

Høst 2016

JUR-3602 EU/EEA-law - 15 stp

The course is administrated by

Faculty of Law

Type of course

EU/EEA-law is a course at master degree level, and is offered in the fall semester only. This course specification should be seen together with the Programme Specification for the Master's Degree in Jurisprudence at the University of Tromsø [Studieplan for graden Master i rettsvitenskap ved Universitetet i Tromsø], the Specification for the Fifth Year of the Master's Degree Programme in Jurisprudence (Fagplan for femte avdeling ved masterstudiet i rettsvitenskap.), and the Regulations for the Elective Component in the Master's Degree Programme in Jurisprudence (Reglementet for den valgfrie delen av masterstudiet i rettsvitenskap).

Course contents

For students on the integrated master program in Tromsø, the course builds upon their knowledge of international law and EU/EEA law acquired during their first two years of studies. The course will give an overview of the Constitutional Law of the European Union (EU), the Sources of EU Law, the relationship between EU Law and National Law and of the internal market. Furthermore, the course will introduce the European Economic Area (EEA) Agreement, which ties Norway to EU's internal market.

Admission requirements

Students should have basic knowledge of international law. The students on the integrated masterprogramme in law may choose it as a partial fulfillment of the requirements for the elective part of the programme's fifth year, cf. Programme Specification for the Master's Degree in Jurisprudence at the University of Tromsø (Studieplan for graden Master i rettsvitenskap ved Universitetet i Tromsø;), Sec. 4. Following an application, other students may also be admitted to this course, cf. Regulations for the Elective Component in the Master's Degree Programme in Jurisprudence (Reglement for den valgfrie delen av masterstudiet i rettsvitenskap) (Regulation). Students at the Faculty of Law may only commence with the fifth year of the programme after they have passed the third year of the programme, cf. Regulation § 6 No. 3.

Objective of the course

Knowledge

Having passed the exam, the student has:

- Advanced knowledge of the EEA Agreement.
- Advanced knowledge of the institutional set up and working of the EEA.
- Advanced knowledge of the Sources of EU law.

- Advanced knowledge of the institutional set up and working of the EU.
- Advanced knowledge of the relationship between EU Law and National Law.
- Good knowledge of other main aspects of the EU and EEA legal systems.
- Good knowledge of the main principles of the internal market as illustrated by case law from the EFTA Court and the Court of Justice.

Skills

Having passed the exam, the student is:

- able to identify and analyze issues of theoretical and practical character in EU and EEA law.
- able to apply the relevant sources of EU and EEA law in a critical and independent way.
- able to use English terminology applicable to this field of law.

General competence

After passing the specialization, the student can:

- Apply the obtained knowledge and skills in the EU/EEA law area individually and in cooperation with others
- Communicate reasoning within the EU/EEA law area in a clear and precise manner, orally and in writing to the academic community and the general public
- Apply knowledge and skills acquired within the EU/EEA law area in all jurisdictions and for all tasks and projects where relevant
- Identify and reflect on ethical dilemmas that work with issues in the EU/EEA law area in particular can lead to, and deal with these in a responsible manner

Language of instruction

All teaching will be in English.

Teaching methods

The teaching consists of a combination of lectures and seminars, comprising a total of 30 hours. The students are expected to be prepared and active during the seminars in discussing legal approaches to the issues at hand. The students may also be asked to submit papers. Students are expected to study independently in periods of no seminars or lectures. Lectures are held in the fall semester.

Assessment

The course is assessed through a 6 hours closed book written school exam. A collection of the relevant treaty texts will be provided by the Faculty. The student may also bring a dictionary, as long as it merely provides translations and no definitions. The exam may include theoretical and/or scenario questions. The exam is held in the fall semester. The grading scale of A to F is applied, where F constitutes fail. Students who fail their examination are entitled to re-sit the examination, cf. Regulations for examinations at the University of Tromsø Sec. 22. The exam must be written in English.

Date for examination

One written 08.11.2016

The date for the exam can be changed. The final date will be announced at your faculty early in May and early in November.

Course overlap

JUS-423 Law studies special course: EU and EEA Law 15 stp

Recommended reading/syllabus

Book:

- T C Hartley: "The Foundations of European Union Law", 8th edition (2014)

Articles:

- Halvard Haukeland Fredriksen: "The EFTA Court 15 Years On", International and Comparative Law Quarterly pp 731-760

- Henrik Bull: "Mixity Seen from Outside the EU but Inside the Internal Market" in "Mixed agreements revisited: the EU and its member states in the world", Christophe Hillion and Panos Koutrakos (eds), 2010 pp 320-330

- Halvard Haukeland Fredriksen: "Two Courts, One Market; Legal Pluralism vs. Homogeneity in the European Economic Area", Nordic Journal Of International Law 2010 pp 481-499

EFTA homepage:

- The document "European Economic Area" (4 pages, filename FS_EEA.pdf), which can be found at this page: <http://efta.int/publications/fact-sheets/eea.aspx>

- The document "European Economic Area 1994-2009" (52 pages, filename eea15.pdf), which can be found at this page: <http://efta.int/publications/commemorative-publications.aspx>

In total 725 pp.

Syllabus can be changed until the start of the semester (Autumn 2016)