

CITIZENSHIP AND AREA OF FREEDOM, SECURITY AND JUSTICE

Curso 2012/2013

(Código: 26602533)

1. PRESENTACIÓN

The content and the main objectives of the Area of Freedom, Security and Justice is the purpose of this section.

The analysis of the different topics will be discussed with the interplay between doctrinal studies and the material prepared by the professors.

2. CONTEXTUALIZACIÓN

The study of the Area of Freedom, Security and Justice has special interest under the Official Master of the European Union, specializing in law, given that one career to consider for college students, future professional is to work in this area. It should be bear in mind that it is necessary to shield an Area of Freedom, Security and Justice against a range of challenges that have their origin outside the EU: the growth of organized crime, illegal immigration, the shortcomings of the judicial institutions and of law enforcement, the need for legal certainty and predictability in cross an increasingly global economy.

The development of this subject will be theoretical and practical. This module is complementary of other subjects of the Master, including police and criminal cooperation in criminal matters, and it shall provide to the students an overview of the Area of Freedom, Security and Justice in its practical dimension.

All this work will be undertaken within the framework of the methodology of distance learning, and with the resources it makes available to professors and students.

3. REQUISITOS PREVIOS RECOMENDABLES

Foreign language.

Basic notions of the European Union Law

4. RESULTADOS DE APRENDIZAJE

The main objective of establishment and consolidation of an Area of Freedom, Security and Justice is to provide the citizens a high degree of protection in this Area, also access and setting (for nationals of third countries) and in terms of freedom of movement and applicable law, both in economic relations and in personal relationships as more effectively to those citizens of the Union.

It will be analyzed the new legal framework governing the Area of Freedom, Security and Justice established by the Treaty of Lisbon, control of external borders, the right of asylum (classical institution of international law under review and



development by the European Union) and the promotion of the dimension of Justice in intra-private relationships, this module aims to study cooperation in civil matters from the dual perspective of the results achieved before the Treaty of Lisbon and to be expected in a near future.

It could be interesting for professionals as lawyers, judges, responsible for general registration and specialists in private international law. Also for those worried about the dimension of security and justice within the Union: the possibilities and limits provided by the free movement of persons in the exercise (or not) of a professional activity.

5.CONTENIDOS DE LA ASIGNATURA

The structure of the module is:

a) An introductory and historical part. The historical development of the Area of Freedom, Security and Justice in the European Union. The study of this part will be tested the ability of research and reflection of the students and their ability to consider the evolution of international relations, in particular on changes in the European Union in recent years.

b) The study of different aspects to the new area of Freedom, Security and Justice, including asylum and external border control will be discussed in part two.

Judicial cooperation in civil matters, as part of the internal dimension of the Area of Freedom, Security and Justice is the subject of the third and fourth part.

c) Part three: the developments achieved from art. 65 of the Treaty of Amsterdam (1999), now Article 81 TFEU, in the field of international civil process: international jurisdiction and mediation, legal assistance and recognition of decisions, within the Area of Freedom, Security and Justice.

d) Part four: the last issue concerns a brief review of the results achieved in the field of determining the law applicable to intra-Community situations and open perspectives regarding the regulation of family relations and succession: dissolution of marriage, international child abduction, maintenance obligations, recognition of unmarried couples, matrimonial and succession, within the Area of Freedom, Security and Justice.

6.EQUIPO DOCENTE

- [MONICA GUZMAN ZAPATER](#)
- [MONICA HERRANZ BALLESTEROS](#)
- [MARINA AMALIA VARGAS GOMEZ](#)

7.METODOLOGÍA

The methodology used is typical of distance learning in which teaching materials and any other learning support be provided to the student through the virtual classroom. In summary will consist of three types of exercise: reading, research and practical application of the theoretical knowledge.

8.BIBLIOGRAFÍA BÁSICA



Comentarios y anexos:

H. Aguiar, "La cooperación judicial internacional en materia civil en el Tratado de Lisboa", *CDT Vol. 2, N° 1 (2010)*

J. José Alavrez Rubio, "El Tratado de Lisboa y la plena comunitarización de la cooperación judicial civil", REEI, núm. 15, <http://www.reei.org/>

A. Chicarro Lázaro, "El Tratado de Lisboa y el Programa de Estocolmo: los nuevos retos en la cooperación judicial civil", REEI, núm. 20, <http://www.reei.org/>

M. Guzmán Zapater, "Cooperación judicial civil y Tratado de Lisboa", *Revista General de Derecho Europeo*, ISSN 1696-9634, N° 21, 2010.

M. Guzmán Zapater, "Cooperación judicial civil y Tratado de Lisboa: ¿cuánto hay de nuevo para el DIP", *Revista Jurídica La Ley*, N° 7479, 30 de septiembre de 2010.

M. Herranz Ballesteros, "El control por el juez de origen de las decisiones dictadas en aplicación del artículo 42 del Reglamento (CE) N. 2201/2003: el asunto Aguirre Pelz", *Revista General de Derecho Europeo*, ISSN 1696-9634, N° 25, 2011

9.BIBLIOGRAFÍA COMPLEMENTARIA

10.RECURSOS DE APOYO AL ESTUDIO

Judgments of the Court of Justice of the European Union.

Working documents of the European Commission.

11.TUTORIZACIÓN Y SEGUIMIENTO

Monitoring of learning is made through the virtual platform, with tutorials "virtual" by professors of the module. This will create a virtual classroom which aims to make continuous assessment of student. The students will have access to course materials, virtual libraries and forums, sent work and communicate with professors. It is a flexible learning method that adapts to the availability of each student, allowing to combine studies with work or other activity.

12.EVALUACIÓN DE LOS APRENDIZAJES

The knowledge evaluation will be made on-line through the activities carried out by the student.

The students will have to prepare an original research. This work will be theoretical and practical.

13.COLABORADORES DOCENTES

Véase equipo docente.

