


5.00 credits

30.0 h

Q1

Teacher(s)	Cheneviere-Mesdag Cédric ;
Language :	French
Place of the course	Louvain-la-Neuve
Main themes	<p>The course is divided into two main chapters:</p> <p><b>(I) EU Courts System</b></p> <p>Considering the specificities of the EU legal order, the professor highlights the relations, similarities and differences between national judges and EU judges. The fundamental characteristics of the EU judicial institution are then presented. After a brief historical overview of the establishment of the Court of Justice, the General Court (formerly the Court of First Instance) and specialised courts, their structure, composition and procedures are being described. The division of competences between the two levels of jurisdiction are treated at this stage. This will be the occasion to consider the three different aspects of the Court of Justice's activity: Constitutional Court, Supreme Court and, when dealing with references for preliminary rulings, the centre of a network linking it to national courts.</p> <p><b>(II) The various types of proceedings</b></p> <p>All the different types of proceedings before the Court of Justice of the European Union are being studied at length: action for failure to fulfil obligations, action for annulment (as well as the plea for illegality), action for failure to act, references for preliminary rulings (on the interpretation or validity of EU law), actions implicating the non-contractual liability of the Union or of a Member State for a breach of EU law, and request for an opinion. For each of them, the legal basis, potential applicants and defendants, procedure, effects, conditions for a valid action as well as the relevant (national or European) court are being analysed.</p>
Learning outcomes	<p><b>At the end of this learning unit, the student is able to :</b></p> <p>Following the course of European Law (LDRO11226) taught in the programme of Bachelor of Laws, EU Litigation aims at providing students with a complete overview of the judicial mechanisms foreseen by the TEU and TFEU to ensure the implementation of EU law. Students who pass the final exam will be able to identify situations in which proceedings can be appropriate, define the type of action to be taken and understand the procedure to be followed to this end.</p>
Evaluation methods	Oral exam.
Teaching methods	As much as possible and considering the number of enrolled students, participative teaching methods are promoted. Students are notably requested to present a judgment or an order of the Court of Justice of the European Union to their peers.
Bibliography	L'ouvrage de référence pour le cours est le suivant : <b>M. WATHELET, <i>Contentieux européen</i> (2ème édition), Bruxelles, Larcier, 2014</b> (ouvrage en deux volumes).
Faculty or entity in charge	BUDR

**Programmes containing this learning unit (UE)**

Program title	Acronym	Credits	Prerequisite	Learning outcomes
Advanced Master in European Law	DREU2MC	5		
Master [120] in Law	DROI2M	5		