

Public Participation in the Institutions of the European Union

Code: 102257
 ECTS Credits: 6

Degree	Type	Year	Semester
2500786 Law	OT	4	0

Contact

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Use of languages

Principal working language: english (eng)

Some groups entirely in English: Yes

Some groups entirely in Catalan: No

Some groups entirely in Spanish: No

Prerequisites

Students enrolling this course need to have prior notions of law. It is not necessary to have specific prior knowledge of European Union law, but if not, students will have to do some additional reading before the course. Please contact the lecturer for further details about the specific bibliography on EU law.

Students need to have at least a C1 level in English.

Objectives and Contextualisation

- Understanding and analyzing political rights linked to European citizenship.
- Understanding the European Union law and the citizenship rights through case-law developed by the CJEU.
- Analyzing the institutional architecture of the European Union as well as its inter-dynamics from the perspective of democratic legitimacy and its legal conceptions.
- Understanding the means of communication that EU citizens have before the institutions of the European Union from a legal perspective.

Skills

- Apprehending the necessary mechanisms in order to know, assess, and apply the legislative reforms as well as to follow the changes produced in a concrete subject.
- Arguing and laying the foundation for the implementation of legal standards.
- Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
- Drawing up and formalising works, reports, documents, rulings.
- Identifying and solving problems.
- Identifying, assessing and putting into practice changes in jurisprudence.
- Identifying, knowing and applying the basic and general principles of the legal system.
- Memorising and utilising legal terminology.
- Orally and clearly defending ideas, works, reports, documents and rulings in a structured way.
- Searching, interpreting and applying legal standards, arguing every case.

- Students must be capable of demonstrating the unitary nature of the legal system and of the necessary interdisciplinary view of legal problems.
- Students must be capable of learning autonomously and having an entrepreneurial spirit.
- Working in multidisciplinary and interdisciplinary fields.

Learning outcomes

1. Applying an interdisciplinary and integrated vision of the legal problems in an international environment.
2. Assessing legislative changes and reforms in a context of plurality of systems.
3. Building a legal reasoning or discourse in the field of Public International Law, Private International Law and European Union Law.
4. Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
5. Drawing up and formalising works, reports, documents, rulings.
6. Identifying and assessing the changes and evolution of jurisprudence in a context of plurality of systems.
7. Identifying and knowing the basic contents of every stipulated speciality.
8. Identifying and solving problems.
9. Memorising and using the specific terminology of Public International Law, Private International Law and European Union Law.
10. Orally and clearly defending ideas, works, reports, documents and rulings in a structured way.
11. Students must be capable of learning autonomously and having an entrepreneurial spirit.
12. Working in multidisciplinary and interdisciplinary fields.

Content

Section 1. - Concept and limits of European citizenship

Rights / obligations of a European citizen. - Obtaining European citizenship. - Difference between citizenship and nationality. - Origins and history of European citizenship. - European citizen categories. - Development of the concept of citizenship by the ECJ.

Section 2 - Political rights of European citizens

The electoral procedure. - The voting rights of European citizens. - Conditions to vote in municipal elections and in EP elections. - Case law of the ECJ and ECHR. - Electoral systems in Member States.

Section 3. - The powers and functions of the European Parliament

Increased powers of the EP. - Basic functions of PE. - Parliament as a legislator: co-decision with the Council, the legislative initiative and control of non-legislative acts. - Fast-track procedure. - The parliamentary control.

Section 4. - Members of the European Parliament

Temporary staff. - General Secretary. - MEPs: the European status and the role of individual MPs. - EP President. - Asistents of MEPs. - The parliamentary committees. - Temporary committees of inquiry. - The European political groups. - The figure of the rapporteur.

Section 5. - The role of national parliaments in the EU

The participation of national parliaments along the Treaties of the European Union. - Consultation of national parliaments on respect for the principle of subsidiarity. - Cooperation between the European Parliament and the parliaments of the Member States. - Functions of the national parliaments since the Treaty of Lisbon. - The early warning procedure.

Section 6. - Referendums on EU issues

Referendums accession or withdrawal of the European Union. - Referendums of ratification of treaties. - Referendums on EU policies. - Case-study: Brexit.

Section 7. - The EU citizens' initiative in the Treaty of Lisbon

The right of citizens to ask for new legislation. - The applicable procedure. - Conditions of background. - Study of past and present initiatives.

Section 8. - The participation of civil society: The European Economic and Social Committee

Members of the European Economic and Social Committee. -EESC categories. - President of the EESC. - Powers of the EESC. - Areas of consultation of EESC.

Section 9. - The petitions and complaints of EU citizens

The right to petition before the Parliament. - Procedural issues. - The European Ombudsman: Origins and evolution. - Limits of the European Ombudsman. - Differences between the Ombudsman and the ECJ.

