

Yaroslav Mudryi National Law University
Department of Law of the European Union

S Y L L A B U S

academic discipline

«Advanced studies of EU law /

Поглиблені дослідження права Європейського Союзу»

The level of higher education is the second (master's) level

The degree of higher education is a master's degree

Field of knowledge - 08 "Law"

Specialty - 081 "Law"

The status of the academic discipline is at the student's choice

The recruitment year is 2021

Kharkiv - 2021

Syllabus of the academic discipline «Advanced studies of EU law / Поглиблені дослідження права Європейського Союзу» for students of higher education of the second (master's) level of the higher field of knowledge of education 08 "Law" specialty 081 "Law". Kharkiv: Yaroslav Mudryi National Law University, 2021. 17 p.

Developer:

Boychuk Dmytro Serhiyovych,
candidate of legal sciences, senior lecturer

Approved at a meeting of the Department of Law of the European Union
(protocol No 1 from September 2, 2021)
updated (protocol no 18 from June 2, 2022)

head of the department is Yakovyuk Ivan Vasyliovych,
doctor of legal sciences, professor

Data about the teacher

The name of the academic discipline	Advanced studies of EU law / In-depth studies of the law of the European Union
Type of educational discipline	At the student's choice
Teacher	Boychuk Dmytro Serhiyovych, assistant of the Department of Law of the European Union, candidate of legal sciences
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Consultations	The teacher is at the department according to the developed schedule of individual consultations
Online consultations	Zoom conference ID : 835 960 6842 , access code: 100743

Abstract of the academic discipline

The subject of the academic discipline is the law of the European Union, as a specific legal system that regulates official connections and relations at the national and supranational levels in the European Union.

General theoretical issues of legal regulation in the law of the European Union are considered. Prerequisites and main stages of European integration are defined. The legal nature and competence of the European Union is considered. The legal basis and procedure for acquiring membership in the European Union are studied. The institutional system of the European Union is considered. The nature, structure and sources of European Union law are analyzed. The means of judicial protection of the law of the European Union are outlined. The foundations of the legal status of a person and a citizen in the law of the European Union are determined. The legal foundations of the internal market of the European Union are analyzed. Historical stages and contractual foundations of cooperation between Ukraine and the European Union are considered.

The purpose and tasks of the educational discipline

The purpose of the educational discipline - increasing the level of legal awareness of applicants in the law of the European Union; the formation of in-depth knowledge of the students regarding the regulation of relations by the sources of European Union law; formation of knowledge, development of basic abilities and skills, as well as formation of professional competences in the field of European Union law.

Task :

– deepening of knowledge regarding approaches to determining the legal subjectivity of the European Union;

- the formation of a detailed system of theoretical knowledge about the law of the European Union, comprehensive knowledge about the peculiarities of the mechanism of legal regulation of relations at the national and supranational levels, the sources of the law of the European Union, the peculiarities of the institutional system of the European Union, the process of joining and leaving the European Union, knowledge about the state of development of domestic legislation in the context of adaptation to a *with quis communautaire* of the European Union;

- development of skills and abilities to analyze founding treaties, regulations and directives of the European Union and interpretation of their norms;

- development of fluency in concepts and categories of European Union law;

- improving the ability to search and process scientific and regulatory information;

– analysis and legal solution of specific practical situations based on legal norms .

Educational discipline in the structure of the educational and professional program. Interdisciplinary connections

Prerequisites : "International law", "Law of the European Union".

Requirements: " Introduction that European legal values / Introduction to European legal values".

Expected learning outcomes of a student of higher education

As a result of mastering the academic discipline, the student of higher education must demonstrate the following learning outcomes:

RN-1. Demonstrate knowledge of the reasons, prerequisites and stages of European integration.

PH-2. Explain the main approaches to defining the legal nature of the European Union existing in the doctrine.

PH-3. To carry out a critical and systematic analysis of the goals, values and principles of the European Union.

PH-4. Possess industry terminology, demonstrate its competent application.

PH-5. Demonstrate knowledge of the institutional system of the European Union, the regulatory framework and procedure for their creation and operation.

PH-6. Analyze and correctly interpret the content of the sources of European Union law and the norms of national legislation of the member states on the implementation of the requirements of European Union law and apply them, determine their correlation.

RN-7. Demonstrate knowledge of membership criteria for likely new member states of the European Union, understand ways to achieve the appropriate level of development.

RN-8. Explain the specifics of the legal status of states as member states of the European Union.

RN-9. Determine the algorithm of actions when solving practical issues related to the judicial resolution of disputes in the European Union.

