARRONE and MARCOS MARTÍN will be on duty on Thursday from 16 p.m. to 20 p.m.

COMPETENCIAS QUE ADQUIERE EL ESTUDIANTE

RESULTADOS DE APRENDIZAJE

INTENDED RESULTS

Knowledge: Students are expected to acquire extensive and advanced knowledge of the integration of European legal order in our domestic system through the case-law.

Learning will be based on the materials referred to or provided by the teaching staff, mainly the text of the most relevant sentences. If required, academic guidance will be available on-line. In this regard, the teaching staff is committed to providing guidance that is tailored to the specific needs of individual students.

Skills: Students are expected to develop their ability to understand the meaning of



domestic case-law in the interpretation and incorporation

They are supposed to acquire a deep knowledge of the tendency of Spanish courts and judges in the integration of European Law.

Attitudes: Students are encouraged to have a positive attitude towards the harmonization of European law made by courts and judges and the role of our judicial system. A good disposition towards autonomous work is essential to maximize the results of the course.

This combination of knowledge, skills and attitudes will prepare students for the task of understanding the complexities of the EU legal framework, providing them with the tools required to understand the challenges it faces and its possible evolution and development.

CONTENIDOS

METODOLOGÍA

METHODOLOGY

Teaching and learning are to take place through well-tested methods of distance education as understood in open universities. Learning materials will be referred or provided by the teaching staff through on-line channels. Acquisition of knowledge will take place through: 1) Reading the basic learning materials; 2) Research, guided by the teaching staff through on-line tutorials and 3) Use of information in situations and cases presented by the teaching staff.

SISTEMA DE EVALUACIÓN

BIBLIOGRAFÍA BÁSICA

ALONSO GARCÍA,R.: El juez español y el Derecho Comunitario, Ed.Consejo General del Poder Judicial, 2003.



ESCOBAR HERNÁNDEZ, C. (dir.) y otros: Instituciones de la Unión Europea, Ed. Tirant lo Blanch, Valencia, 2015.

MANGAS MARTÍN, A. y LIÑAN NOGUERAS, D.J.: Instituciones y Derecho de la Unión Europea, Ed. Tecnos, Madrid, 2012.

OBRADOVIC, D., and LAVRANOS, N. (ed.): Interface between EU Law and national law, Europa Law-Publishing, Groningen, 2007.

WATHELET, M y VAN RAEPENBUSH, S.: Rapport de la Cour de Justice des CCEE. The relations between the Constitutional Courts and the other National Courts, including the interference in this area of the action of the European Courts, Conference of European Constitutional Courts XIIth Congress, Bruselas, Palais d'Egmont, 2002.

BIBLIOGRAFÍA COMPLEMENTARIA

AÑÓN CALVETE, J.: Primacía del Derecho de la Unión Europea (a propósito de la STC 232/2015, de 5 de noviembre), <http://noticias.juridicas.com/conocimiento/articulos-doctrinales/10895-primacia-del-derecho-de-la-union-europea-a-proposito-de-la-stc-232-2015-de-5-de-noviembre/>

CRAIG, P.: Directives: direct effect, indirect effect and the construction of national legislation, European Law Review, 1997 (6).

EDWARD, D.: Direct effect: myth, mess or mystery?, en Direct Effect, Rethinking a Classic of EC legal doctrine, Prinssen and Schrauwen, Europa Law Publishing, Groningen, 2002.

LENAERTS, K and ARTS, D.: Procedural Law on the European Union, Ed. Thomson, 2010.

MANGAS MARTÍN, A.: Derecho Comunitario Europeo y Derecho Español, Ed. Tecnos, Madrid, 1987.

MANGAS MARTÍN, A.: Rapport Espagnol. Le droit constitutionnel national et l'intégration européenne, FIDE, XVII Congrès, Berlin, 1996.

PEERS, S.: Taking supremacy seriously, European Law Review, 1998 (2).

PRECHAL, S.: Direct Effect Reconsidered, Redefined and Rejected, en Direct Effect. Rethinking a Classic of EC Legal Doctrine, ed. Prinssen and Schrauwen, The Hogendorp Papers (3), Europa Law Publishing, Groningen, 2002.

SCHWARZE, J. (ed.): The birth of a European Constitutional Order. The interaction of national and European Constitutional Law, Nomos, Baden-Baden, 2001.



RECURSOS DE APOYO Y WEBGRAFÍA

ACADEMIC SUPPORT

On-line course: The course will be conducted on-line. On-line tutorials will be the basic form of interaction between students and the teaching staff. Access to learning materials, virtual libraries and forums, submission of essays, and communication between course actors will take place through the specific on-line channel designed and maintained for the course.

IGUALDAD DE GÉNERO

En coherencia con el valor asumido de la igualdad de género, todas las denominaciones que en esta Guía hacen referencia a órganos de gobierno unipersonales, de representación, o miembros de la comunidad universitaria y se efectúan en género masculino, cuando no hayan sido sustituido por términos genéricos, se entenderán hechas indistintamente en género femenino o masculino, según el sexo del titular que los desempeñe.

