

UČNI NAČRT PREDMETA/COURSE SYLLABUS

Predmet: USTAVNOPRAVNA KRIZA EVROPSKE UNIJE
Course title: THE EUROPEAN UNION'S CONSTITUTIONAL CRISIS

Študijski programi in stopnja	Študijska smer	Letnik	Semestri
Upravljanje javnega sektorja, prva stopnja, univerzitetni	Upravljanje javnega sektorja (študijski program)	2. letnik	Letni

Univerzitetna koda predmeta/University course code: 0839

Predavanja	Seminar	Vaje	Klinične vaje	Druge oblike študija	Samostojno delo	ECTS
30				90	60	6

Nosilec predmeta/Lecturer: Verica Trstenjak

Vrsta predmeta/Course type: Splošno izbirni/Elective

Jeziki/Languages:

Predavanja/Lectures:	Angleščina, Slovenščina
Vaje/Tutorial:	

Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti: **Prerequisites:**

Ni pogojev. No prerequisites.

Vsebina:

1. Kriza EU: vzroki in posledice
2. Migracije
3. Politicni postopki zoper države članice po 7.cl. PEU
4. Brexit in izstop iz EU
5. Pravna država in EU kot socialna država
6. Drugi aktualni problemi (davki, spori med državami, varstvo osebni podatkov)
7. Trenutni izzivi EU in obeti za prihodnost

Content (Syllabus outline):

1. Grounds and impacts of European Union crisis
2. Migration
3. Political procedures against Member States (Art. 7 TEU)
4. Brexit and withdraw from the EU
5. Rule of law in the EU and EU as welfare state
6. Other problems in the EU (Taxes, disputes between Member States, data protection)
7. Current challenges and future prospects of EU

Temeljna literatura in viri/Readings:

1. Trstenjak: National Sovereignty and the Principle of Primacy in EU Law and their importance for the Member States, *Beijing Law Review*, 2013, Vol. 4 No. 2, S. 71-76
2. Trstenjak/Weingerl: The Influence of Human Rights and Basic Rights in Private Law, **Springer** 2016, 593.str.
3. Asyl und Grundrechte in der EU und der Einfluss des Gerichtshofs der EU, v zborniku za predsednika avstrijske notarske zbornice prof. dr. Bittnerja: Festschrift für Prof. Dr. Bittner, 2018, Manz Verlag, 691-709
4. Temeljne pravice v EU in vpliv Sodisce EU, v zborniku za prof. Ernesta Petriča; Slovenske misli o mednarodnih odnosih in pravu, 2016, 193-211
5. The Welfare State in Times of Crisis: Threat to the Rule of Law? v *Iliopoulos-Strangas* (ed.) The future of the Constitutional Welfare State in Europe, (2015), 299-306
6. Civis Europeus sum - Union citizenship and the influence of the Court of Justice of the EU, *Academia Europaea, European Review*, Volume 23, 29.1.2015, S. 71-80
7. Trstenjak: Pravni in ekonomski učinki Brexita na zasebno pravo, Podjetje in delo, 6-7/2017, str. 1055-1064
8. Načelo primarnosti prava Unije in pravo držav članic. Razmerje med akti Unije in nacionalnimi ustavami. V: *Pravnik*, št. 7-8/2012, str. 587-604

9. Pravni viri EU (pogodbe, Listina EU, uredbe, direktive) in sodbe sodišča EU (EU legal acts and case law of the Court of Justice of the EU)