PH-10. Demonstrate knowledge of judicial decisions of both the Court of

Justice of the European Union and the European Court of Human Rights regarding the protection of human rights, establish their relationship and compare the quality of protection standards.

RN-11. Explain the specifics of the implementation of the freedom of movement of persons, goods, capital and services within the borders of the European Union.

RN-12. Demonstrate knowledge of the specifics of the adaptation of the national legislation of Ukraine to the *acquis communautaire*.

**Types of educational activities and independent work
for students of full-time higher education**

No	Lecture classes (contact)		Individual work (in hours)
	Topics of lectures	Topics practical classes	
1	Causes and stages of European integration processes.	Causes and stages of European integration processes.	10
2	Approaches to defining the legal and political nature of the European Union.	Approaches to defining the legal and political nature of the European Union.	10
3	Membership in the European Union.	Membership in the European Union.	4
4	Legal status and competence of institutions of the European Union.	Legal status and competence of institutions of the European Union.	6
5	Legal status and competence of bodies and agencies of the European Union.	Legal status and competence of bodies and agencies of the European Union.	6
6	Sources of law of the European Union.	Sources of law of the European Union.	8
7	The judicial system of the European Union.	The judicial system of the European Union.	6
8	Judicial protection of the law of the European Union.	Judicial protection of the law of the European Union.	10
9	Normative and legal provision of human rights in the European Union.	Normative and legal provision of human rights in the European Union.	10
10	History and regulatory legal support of cooperation between Ukraine and the European Union.	History and regulatory legal support of cooperation between Ukraine and the European Union.	10

**Types of educational activities and independent work
for students of higher education in the correspondence form of education**

No	Topics of lectures	Topics of practical classes	Individual work (in hours)
1	Membership in the European Union.	Membership in the European Union.	110
2	Legal status and competence of institutions of the European Union.	Legal status and competence of institutions of the European Union.	
3	Sources of law of the European Union.	—	

Independent work of students

Independent work of students is carried out in the following forms:

- preparation of an individual final written work;
- development of new scientific and educational literature, generalization of practice, etc.;
- work on cases on European Union law;
- performance of practical tasks, self-testing;
- writing essays and abstracts;
- preparation of presentations;
- abstract of scientific articles;
- preparation for practical classes and testing;
- preparation of reports abstracts for scientific and practical conferences;
- preparation of scientific articles.

Tasks and methodical recommendations for independent work are given in Methodical materials for the educational discipline " Advanced studies of EU law / In-depth studies of the law of the European Union" for students of the second (master's) level of higher education in the field of knowledge 08 "Law" specialty 081 "Law".

Educational, methodical and information support

academic discipline

Normative - legal Acts

On the National Program for the Adaptation of the Legislation of Ukraine to the Legislation of the European Union: Law of Ukraine dated 18.03.2004 r. no 1629-IV . URL: <https://zakon.rada.gov.ua/laws/show/1629-15#Text>

On the principles of domestic and foreign policy: Law of Ukraine dated July 1, 2010 r. no 2411-VI URL: <https://zakon.rada.gov.ua/laws/show/2411-17#Text>

Association Agreement between Ukraine, of the one part, and the European Union, the European Atomic Energy Community and their member states, of the other part, 2014 URL: https://zakon.rada.gov.ua/laws/show/984_011#Text

Charter of Fundamental Rights of the European Union 2007 URL: https://zakon.rada.gov.ua/laws/show/994_524#Text

Consolidated versions of the Treaty on the European Union and the Treaty on the Functioning of the European Union. URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012M%2FTXT>

Basic literature

1. Boichuk DS, Hryhoriev VI European Court of Human Rights case law as a source of European Union law . *Law and innovative society*. 2021. No. 1 (16). P. 62–67.
2. Y. Pankov, O. Filipyskykh, D. Boichuk (2021) Problems of the environmental law of the European Union . *Problems of Legality* . No. 155. P. 273-283 .
3. Boichuk D., Torhashova K. (2021). European Union values reflection in ECtHR case law. *Law and innovation*. No 3 (35). WITH. 23-29 . _
4. Yakoviyk IV, Tragniuk OY, Boichuk DS Strategic autonomy of the European Union: on the way to "European Sovereignty" in defense? *Problems of Legality* . 2020. No. 149. P. 223–242.

5. Architecture of European security: history of formation and development: In 2 hours: monograph / for science. ed. professors A.P. Hetman and I.V. Yakovyuk Kharkiv: Pravo, 2020.