Section 10. - The principle of transparency

Access to documents of the institutions and bodies of the EU. - Publicity of meetings of the institutions. - Clarity of European regulations.

Methodology

During the course, students will carry out different types of activities. A large part of the learning is acquired outside the classroom, through the autonomous study of the student. This study is complemented with the reading of texts and case-law, as well as the preparation and writing of assignments and activities.

Class attendance is essential because there will be several theoretical sessions, necessary for developing the assignments and activities. In addition, a large part of these activities are performed in class hours, and consist of the participation in debates, solving questions related to case-law or texts previously read, and also giving oral presentations.

Activities

Title	Hours	ECTS	Learning outcomes
Type: Directed			
Assignments	11.5	0.46	1, 7, 3, 4, 6, 8, 5
Debates	5	0.2	3, 10, 4, 11
Oral presentations	6	0.24	1, 3, 10, 6, 11
Theoretical lectures	22.5	0.9	7, 3, 9, 2
Type: Autonomous			
Essays drafting and preparation	25	1	1, 7, 3, 4, 9, 5, 12
Reading of academic journals and case-law	25	1	7, 6, 2
Search of documents	7	0.28	7, 11, 12
Study	43	1.72	7, 9, 11

Evaluation

The final grade will be the result of combining continuous assessment with the final exam.

The continuous assessment will be a 50% of the final score and will consist of 5 different activities:

1. Activity on EU citizenship case law (10%)
2. Activity on European Citizens' Initiative (10%)
3. Activity on Brexit (10%)
4. Submission of all class activites (10%)
5. Attendance and participation in class (10%)

The specific date for scored activities will be published in the Moodle platform before the start of lectures, and will be explained in detail on the first day of class.

The other 50% will be obtained with a final exam, which will consist of short questions of aspects learned in class.

Reevaluation: Students who do not pass the subject by the method described, but have at least a 3 (out of 10) in the final exam may be eligible for the reevaluation, which will consist of another similar test. Students who for justifiable reasons have not been able to submit one of the three assignments -Citizenship, Brexit, Citizens' Initiative- on the date specified, may have the possibility to do an extra activity under the criteria indicated by the lecturer. The conditions of eligibility for this extra activity are strict and decided in a case-by-case basis.

The material and language of the course is English. Therefore, the final test will be written in English too.

Evaluation activities

Title	Weighting	Hours	ECTS	Learning outcomes
Activity on Brexit	10%	0.7	0.03	1, 7, 6, 5, 2
Activity on EU citizenship	10%	1	0.04	3, 7, 6, 8, 5
Activity on European Citizens' Initiative	10%	0.5	0.02	10, 4, 6, 11, 2
Attendance and interaction	10%	0.5	0.02	1, 7, 10, 4, 6, 9, 8, 11, 12, 2
Final Test	50%	2	0.08	1, 7, 6, 9, 2
Submission of all class activites	10%	0.3	0.01	3, 7, 8, 5, 2

Bibliography

Elspeth Guild and Valsamis Mitsilegas, "Immigration and Asylum Law and Policy in Europe", Brill | Nijhoff, Boston, Massachusetts (USA), April 2015, ISSN: 1568-2749

David M. Farrell and Roger Scully, "Representing Europe's Citizens? Electoral Institutions and the Failure of Parliamentary Representation", Oxford University Press, May 2007, ISBN: 9780199285020

Ulrike Liebert, Alexander Gattig and Tatjana EVAS, "Democratising the EU from Below? Citizenship, Civil Society and the Public Sphere", Ashgate, 2013, ISBN 9781472408303

Fernando Mendez, Mario Mendez and Vasiliki Triga, "Referendums and the European Union. A Comparative Inquiry", Cambridge Studies in European Law and Policies, June 2014, ISBN: 9781107034044

The European Ombudsman: Origins, Establishment, Evolution, Dictus Publishing, December 2010, ISBN-10: 3843343403.

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Gregorio Garzón Clariana, "Introducción", G. Garzón Clariana (ed.): *Ciudadanía europea y democracia - La reforma del acta electoral y de los partidos políticos europeos/European citizenship and democracy - The Reform of the electoral act and of European political parties/Ciutadania europea i democràcia - La reforma de l'acta electoral i dels partits polítics europeus*, ed. Marcial Pons, Madrid 2012, p. 23 a 27.

Gregorio Garzón Clariana, "El control parlamentario del ejecutivo en la Unión Europea" F. Pau i Vall (coord.): *El control del Gobierno en democracia*, Madrid, Tecnos, 2013, p. 19-40.

Gregorio Garzón Clariana, "Les droits politiques des citoyens de l'Europe: les vingt premières années", *ERA Forum* (2013) p. 545-567.