

Программа учебной дисциплины «Европейское право» («European Business Law: Understanding the Fundamentals »)

Утверждена
Академическим советом ООП
Протокол № 1 от «01» сентября 2017 г.

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Число кредитов	4 з.е.
Контактная работа (час.)	
Самостоятельная работа (час.)	152
Курс	4
Формат изучения дисциплины	онлайн-курс https://www.coursera.org/learn/european-law-fundamentals

I. ЦЕЛЬ, РЕЗУЛЬТАТЫ ОСВОЕНИЯ ДИСЦИПЛИНЫ И ПРЕРЕКВИЗИТЫ

The aims of mastering the discipline are:

- To obtain introductory knowledge and basic skills in the area of European Business Law;
- To form high legal culture and legal consciousness, the desire to learn and grow as a professional.

The results of mastering the discipline are introductory knowledge and basic skills in the area of European Business Law.

1) Knowledge:

- Laws and regulations governing the internal European Union market;
- Sources and Method of the European Business Law;
- The core structures and principles of the European Union;
- The Economic Freedoms of the EU;
- The External Dimension of the EU Law.

2) Skills:

- apply the fundamental principles of EU law within the EU legal framework;
- be able to analyze EU policies and their influence on foreign trade and investment;
- use the rules of freedom of movement and their impacts on trade in the EU;
- make decisions and carry out legal actions in strict accordance with the law.

3) Formation of:

- navigate EU legal sources;
- relate EU law with national laws
- mastering the terminology of the European business law
- correct qualification of the facts and circumstances.

The study of this discipline is based on the following disciplines:

- Theory of state and law;
- Administrative law;
- Civil law;
- Labor law;
- Criminal law.

For the development of the discipline, students should possess the following knowledge:

- the concept and essence of law; the system and principles of law; interpretation of legal norms; the structure of legal norms that constitute the institute of Business Law;
- subjects of civil law relationships; implementation and protection civil rights; contractual relationships;
- subjects of administrative law; administrative-legal forms and methods of governmental control;
- criminal liability for crimes in an area of economic;
- the subjects of labor law; employment cases.

The main provisions of the discipline should be used further in the study of the following subjects:

- Financial law;
- Public international law;
- International private law;
- Tax law;
- Arbitration procedure.

II. Discipline content

1) Introduction to EU law

Welcome to the first week of Understanding the Fundamentals. This first module will help you to build a solid foundation for the coming lectures on EU law. The module introduces the history and the institutions of the EU, as well as the judicial branch i.e. the Court of Justice of the EU. The module will also go into some detail about the most fundamental EU treaties, namely the Treaty on the European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU).

2) Sources and Method

The second module will introduce the legal sources and method of EU law. It will provide you with some skills that are crucial when dealing with EU law, such as navigating the vast databases of official publications, legislation and case law. The module provides an overview of the available online resources and EU legal databases. It provides suggestions on how to search the official journals, including the case law of the ECJ. In addition, the module explains what treaties, regulations and directives actually are, and where to find them online. Keep in mind that the module can be used as reference if you continue your studies of European Business Law.

3) Fundamental Principles

In the third module, you will learn about the fundamental principles and constitutional foundations of EU Law. The dynamic and interaction of the national law of the Member States and the EU will be covered in some detail. This includes the three categories of competence – exclusive, shared and supporting. The effects of the exercise of competence are discussed, as

well as relevant case law. A brief historical background is given to the principle of fundamental rights along with its application in contemporary Europe. Finally, some of the main principles of EU law are discussed, including the principles of proportionality, non-discrimination and legal certainty.

4) The Economic Freedoms

Module 4 introduces the four freedoms, including free movement of services, goods, persons and capital. These economic freedoms are at the very heart of EU Law and crucial to understanding the law from a business perspective. The module considers the relevant legal provisions and the key case law. It continues to introduce the right to establishment and discusses the harmonization of EU law in the national law of member states. In the end of this module you will be given the chance to do a peer graded assignment and earn an honors certificate. You will find the assignment under "Assessments".

5) The External Dimension

Module 5 focuses on the common European foreign policy and its institutional setup. This is a complex field where the policies of the individual Member States and the EU overlap and interact. The external dimension is important for anyone conducting international trade or upholding relations with the EU. The division of competence is discussed in the module, followed by a review of the seven main EU institutions and players and their respective role relating to foreign policy. The module gives a thorough overview of the six fields in the external dimension of EU Law: Common commercial policy; EU development policy; Foreign and Security Policy; Security and Defense Policy; Energy Market; Freedom, Security and Justice. Finally, the module gives a brief history of the EEA Agreement, as well as its application.

III. ОЦЕНИВАНИЕ

During all forms of monitoring the assessment is made on ten-grade scale.

To pass the test the student must demonstrate his mastering of the conceptual apparatus and the basic legal concepts as well as the basic skills to analyze the international legislation. When writing his essay the student must demonstrate his ability to conduct an independent research and to draw conclusions on the basis of information obtained from sources and scientific literature. A mandatory requirement to all written works shall be language accuracy and the correct use of scientific vocabulary and references.

During tests and examinations the student must demonstrate the mastering of at least 70% of the studied material, skills for analyzing historical and legal sources, correct application of legislation, mastering of legal terminology, the ability to think legally.

IV. ПРИМЕРЫ ОЦЕНОЧНЫХ СРЕДСТВ

<https://www.coursera.org/learn/european-law-fundamentals>

V. РЕСУРСЫ

Онлайн-курс <https://www.coursera.org/learn/european-law-fundamentals>

Программное обеспечение

№ п/п	Наименование	Условия доступа/скачивания
1	СПС «КонсультантПлюс»	<i>Договор</i>

**Профессиональные базы данных, информационные справочные системы,
интернет-ресурсы (электронные образовательные ресурсы)**

№ п/п	Наименование	Условия доступа/скачивания
1	Электронные образовательные ресурсы	<i>Договор на использование электронных баз данных/по подключению и обеспечению доступа к базам данных</i>

Материально-техническое обеспечение дисциплины

Учебные аудитории для лекционных занятий по дисциплине обеспечивают использование и демонстрацию тематических иллюстраций, соответствующих программе дисциплины в составе:

- ПЭВМ с доступом в Интернет (операционная система, офисные программы, антивирусные программы);

- мультимедийный проектор с дистанционным управлением.