6. Boychuk D.S., Halych K.V., Khodosov O.O. Regarding the issue of withdrawal of member states from the European Union: procedure, reasons and prospects. *Legal scientific electronic journal*. 2020. No. 8. P. 502–506.

7. Boychuk D.S., Panaid Y.I. The effectiveness of legal remedies for the right to a trial within a reasonable time in the context of the practice of the ECtHR: the experience of Poland. *Legal scientific electronic journal*. 2021. No. 4. P. 588–592.

8. Dainen D. An increasingly strong Union. Course of European integration / Trans. from English M. Marchenko. Kyiv: K.I.S., 2006. 699 p.

9. State sovereignty in the conditions of European integration: a monograph / edited by Yu.P. Bytyaka, I.V. Yakovyuk Kyiv, 2012. 336 p.

10. European law: Law of the European Union: textbook: in three books / edited by V. I. Muravyov. Kyiv: In Yure, 2015. 312 p.

11. The history of European integration from the Roman Empire to the European Union: a monograph / ed. I. V. Yakovyuk. Kyiv, 2012. 208 p.

12. Komarova T.V. Court of the European Union: development of the judicial system and practice of interpretation of EU law: monograph. Kharkiv: Pravo, 2018. 528 p.

13. Komarova T.V. Jurisdiction of the Court of Justice of the European Union: monograph. Kharkiv: Pravo, 2010. 360 p.

14. Kopyka V.V., Shinkarenko T.I. The European Union: history and principles of functioning: manual. / edited by L.V. Hubersky. Kyiv: Znannia, 2009. 751 with.

15. Luts L.A. European interstate legal systems and problems of integration with them of the legal system of Ukraine (theoretical aspects): monograph. Kyiv: Institute of State and Law named after V.M. Koretsky National Academy of Sciences of Ukraine, 2003. 304 p.

16. Mykievich M.M. Institutional law of the European Union in the field of foreign policy and security: monograph. Lviv: LNU Publishing Center named after Ivan Franko, 2005. 416 p.
17. Fundamentals of European Union law: a textbook; in general ed. T.L. Cyroid. Kharkiv: Pravo, 2020. 590 p.
18. Petrov R.A. Transposition of the "acquis" of the European Union into the legal systems of third countries: a monograph. Kyiv: Ishtina, 2011. 384 p.
19. Law of the European Union: basics of theory: textbook / [T.M. Anakina, T.V. Komarova, O.Ya. Tragniuk, I.V. Yakovyuk and others]; in general ed. I.V. Yakovyuk Kharkiv: Pravo, 2019. 360 p.
20. Law of the European Union: a textbook / edited by R.A. Petrova. Kharkiv: Pravo, 2019. 442 p.
21. Smirnova K.V. Legal regulation of competition in the European Union: theory and practice: monograph. Kyiv. national University named after Taras Shevchenko. Odesa: Phoenix, 2015. 429 p.
22. Todi F. Essay on the history of the European Union: popular science edition: English. Kyiv: K.I.S., 2001. 142 p.
23. Tyushka A. Treaty on the constitution for Europe: genesis, legal nature, political value: monograph. Kyiv: K.I.S., 2007. 228 p.
24. Hartly T.K. Fundamentals of European Community law [trans. with English]. Moscow: Law and Law, UNITY, 1998. 703 c.
25. Yakovyuk I.V. Legal foundations of EU integration: general theoretical analysis: monograph. Kharkiv: Pravo, 2013. 760 p.

Additional literature

1. Anakin T.M. Institutional model of cooperation between Ukraine and the European Union under the Association Agreement. *Law forum* . 2013. No. 3. P. 14–21.
2. Anakina T. Comparative legal characteristics of the Association Agreement and the Partnership and Cooperation Agreement between Ukraine and the European Union. *Bulletin of the National Academy of Legal Sciences of Ukraine* . 2013. No. 4 (75). P. 123–132.
3. Anakina T. Regulation of the rights of certain vulnerable groups of persons under the EU Charter on Fundamental Rights: experience for Ukraine. *Ukrainian Journal of International Law* . 2015. No. 2. C. 41–46.
4. O.A. Bedova Control, monitoring and evaluation as procedures for organizational support of the adaptation of Ukrainian legislation to the EU acquis. *National Academy of Public Administration under the President of Ukraine* . 2018. No. 1 . P. 178–201.
5. Bulgakov D.O. Constitutional reform of the European Union according to the Treaty of Lisbon. Substantive provisions. *Bulletin of Kharkiv National University of Internal Affairs*. 2010. Issue 2(49). C. 13–22.
6. Vdovichenko O. Democratization of the legislative process in the European Union. *Law and security*. No. 4 (36). 2010. pp. 23–26.
7. Gladenko O. The Lisbon Treaty of 2007 as a new stage in the evolutionary development of European Union law. *Bulletin of the Central Election Commission*. 2008. No. 1 (11). P. 73–77.
8. Hrytsaenko L.L. The European Union as a sui generis organization. *Public law*. 2011. No 1. S. 82–87. URL : http://www.nbu.gov.ua/portal/soc_gum/pubpr/2011_1/grycaenko.pdf
9. Hrytsiak I. Law and institutions of the European Union: study guide. Kyiv, 2006. 300 p.
10. Dovgan V.M. European Parliament. Legal status and competence in the system of bodies of the European Union: Monograph. Kyiv, 2007. 204 p.

