European judicial cooperation in civil and criminal matters

Academic Year: (2021 / 2022) **Review date: 09-06-2021**

Department assigned to the subject: Social and Private International Law Department

Coordinating teacher: RODRIGUEZ RODRIGO, JULIANA

Type: Electives ECTS Credits : 3.0

Year : Semester : 1

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Private International Law
Criminal procedural law

OBJECTIVES

Own and understand knowledge that can provide a base or opportunity to be original in the development and/or application of ideas, often in a context of research.

The students must know how to communicate their findings and knowledges, in form clear and unambiguous, in front of public specialised and non-specialised

That students have to learn skills which allow them to continue studying.

Learn the growing importance that has the law of European Union for legal operators and demonstrate mastery of its techniques about its application

Compare the instrumental value of law to achieve the efficienty of the market and macroeconomic stability.

Skilfully use of new communication technologies and sources of information on the law of the European Union.

Assess personal initiatives to increase the supply and quality of professional services

Ability to integrate the rules and specific procedures of the EU law on advice from customers and the protection of their rights in the internal and Community jurisdiction.

Ability to expose the functioning of the mechanisms of adaptation of the market players to the supranational regulation.

Knowledge and understanding of the techniques of relationship with agents and national and supra-national institutions responsible for the supervision of the EU law.

Knowledge and understanding of the scope of the liability of public authorities for breach of the EU law

DESCRIPTION OF CONTENTS: PROGRAMME

CIVIL PART

1. Jurisdiction in civil and commercial matters: Regulation 1215/2012

2. Law applicable to contractual obligations: Regulation Rome I

3. Law applicable to non-contractual obligations: Regulation Rome II

4. Enforcement of judgments in civil and commercial matters: Regulation 1215/2012

5. Taking of evidences in civil and commercial matters

PENAL PART

PARTE PENAL

1. THE PRINCIPLE OF MUTUAL RECOGNITION: EUROPEAN ARREST WARRANT, RECOGNITION OF JUDGMENTS AND OTHER INSTRUMENTS OF CRIMINAL JUDICIAL COOPERATION

2. THE FIGHT AGAINST FRAUD AND THE EUROPEAN PROSECUTOR'S OFFICE

LEARNING ACTIVITIES AND METHODOLOGY

LEARNING ACTIVITIES

Theorical class
Practical classes
Tutorials
Team work
Individual student work

TEACHING METHODOLOGIES

Teacher's lectures with support of computer and audiovisual media, in which the main concepts of the subject are developed. Bibliography is provided to complement the students' learning.

Critical reading of recommended texts:
Press articles, reports, manuals and / or academic articles, either for later discussion in class, or to expand and consolidate the knowledge of the subject.

Resolution of practical cases, problems, etc. raised by the teacher individually or in a group

Exposure and discussion in class, under the moderation of the professor of subjects related to the content of the subject, as well as of practical cases

Elaboration of works and reports individually or in groups

ASSESSMENT SYSTEM

The course consists of two blocks: "Civil cooperation" and "Criminal cooperation".

Ordinary session.

"Civil cooperation" block constitutes 70% of the final grade, distributed in the following manner:
-Continuous evaluation (25%): exercises on an individual basis for each student during the sessions.
-Final case (45%): final case in groups.

The block "Criminal cooperation" constitutes 30% of the final grade and consists in the realization of a final case in groups.

Extra-ordinary session:
End-of-term exam, consisting in a practical case to solve individually: 70% of total mark.
Rest of the mark: permanent evaluation of participation, attitude and intervention of the student during presential classes (30% of the total mark).

The absence of more than 20% of the front classes causes dismissal from the course.

% end-of-term-examination:	75
% of continuous assessment (assigments, laboratory, practicals…):	25

BASIC BIBLIOGRAPHY

- A.L. Calvo Caravaca/J. Carrascosa González (dirs.) Tratado de Derecho Internacional Privado, Tirant Lo Blanch, Valencia, 2020
- Hauberg Wilhelmsen, Louise International Commercial Arbitration and the Brussels I Regulation, Elgar, 2018
- Kostoris, Robert E. Handbook of European Criminal Procedure, Springer, 2018
- Stone, Peter Stone on Private International Law in the European Union, Elgar, 2018

- U. Magnus Brussels Ibis Regulation : commentary, Otto Schmidt, 2016
- U. Magnus Rome I Regulation : commentary, Otto Schmidt, 2017

BASIC ELECTRONIC RESOURCES

- Javier Carrascosa González . ACCURSIO DIP: http://www.accursio.com
- Área de Derecho Internacional Privado . Cuadernos de Derecho Transnacional: http://www.uc3m.es/cdt