

## Syllabus Information

**Academic year:** 2023/24

**Subject:** 60752 -

**Faculty / School:** 102 - Facultad de Derecho

**Degree:** 522 - Master's in Legal Practice

**ECTS:** 3.0

**Year:** 2

**Semester:** First semester

**Subject type:** Optional

**Module:**

### 1. General information

In the current scenario of the practice of law in Spain, it is essential to have an adequate knowledge of EU law, and especially of the role of the Court of Justice of the EU, as well as of the functioning of other international courts, especially the European Court of Human Rights.

The objective of this subject is to provide the basic tools not only to have a good knowledge of the means of access and the procedure before the international courts, but also to assume in a precise way the place of these courts in the activity of a professional lawyer.

This subject supports the achievement of SDG 16.

### 2. Learning results

- Identifies the role of international courts in the exercise of practical legal activity and the usefulness of these courts for the development of their practical activity.
- Recognizes the mechanisms of access to these courts and understands the competence of these courts and the value of their judgments at the national level, specifically in Spanish law.
- Acquires tools to access fundamental legal information on the activity of international courts: legal texts, jurisprudence and practical documents (recommendations to the parties)
- Is capable of presenting briefs and making presentations adapted to the requirements of a procedural framework such as that of each of these courts.

### 3. Syllabus

#### 1. The Court of Justice of the European Union

- Presentation and procedure of the CJEU (Court of Justice and General Court).
- Representation and defence.
- The prejudicial question.
- The remedy of non-compliance.
- Appeals for annulment and omission.
- Other resources

#### 2. The European Court of Human Rights

- Origin and evolution of the system.
- Composition and procedure.
- Presentation of claims: special attention to admissibility criteria.
- Legal value of judgments.
- Enforcement control
- The connection between European judicial systems

#### 3. Other international courts

### 4. Academic activities

The subject will contain a theoretical part where it is considered that the student already knows the basic elements of EU law and the protection of fundamental rights, in order to delve into relevant aspects for the practice of law such as the procedure before the CJEU and the ECtHR. Special emphasis will be placed on practical sessions in which we will study real cases and argue about the applicable law, the related jurisprudence, their possible defence and resolution, as well as the procedural *iter*

they should follow.

## **5. Assessment system**

The grading of students will be carried out alternatively by means of a continuous evaluation system or by means of a final test.

Continuous assessment: In order to do so, each student must complete the different exercises that will be presented throughout the term within the established time limit. . This will include both the writing of the different case studies, papers, etc., and the assumption of an active role in the discussions that take place in the classroom in relation to these activities. The precise schedule of the activities evaluable for the qualification in this first call will be made available to students at the beginning of the academic year.

Final test: Global test consisting of a ten-question questionnaire on the contents of the subject. Students will have limited writing space to answer these questions. The grade obtained in this questionnaire will represent 50% of the final grade while the remaining 50% will be obtained from the completion of a practical case similar to those developed by the students throughout the term. In order to pass the subject, each of the two parts must be passed separately.