Course Description & Summary
This three-credit course aims to give students a comprehensive introduction to European Union law in light of the ongoing economic and political challenges facing the 28-country bloc. In the opening weeks, we will survey the succession of treaties that have led to today’s EU and the institutions that govern the Union, and lay out key legal and political themes and principles associated with European integration. The middle portion of the course delves into the nature of the EU legal order, including the role of the judiciary, interaction with the domestic law of member states and with international law, and the Union’s increasingly important fundamental rights framework. The final segment, after spring break, covers data privacy law and migration issues, the basics of the EU internal market and competition (antitrust) framework, and the EU’s increasingly prominent and ambitious role as an international actor in its own right. The course offers a compressed survey of the constitutional, administrative, human rights, justice and home affairs, economic and foreign relations law of the European Union. The emphasis throughout is on institutional aspects and on the relationship between the EU and its member states, with comparisons to U.S. law as appropriate. In addition to the assigned reading in preparation for each week’s meeting, we intend to provide brief topical primary and other documents during each class period for reading and discussion. We also will give attention to EU law research methods and sources, and students will write a 20- to 25-page research paper.

Course Materials (Required)
- *An Introduction to European Law*, Robert Schütze (2nd ed., 2015) [Text]
- Individual cases and other supplementary materials as posted on TWEN [Supp.]
- In-class readings, to be provided as handouts and/or on TWEN

Course Expectations
The class meets Tuesday evenings from 8:00-10:30 p.m. Students are expected to attend and to be on time for all sessions; to complete each week’s reading conscientiously; to contribute to group discussion thoughtfully and respectfully; and to refrain from any non-course-related use of wireless in class. The instructors reserve the right to prohibit laptop usage, and to call on students at any time, with or without notice. Please inform the instructors in advance or as soon as possible thereafter of any unavoidable absences.

Course Requirements and Grading
A research paper of 20-25 pages will account for 75% of the final grade and class participation will account for 25%. EU law is a broad field: keys for the research paper are identifying subject matter that interests you, ensuring that the paper centers on EU-oriented legal issues, and drawing from a range of legal sources. Papers should draw on course material and be geared toward an educated
general reader. Also required, not later than Friday, February 26, is a 1- to 2-page project proposal outlining your research topic and intended approach. Research papers are due by noon on Friday, April 29, by e-mail, with hard copies to be placed in our faculty mailboxes.

**Contacting Us**

We generally will make ourselves available after each class for questions and discussion, and upon advance request can generally be available in the half hour before class as well. You can also reach us by e-mail or phone/voice-mail. If you send an e-mail, please include a phone number and the best time(s) to reach you. We will provide our contact information on the first day of class. (You may reach us via the school beforehand.)

Please note: although each of us is an attorney at the U.S. Department of State, the views expressed in this class are our own and should not in any way be attributed to our employer. We look forward to a great semester.
EUROPEAN UNION LAW – CLASS SCHEDULE, TOPICS AND READINGS

Basic text is Robert Schütze, An Introduction to European Law, 2nd edition (Cambridge University Press, 2015). Treaty articles are available in Schütze-edited supplement or official EU treaty publications. Supplementary materials will be posted on TWEN. Readings may be modified or supplemented during the semester, with advance notice, particularly in the latter half of the course.

Session 1  Visions, History and Nature of the European Union  Jan. 12
Text:  Introduction, pp. 1-6
Treaties:  Treaty on the Functioning of the European Union (TFEU), Preamble
          Treaty on European Union (TEU), Preamble and Articles 1-2
        Desmond Dinan, Ever Closer Union (2010), Ch. 1, pp. 9-26

Session 2  Institutions  Jan. 19
Text:  Ch. 1, pp. 7-34
Treaties:  TEU Articles 13-17; TFEU Articles 223-250 (skim)

Session 3  Competences & Law-Making  Jan. 26
Text:  Ch. 2, pp. 39-49, skim pp. 49-56; Ch. 3, pp. 65-89
Treaties:  TEU Articles 3-5, 47; TFEU Articles 1-6, 7-17 (skim), 288-289, 290-292 (skim);
          Declarations 18, 24

Session 4  Judicial Order I: Direct Effect & Supremacy  Feb. 2
Text:  Ch. 1, pp. 34-37; Ch. 5, pp. 115-129, 137-141; Ch. 6, pp. 142-152
Treaties:  TEU Article 19; Protocol No. 3 (skim); Declaration 17
Supp:  Van Gend en Loos (ECJ, 1963) (excerpts); Costa v. Enel (ECJ, 1964) (excerpts)

Session 5  Judicial Order II: National Actions & European Actions  Feb. 9
Text:  Ch. 7-8, pp. 161-214
Treaties:  TFEU Articles 258-260, 263, 267

Session 6  Sovereignty, Legitimacy, Democracy  Feb. 16
Text:  Ch. 6, pp. 152-160
Treaties:  Articles 9-12; Protocols No. 1-2 (skim)

Session 7  Fundamental Rights & Citizenship  Feb. 23
Text:  Ch. 4, pp. 90-111; Ch. 11, pp. 283-289
Treaties:  TEU Article 6; TFEU Articles 20-21; Protocol 8; Declarations 1-2;
          Charter of Fundamental Rights, Preamble, Articles 51-54, skim Articles 1-50
Session 8  Individual Consultations on Research Paper Topics  March 1
Students are requested to meet instructors individually, starting from 6 p.m. for 20 minutes each, to review and discuss paper topics, based on 1- to 2-page project proposals due by e-mail Friday, Feb. 26.

SPRING BREAK – No class  March 8

Session 9  Protection of Personal Data  March 15
Text: None
Treaties: TFEU Article 16; Charter of Fundamental Rights Articles 7-8

Session 10  Borders, Criminal Law & Security  March 22
Text: None
Treaties: TFEU Articles 67-89
Supp: U.S.-EU Passenger Name Record Agreement (2012);
Digital Rights Ireland v. Ireland (ECJ, 2014) (excerpts)
tbd

Session 11  Internal Market, Four Freedoms & International Trade  March 29
Text: Ch. 9-10, pp. 219-258
Treaties: TFEU Articles 26-66, 114
Supp: tbd

Session 12  Private Sector Focus: Competition Law in the EU  April 5
Guest: Mark Nelson, Cleary Gottlieb Steen & Hamilton (TBC)
Text: Ch. 12, pp. 295-317
Treaties: TFEU Articles 101-102
Supp: Commission fact sheets on Competition Policy and Merger Control Procedures;
Commission notice on best practices for conduct of Art. 101-102 proceedings (skim)

Session 13  EU in the World  April 12
Text: Ch. 2, pp. 56-61
Treaties: TEU Articles 3(5), 4(3), 18, 21-22; TFEU Articles 205-207, 215-222; Declarations 13,25
Supp: tbd

Session 14  Potpourri: Brexit/Grexit, Expansion, Future Direction  April 19
Text: None
Treaties: TEU Articles 7-8, 20, 48-50
Supp: tbd

RESEARCH PAPER DUE – Noon on Friday, April 29