<p>Cilji in kompetence:</p> <p>Cilji predmeta:</p> <ul style="list-style-type: none"> • Poznavanje razlogov in razvoja krize EU; • Poznavanje krize EU v ustavnem kontekstu; • Poznavanje odgovorov na krizo EU • Poznavanje trenutne politične in socialne situacije v EU <p>Predmetno specifične kompetence so naslednje:</p> <ul style="list-style-type: none"> • Krizo EU; • Odgovore na krizo EU; • Vzorednico med krizo EU in krizo ustavnosti; • Vpliv krize EU na ustavne pravice; • Pridobitev sposobnosti za kritično analizo trenutnih političnih, družbenih in ustavnih razmer v EU. 	<p>Objectives and competences:</p> <p>The aim of the course is:</p> <ul style="list-style-type: none"> • to acquaint students with the roots and development of EU crisis; • to acquaint students with EU crisis in constitutional context; • to acquaint students with responses to EU crisis; • to acquaint students with current political and social situation in EU and implication of financial crisis on that fields; <p>Students should be able to generally understand:</p> <ul style="list-style-type: none"> • EU crisis; • Responses on EU crisis; • Parallel between EU crisis and constitutional crisis; • Implication of EU crisis on constitutional rights; • Students should be able to critically analyse current Political, Social and Constitutional situation in EU.
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<p>Predvideni študijski rezultati:</p> <p>Znanje in razumevanje:</p> <p>Študent bo pridobil poglobljeno znanje o vplivu krize EU na ustavne pravice in vplivu krize ustavnosti na krizo EU (soodvisnost). Razumel bo posledice kriz na različnih področjih EU.</p>	<p>Intended learning outcomes:</p> <p>Knowledge and understanding:</p> <p>Students will acquire more detailed and profound knowledge in the field of EU crisis and its implication on constitutional rights as well as vice versa (interdependence). They will understand consequences of crisis in different fields of EU.</p>
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<p>Metode poučevanja in učenja:</p> <ol style="list-style-type: none"> 1. Priprava na predavanja 2. Predavanje 3. Priprava na seminar 4. Seminar 5. Študija primera 	<p>Learning and teaching methods:</p> <ol style="list-style-type: none"> 1. Preparation for lectures 2. Lecture 3. Preparation of the seminar 4. Seminar 5. Case Study
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Načini ocenjevanja:	Delež/Weight	Assessment:
1. Seminarska naloga	30,00 %	1. Seminar paper
2. Izpit (pisni ali ustni)	70,00 %	2. Examination (written or oral)

<p>Reference nosilca/Lecturer's references:</p> <ol style="list-style-type: none"> 1. Trstenjak/Weingerl: The Influence of Human Rights and Basic Rights in Private Law, Springer 2016, 593.str. 2. Trstenjak: Les mécanismes de recours collectif et leur importance pour la protection des consommateurs, in La Cour de justice de l'Union européenne sous la présidence de Vassilios Skouris (2003-2015), Liber amicorum Vassilios Skouris (2015), 681-696 3. Trstenjak: The Welfare State in Times of Crisis: Threat to the Rule of Law? v <i>Iliopoulos-Strangas</i> (ed.) The future of the Constitutional Welfare State in Europe, (2015), 299-306 4. Trstenjak/Weingerl: Union Citizenship within Directive 2004/38/ EC- stability of residence for Union citizens and their family members, national report for FIDE congress 2014, Copenhagen, DJOF Publishing Copenhagen 2014, S. 759-774 5. Trstenjak/Beysen The Growing Overlap of Fundamental Freedoms and Fundamental Rights in the Case-law of the CJEU, <i>European Law Review</i> (2013) 38, 293-315 (Social Sciences Citation Index) 6. Trstenjak: National Sovereignty and the Principle of Primacy in EU Law and their importance for the Member States, <i>Beijing Law Review</i>, 2013, Vol. 4 No. 2, S. 71-76

7. Trstenjak: Procedural Aspects of European Consumer Protection Law and the Case Law of the CJEU, *European Review of Private Law*, No. 2/ 2013, S. 451-478
8. Trstenjak: The Legal System of the EU: The Principle of Primacy in EU Law and the Role of the Constitutional Courts of the Member States. V: *International Justice Journal Moscow, Medzunalodnoe Pravosudie*, št. 2/2012, str. 54-65.
9. Trstenjak/Beysen: Das Prinzip der Verhältnismäßigkeit in der Unionsrechtsordnung. V: *Europarecht*, letnik 47, št. 3/2012, str. 265–284.
10. Trstenjak: Rechtsvergleichende Aspekte: Die Kooperation zwischen dem EuGH und den nationalen Gerichten, insbesondere in Bezug auf die Grundrechtecharta, *Tagungsband des 12. Österreichischen Europarechtstags 2012*, Manz 2013, S. 13-34