11. Zhovkva I.I. Criteria for WTO, European Union and NATO membership. *Integration prospects of Ukraine* / edited by V.R. Sidenko, I.I. Zhovkva, H.M. Nemyrya, H.M. Quail Kyiv: Analytical Research, 2010. 84 p.
12. Institutional law of the European Union / V.I. Muravyov, O.M. Shpakovich, O.M. Lysenko and others. Kyiv: InYure, 2015. 312 p.
13. Komarova T. V. The role of the Court of Justice of the European Union in the formation of the doctrine of constitutionalization of EU law. *Law of Ukraine* . 2019. No. 6. P. 69-85.
14. Komarova T. Interaction of the Court of Justice of the European Union with other judicial institutions. *Law of Ukraine* . 2018. 4. P. 223–232.
15. Komarova T.V. The EU Court of Justice as a body for the protection of fundamental human rights. *State and law* . 2018. Issue 80. P. 173–188.
16. Kostyuchenko Ya. The doctrine in the law of the European Union and its reflection in the legal system of Ukraine. *Law of Ukraine* . 2019. No. 6. P. 86–99.
17. Kulabukhova A.V. Catalog of the rights of citizens of the European Union. *Law and innovation* . 2016. No. 1. P. 270–275.
18. Lazovski A. The supremacy of the law of the European Union in the formation of the doctrine of constitutionalization of EU law. *Law of Ukraine* . 2019. No. 6. P. 35 – 52.
19. Luts L.A. The genesis of the idea of European unity. *Actual problems of politics*. 2002. Issue 13–14. P. 668–675.
20. Makarukha Z.M. Legal foundations of the European Union's activity in the sphere of ensuring the space of freedom, security and justice: monograph. Lviv: Astrolabia, 2011. 543 p.
21. Muravyov V. Types of competence of the reformed European Union. *International relations*. 2009. No 37. S. _53 – 58. URL: http://papers.univ.kiev.ua/mizhnarodni_vidnosyny/articles/Types_of_the_reformed_European_Union_s_competence_16198.pdf

22. Muravyov V.I., Smirnova K.V. European law: legal category, science, doctrine. *Law of Ukraine* . 2011. No. 4. P. 141–177.
23. Musys N. Everything about common policies of the European Union / trans. from English Kyiv: K.I.S., 2005. 446 p.
24. Mushak N.B. International legal principles of protection and provision of human rights in European international organizations: monograph; under the editorship Prof. V. I. Muravyov; National Acad. of Sciences of Ukraine, Kyiv. University of Law Kyiv: Lira-K, 2013. 188 p.
25. Perederii O.S. The European police department in the institutional mechanism of the European Union: historical prerequisites for creation, order of formation, competence. *Law and security*. 2010. No. 2 (34) . P. 34 - 38.
26. Pistrakevich O. Peculiarities of the legislative process in the European Union. *Efficiency of public administration*. 2014. Issue 39. P. 85 – 92.
27. Deepening of relations between the EU and Ukraine: what, why and how? / under the editorship M. Emerson, V. Movchan. Kyiv, 2016. 288 p.
28. Smirnova K.V. Analysis of the evolution of Ukraine's relations with the European Union: legal aspect. *Actual problems of international relations*. 2011. Issue 100. P. 132 – 136.
29. Streltsova O.V. Constitutionalization of the process of association of Ukraine with the European Union: theory and practice: monograph. Kyiv, 2017. 532 p.
30. Tragniuk O.Ya. Some legal means of overcoming the deficit of democracy in the European Union (on the example of the institute of citizen initiative). *State construction and local self-government* . 2011. Issue 22. S. 86–95. URL : http://dspace.nlu.edu.ua/bitstream/123456789/3237/1/Tragniuk_86.pdf
31. Hobby Y.S. Legal status of candidate states for joining the European Union: the issue of sovereignty. *State and law* . 2009. Issue 44. P. 614–619.
32. H. Yakymenko. Reflection of the idea of supranationality in the history of European integration . *Bulletin of the Academy of Legal Sciences of Ukraine* . 2008. No. 1 . S. _ 251–261.

