

Second year of the Executive Master in EU Studies – Advanced course

Constitutional Framework of the EU, European Citizenship and EU Fundamental Rights

Experts:	Prof. Ingolf Pernice , Walter Hallstein-Institut, Berlin, Alexander von Humboldt Insitut für Internet und Gesellschaft, Berlin Mr. Edgar Lenski , German Federal Chancellery Mr. Ralf Kanitz , Federal Ministry of Economic Affairs and Energy
Character:	Compulsory/Advanced Course
ECTS Credits	5 ECTS
Teaching methods:	Course material online, methodological session introducing the participants into the particularities of ECJ judgments and EU legal texts (“guided reading”), further methodological sessions, seminars on special topics at the presence workshops, guided forum, simulation of the proceedings before the European Court of Justice *, monthly webinars, webcasts, videos
Assessment methods:	Graded final exam at the end of the term (January), two graded assignments, evaluation of active participation during the workshops and answers/contributions to questions posted in the forum, webinars
Skills and competences:	Legal analysis, reasoning and arguing, writing a legal memo, introduction to the proceedings before the ECJ, in-depth study of some core issues of EU law

Learning outcomes, methods and course content:

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The course focuses at the deepening of the understanding of the EU and its constitutional setting and law from the citizens’ perspective. Since the Treaty of Maastricht, the concept of EU citizenship has not only evolved to a central basis of the Union, but also encompasses meaningful political, economic and social rights as recognized by the ECJ. Master students will carry out in-depth analyses of five topics, based upon the introduction completed in the first year. These subjects range from constitutional/structural questions, such as the citizens constitutional and political status in the EU, citizens’ rights and obligations in the relationship between national and European (constitutional) law, the individuals’ fundamental rights and her freedoms in the internal market, including social rights of migrant workers and other EU-citizens making use of their right of free movement. Relevant case-law of the ECJ will be discussed more in-depth.

European and International Studies

* Simulation –Description

European Law:	A case to be discussed before the ECJ (www.meuc.eu)
Expert:	Ralf Kanitz
Character:	Participation is a compulsory part of the advanced course <ul style="list-style-type: none">• participants specializing in European Law will write a legal writ, the Advocate General’s Conclusions, or the Court’s judgement and will simulate an oral hearing before the Court• participants not specializing in European Law will write a legal memo
ECTS credits:	Part of the ECTS awarded for the advanced course
Teaching methods:	Introduction by expert, presentation of results (legal writs, legal memos) by participants, simulation of oral hearing
Assessment methods:	Evaluation of the presented papers, the discussion and performance during the simulation
Skills and competences	Debating skills, legal arguing, applying legal knowledge to a specific case, preparing and simulating the oral hearing before the ECJ, learning how to write a legal writ/memo

Objective and content of simulation:

The idea of the simulation is to make participants familiar with the practical application of European law. A case pending before the General Court or the ECJ will be the basis. Each participant will take the role of one of the parties who are involved in this case in reality: The applicant, the defendant, institutions (EP, Council, and Commission), national governments, the advocate general, judges (judge rapporteur) and the president of the Court. A minimum of three participants is required. Every participant will have to prepare his/her contribution in advance: the applicant (in the main proceedings) will explain for what reason and objective the case is brought to the ECJ, the defendant (in the main proceedings) will make clear why the application should be dismissed. This is followed by the submission of the Commission and written observations by interested Member States as well as the report for the hearing prepared by the judge rapporteur. On that basis, the group will simulate the hearing of the Court, including the pleadings of the parties, the Commission and Member States, and questions by the judges and the advocate general to the parties. The Court will reconvene after a break to hear the opinion of the advocate general. During another break, the Court will deliberate in order to give and explain its judgment in a final session. After that, the judgment, incl. the reasoning, will be written down and published on the website of the Executive Master Programme (for comparison with the judgment of the ECJ in the “real” case).