

Semester 2, 2013/14

## EU Internal Market Law

- Luật về thị trường nội khối Liên minh châu Âu (tiếng Anh) -

*with an Introduction to European Union Law*

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DAAD Lecturer

- **Course description:**

The European internal market is the most advanced element in the European geo-regional supranational integration. It has been successful for a long time and can serve as a model for economic integration in other parts of the world. The law of the European internal market is part of European Union law, since the European Union represents not only the institutional framework but as well the location for the substantive law of the European integration. The course provides a short introduction into European Union law and then deals with EU internal market law, in particular with the *economic fundamental freedoms* of the citizens of the Union (free movement of goods, freedom of movement for workers, freedom of establishment, freedom to provide services, freedom of the movement of capital and of payments). These economic freedoms have a great impact on the daily life in the European Union but are also important for non-European companies that are active in the European market, in particular through own subsidiaries. Many concepts and ideas developed in this field may inspire the development of international business law in other parts of the world. The course will present the general theory and the specific features of the fundamental freedoms. It will also deal with the approximation of laws in the internal market and the competition law of the European Union, two elements that have proved to be essential for the realization and safeguard of the internal market.

The course is not limited to a theoretical presentation but also introduces briefly to the *techniques of case-solving* in the field of European internal market law. The participants will study how to approach a concrete case, work out the exact question of the case and structure and formulate the case solution. Two case studies will deal with the economic fundamental freedoms.

- **Conditions:**

The course will be held in English. It is open to students of the 3<sup>rd</sup> and 4<sup>th</sup> grade, postgraduate students and students of Foreign Trade University. Participants who attend at least 14 of the 20 lectures will receive a certificate of participation.

- **Time and Place:**

Tuesday and Thursday, 20.02., 25.02., 27.02., 04.03., 06.03., 11.03., 13.03., 18.03., 01.04. and 03.04.2014, from 14:00 to 18:00, room B.301 (building B).

- **Contents:**

*Part I: Introduction*

- § 1 Basics of the European Union
- § 2 The law of the European Union (overview)
- § 3 The European Union as a unified economic area (overview)

*Part II: The Economic Fundamental Freedoms*

- § 4 General theory
- § 5 The free movement of goods (art. 28 et seq., 110 et seq. FEU Treaty)
- § 6 The freedom of movement for workers (art. 45 et seq. FEU Treaty)
- § 7 The freedom of establishment (art. 49 et seq. FEU Treaty)
- § 8 The freedom to provide services (art. 56 et seq. FEU Treaty)
- § 9 The free movement of capital and payments (art. 63 et seq. FEU Treaty)

*Part III: The Realization and Safeguard of the Internal Market*

- § 10 The approximation of laws in the internal market (overview)
- § 11 The competition law of the European Union

*Part IV: Introduction to Practical Case-solving in EU Internal Market Law*

- **Bibliography (selection):**

*I. Textbooks on European law in general*

- |                         |   |
|-------------------------|---|
| Borchardt, Klaus Dieter | The ABC of the European Union, 2010, <a href="http://eur-lex.europa.eu/en/editorial/abc_toc_r1.htm">http://eur-lex.europa.eu/en/editorial/abc_toc_r1.htm</a> [free download in 21 European languages] |
| Coutron, Laurent        | Droit de l'Union européenne, 2011   |
| Craig, Paul             | EU Law. Text, Cases and Materials, 5th edition 2011   |
| Búrca, Gráinne de       |   |
| Davies, Karen           | Understanding European Union Law, 5 <sup>th</sup> edition 2012  |
| Fairhurst, John         | Law of the European Union, 9 <sup>th</sup> edition 2012   |
| Favret, Jean Marc       | L'essentiel de l'Union européenne, 13 <sup>th</sup> edition 2013  |
| Folsom, Ralph H.        | European Union Law in a Nutshell, 7 <sup>th</sup> edition 2011  |
| Frenz, Walter           | Europarecht, 2011   |
| Gautron, Jean-Claude    | Droit européen, 14 <sup>th</sup> edition 2012   |
| Haratsch, Andreas       | Europarecht, 8 <sup>th</sup> edition 2012   |
| Koenig, Christian       |   |
| Pechstein, Matthias     |   |
| Hobe, Stephan           | Europarecht, 7 <sup>th</sup> edition 2012   |
| Lenaerts, Koen          | European Union Law, 3 <sup>rd</sup> edition 2011  |
| Nuffel, Piet van        |   |
| Oppermann, Thomas       | Europarecht, 5 <sup>th</sup> edition 2011   |
| Classen, Claus Dieter   |   |
| Nettesheim, Martin      |   |

## *II. Textbooks specialized on European internal market law*

Barnard, Catherine	The Substantive Law of the EU: The Four Freedoms, 4 <sup>th</sup> edition 2013
Ehlers, Dirk (editor)	European Fundamental Rights and Freedoms, 2007 [see also updated German version Europäische Grundrechte und Grundfreiheiten, 3 <sup>rd</sup> edition 2009; both versions available as e-book edition 2011]
Fabio, Massimo	Customs Law of the European Union, 4 <sup>th</sup> edition 2012
Frenz, Walter	Handbuch Europarecht, volume 1: Europäische Grundfreiheiten, 2 <sup>nd</sup> edition 2012
Gormley, Laurence	EU Law of Free Movement of Goods and Customs Union, 2009
Jones, Alison	EU Competition Law. Text, Cases, and Materials, 5 <sup>th</sup> edition 2014
Sufrin, Brenda	
Reich, Norbert	Understanding Eu Internal Market Law: 3 <sup>rd</sup> edition 2013
Nordhausen Scholes, Annette	
Scholes, Jerem	

- **Further information:**

At [www.thomas-schmitz-hanoi.vn](http://www.thomas-schmitz-hanoi.vn) or directly from the lecturer ([tschmit1@gwdg.de](mailto:tschmit1@gwdg.de)).

Note: Comprehensive materials and links to many materials freely available in the internet will be provided by the lecturer. A fast internet connection is absolutely necessary to follow the course.