33. Yakymenko H. Basic approaches to understanding the legal status of the European Union. *Bulletin of the Academy of Legal Sciences of Ukraine* . 2008. No. 2 . S. _ 262–272.

Internet resources

Acts of the EU acquis, translated into Ukrainian - <https://minjust.gov.ua/acquis-communautaire>

Consolidated versions of the Lisbon Treaty (in Ukrainian) – www.minjust.gov.ua/file/23491

Media portal of the European Union - <http://www.euractiv.com>

The official website of the European Ombudsman is <http://www.ombudsman.europa.eu/start.faces>

The official website of the European Parliament is <http://www.europarl.europa.eu>

The official website of the European Union is <https://europa.eu/>

The official website of the European Commission is <http://ec.europa.eu>

The official website of the Council of the European Union is <http://www.consilium.europa.eu>

The official website of the Court of Justice of the European Union is <http://www.curia.europa.eu>

Search system of EU regulations - <http://eur-lex.europa.eu/homepage.html>

Progress of implementation of the Association Agreement - <https://pulse.eu-ua.org>

Texts of founding treaties of the European Union - <http://www.eurotreaties.com>

SENMK

Standardized electronic educational and methodological complex of the Department of Law of the European Union. URL: http://library.nlu.edu.ua/index.php?option=com_k2&view=itemlist&task=category

[&id=623:kafedra-prava-yevropeiskoho-soiuzu&Itemid=151](#)

Material and technical support of the educational discipline

Open access to the online resources of Oxford University Press , to the information and legal systems LIGA:LAW (the GRAND system and the VERDICTUM judgment analysis system).

Access is possible in the legal information hall of the Educational Library Complex (84-A Pushkinska St., 3rd floor).

Requirements of the teacher

Applicants of higher education *must* : regularly attend lectures and practical classes; systematically and actively work on them; convincingly present arguments when solving tasks; qualitatively perform written and oral tasks, control and independent work, etc. Practical classes missed for valid reasons can be made up after prior agreement with the teacher.

Applicants of higher education *are recommended* to: participate in scientific conferences, competitions of scientific works, the work of the scientific circle of the department, prepare theses of scientific reports, scientific articles, etc.

A *mandatory requirement* is for students of higher education to comply with the norms of **the " Code of Academic Ethics of Yaroslav the Wise National Law University"** (https://nlu.edu.ua/wp-content/uploads/2020/02/kodeks_academichnoyi_etyk_y.pdf).

During classroom classes, it is allowed to use gadgets for educational purposes (for example, to view lecture presentations). It is allowed to use laptops and tablets for keeping lecture notes and tracking the necessary information.

Control measures

Evaluation of the results of mastering the educational discipline " Advanced studies of EU law / In-depth studies of the law of the European Union" provides for current and final control and is carried out on the basis of a cumulative point-rating

system.

Current control of students' knowledge includes:

- quality control of the students' assimilation of the program material of the educational discipline in practical classes using the following tools: oral/written survey, express survey, solving practical tasks, participation in the development of a case, preparation of a presentation, essay, etc. The current control is aimed at checking the level of the student's preparation in studying the current material. In the course of the practical session, the student can receive an assessment on a four-point scale (0, 3, 4, 5);

- quality control of the students' assimilation of the program material of the educational discipline, which is conducted at the end of the modules in the form of colloquiums.

The mandatory form of independent work of students is the preparation of an individual final written work. The maximum number of points based on the results of the defense of an individual final written work is 20 points.

The form of *final control of the* knowledge of higher education students in an academic discipline is a differentiated assessment. The minimum number of points to receive a differentiated credit is 60.

Scale of final pedagogical control:

Rating according to the ECTS scale	Definition	Rating on a national scale for credit	Rating according to the 100-point scale used at NYU
AND	Excellent - Excellent execution, with only a small number of errors	counted	90 - 100
IN	Very good - above average with a few errors		80-89
WITH	Good - generally correct work with a number of minor errors		75-79
D	Satisfactory - not bad, but with a significant number of shortcomings		70-74
IS	Sufficient – performance meets minimum criteria		60-69
FX	Unsatisfactory - work needs to be done before rewriting	not counted	35-59
F	Unsatisfactory - serious further work is required, a mandatory repeat course		0 - 34