

## Module Layout

### DEE 121 / Judicial Protection in the European Union

<b>Faculty</b>	SOED	Faculty of Economics and Management	
<b>Programme of Study</b>	DEE	European Union Law	
<b>Module</b>	DEE 121	Judicial Protection in the European Union	
<b>Level</b>	<b>Undergraduate</b>	<b>Graduate</b>	
		<b>Master</b>	<b>Doctoral</b>
		√ (Joint programme)	
<b>Language of Instruction</b>	Greek		
<b>Teaching Method</b>	Distance Learning		
<b>Module Type</b>	<b>Mandatory</b>		<b>Optional</b>
	√		
<b>Number of Cohort Tutorial Meetings</b>	<b>Total</b>	<b>Physical Presence</b>	<b>Web conferences</b>
	4	2	2
<b>Number of Exercises</b>			
<b>Number of Assignments</b>	2		
<b>Final Grade Calculation</b>	<b>Exercises</b>	<b>Assignments</b>	<b>Final Exams</b>
	0 %	30 %	100 %
<b>Number of European Credit Transfer System (ECTS)</b>	15		

#### **Module Description**

Module DEE 121 'Judicial Protection in the European Union' is the third module of the mandatory curriculum of the programme of study 'European Union Law'. The goal of the module is to familiarise students with the ways through which one can protect his rights under EU law against infringements emanating from national and EU authorities.

The module begins with the study of the structure and composition of the Court of Justice of the EU. It also considers the jurisdiction of the Court, the General Court and the Civil Service Tribunal. Next the judicial and extra-judicial mechanisms of protection of EU rights against infringements by EU authorities are examined. More precisely, issued are discussed pertaining to the action for annulment, the objection of illegality, the action for failure to act, the preliminary ruling, the action for damages and the European Ombudsman. Then the study directed towards the judicial and extra-judicial mechanisms of protection of EU rights against infringements by national authorities. In particular issues are addressed in relation to the European Commission's action against a Member State, the preliminary ruling, the action for damages, the national ombudsman and the service of SOLVIT. The module concludes with analysis of forms of temporary legal protection at EU level and appeals against decisions of the particular formations of the Court of Justice of the EU. The above is crucial in acquiring a holistic picture of the judicial and extra-judicial means of EU rights protection at EU and National level.

### Module Prerequisites

ΔΕΕ 111	Institutional Law of the European Union
ΔΕΕ 112	Internal Market Law

### Final Grade Composition

Assessment Method	Percentage on Overall Grade	Workload	
		Hours	ECTS
<b>Weekly Study</b> (14 weeks *~18 hours) (2 weeks *~25 hours)	0 %	~275 - ~330	11
<b>Exercise 1</b>	-	-	-
<b>Exercise 2</b>	-	-	-
<b>Assignment 1</b>	15 %	~50 - ~60	2
<b>Assignment 2</b>	15 %	~50 - ~60	2
<b>Final Exam</b>	70 %	3	-
<b>Total</b>	<b>100%</b>	<b>~375 - ~450</b>	<b>15</b>

### Grading Policies and Evaluation Methods

- Students are evaluated with 10, if they collect 100% of the possible grade.
- Students are evaluated with 9, if they collect 90% of the possible grade, meaning, 90%\*10=9, etc.
- Passing rate
  - Students are allowed to participate in the final exam of a Module, if they have overall collected the minimum grade ( $\geq 50\%$ ) in their assignments.
  - 50% of the Final exam

If a student gains a grade with decimal points, then it is rounded to the nearest half unit.

### ***Main Competencies that needs to be developed***

*The students who will successfully complete this Module, are expected that they will be able to:*

- Understand the philosophy and forms of judicial protection in the European Union.
- Evaluate the nature of judicial protection in the European Union and the relationship amongst legal remedies.
- Recognise the fundamental legal principles governing the system of judicial protection in the European Union.
- Critically approach the institutional structure of the EU Justice and clearly identify the role and functions of different remedies.
- Analyse the way in which an individual may appeal directly against EU acts before the EU Court
- Use practically the text of the Treaty on the Functioning of the European Union so that they can protect their rights against the EU and national authorities.

### ***Intended Learning Outcomes***

*The students who will successfully complete this Module, are expected that they will be able to:*

#### **Knowledge**

- Refer to the founding treaties and highlight their main contribution to the system of judicial protection in the European Union.
- List the substantive and formal conditions for the exercise of legal remedies in the European Union.
- Identify the fundamental principles governing the functioning of the Court of Justice of the European Union.
- Appreciate the difficulties pertaining to the action for annulment against Union acts before the EU Court.
- Describe the function of preliminary reference.
- Define the conditions of an action against a Member State in case of violation of EU law.

#### **Comprehension**

- Distinguish between judicial and non-judicial protection.
- Compare the role of the European and the national ombudsmen to that of the Court of Justice of the European Union and the national courts.
- Differentiate between against infringements of EU law by European authorities and national authorities.
- Understand the cooperation between the Court of Justice of the European Union and the national courts in the preliminary ruling procedure.
  - Explain the SOLVIT service.

- Identify the necessary conditions for the damages action.

### **Application**

- Apply the case-law of the Court of Justice of the European Union concerning the action for annulment and illegality.
- Solve problems pertaining to the division of powers between the Court, the General Court and the Civil Service Tribunal.
- Use the text of the Treaty on the Functioning of the European Union to benefit from judicial protection against EU and national authorities.
- Apply the concepts taught in the module to explain the nature of the European Ombudsman.
- Categorise the powers of the Court, the General Court and the Civil Service Tribunal.
- Identify the possibility of temporary judicial protection and appeal.

### **Analysis**

- Analyse the problem of action for failure to act.
- Evaluate the practical importance of damages action..
- Consider the various individual stages of the proceedings against a Member State.
- Discuss the possibility of an action for annulment.
- Summarize the role of the European Ombudsman.
- Demonstrate the importance of the preliminary reference.

### **Synthesis**

- Recommend solutions to problems arising from the strict conditions governing the action for annulment.
- Formulate proposals for further institutional strengthening of the EU's judicial system.
- Combine the different remedies of EU law in order to gain an overall view of their parallel operation.
- Collect the different aspects of the structure and organisation of the Court of Justice of the European Union.
- Correlate the various functions of the preliminary reference.
- Define the damages actions as a means of judicial protection in the EU.

### **Evaluation**

- Assess the effective operation of the EU courts system.
- Evaluate the critical role national courts play in the effective judicial protection.
- Critically approach the conditions for exercising the action for annulment.
- Suggest ways for better institutional functioning of the Court of Justice of the European Union.
- Compare the different remedies.
- Appreciate the future development of judicial protection in the EU.

### ***Bibliography***

- Sachpekidou Eugenia, "European law" Sakkoulas, Athens-Thessaloniki, latest edition